

PLANNING COMMITTEE – 24 FEBRUARY 2022

PART I - DELEGATED

12. **21/2778/FUL – Construction of detached outbuilding containing bar at RIVERSIDE, OLD MILL ROAD, HUNTON BRIDGE, WD4 8QT**

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 31.01.2022

Ward: Gade Valley
Case Officer: Tom Norris

Recommendation: That Planning Permission be Refused.

Reason for consideration by the Committee: Called in with the support of three Committee Members, due to the impact of the proposed bar on neighbours, regardless of Officer recommendation.

1 Planning History

- 1.1 21/0132/COMP - Material change of use to an events venue. Pending consideration
- 1.2 21/2423/FUL - Side and rear extensions to accommodate toilets for existing guest house/garage - 20.12.2021 - Permitted
- 1.3 20/1357/FUL - Front extension to detached guest house/garage - 07.09.2020 – Permitted
- 1.4 20/1401/FUL - Increase in height of front boundary wall and creation of bin storage area – 21.09.2020 - Withdrawn
- 1.5 16/0555/FUL - Single storey front extension - 04.05.2016 – Permitted
- 1.6 15/1962/RSP - Retrospective: Construction of replacement shed with gazebo on top - 07.12.2015 – Permitted
- 1.7 09/2070/RSP - Part Retrospective: Loft conversion over garage/annexe with removal of chimney, insertion of two dormer windows and one velux to rear, and external staircase - 18.03.2010 – Permitted
- 1.8 09/1030/FUL - Loft conversion including alteration to a mansard roof with increase in height, front and rear dormer windows and alterations to fenestration –26.08.2009 – Withdrawn
- 1.9 8/732/87 - Refurbishment of existing garage and provision of lounge, kitchen, w.c. and plant room within the building. - 03.06.1988
- 1.10 8/8/79 - Staff bungalow - 15.02.1979
- 1.11 W/136/72 – Access - 29.02.1972
- 1.12 W/1307/71 - Billiard room, vehicular access - 29.07.1971
- 1.13 W/2067/68 – Alterations - 25.09.1968
- 1.14 W/738/63 - Staff cottage - 12.06.1963
- 1.15 W/1262/49 - Combined garage, tool shed, workshop - 18.10.1949
- 1.16 W/886/49 - Glass house - 26.07.1949
- 1.17 W/703/49 - New access and drive - 28.06.1949

2 Description of Application Site

- 2.1 The application site contains a two storey detached dwelling and various associated ancillary buildings located on the western side of Old Mill Road, Hunton Bridge. The site contains a main dwelling which is two-storey in scale and has been extended from its original form. The front of the site is screened by a brick wall and gates. To the rear of the site is a softly landscaped garden.
- 2.2 An ancillary building is located immediately to the south of the main dwelling. This building is utilised as guest accommodation and storage and has a gabled roof form and a white render exterior. The building, formerly a garage, has undergone alterations and extensions including the insertion of glazing in the front elevation, rear dormer windows serving loft accommodation and single-storey rear conservatory extension.
- 2.3 The Grand Union Canal and River Gade are located to the west of the garden and parts of the site fall within the Flood Zones 2, 3 and 3A. The site including the dwelling is situated within the Metropolitan Green Belt. Parts of the site are situated within the Hunton Bridge Conservation Area however the dwelling and associated buildings are not.

3 Description of Proposed Development

- 3.1 This application seeks planning permission for the construction of a detached outbuilding containing a bar.
- 3.2 The proposed building would be sited in the south-western corner of the site, some 60m from the host dwelling and some 5.0m from the Grand Union Canal.
- 3.3 The proposed building would have a principal width of 11.5m and a principal depth of 4.2m. Including the veranda areas, the building would have a maximum width of 13.5m, a maximum depth of 5.3m. The building would have a mono-pitched roof with an eaves height of 2.9m and an overall height of 4.2m. The proposed plans indicate that the building would have an area of hardstanding/decking around it which would extend some 4.0m forward and to each flank of the building and some 2.5m to the rear of it.
- 3.4 The building would contain sliding doors within its front elevation, an entrance door and window. The building would also contain a window within its western flank elevation. The building would have an exterior finish of facing brick and a fibreglass roof.
- 3.5 The building would contain a bar and seating including tables, chairs and barstools within. There would also be lines of barstools to the front and flank elevations adjacent to the bar area, both internally and externally, the latter beneath the roof overhang.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [Objection]

“Members have concerns over the use of the site. It is understood that a license was granted for occasional event use but feel that the addition of this structure adds a permanence to the recreational event use of the site which is not felt to be in the spirit of the license granted. Additionally the design of the bar demonstrates the intention to host open air events, however, the location of the bar is too close to the boundary and represents a fire risk to neighbouring sites. Furthermore, members feel this is inappropriate use of the site as it is situated in a greenbelt and conservation area. Finally, members feel there is insufficient parking to warrant a permanent site such as this. Overall, members have concerns on this use of this site due to its historic issues with local residents and on their behalf, members request if this application is to be recommended for approval that it be brought to committee.”

4.1.2 Environment Agency: [Objection]

Thank you for consulting us on this application. We have reviewed the information submitted and given the possible proximity to the river we have the following objection.

Objection

Reason

- *Restrict essential maintenance and emergency access to the watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works.*
- *Adversely impact the stability of the flood bank which will compromise it's function.*
- *Interfere with natural geomorphological process and could be placed at risk of damage arising from channel migration and erosion.*

Overcoming our objection

Informative

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- *On or within 8 metres of a main river (16 metres if tidal)*
- *On or within 8 metres of a flood defence structure or culvert (16 metres if tidal)*
- *On or within 16 metres of a sea defence*

Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

If you are minded to approve the application contrary to our objection, I would be grateful if you could re-notify us to explain why, and to give us the opportunity to make further representations.

4.1.3 Herts & Middlesex Wildlife Trust: [No comment]

"We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies,

creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal.”

4.1.4 National Grid (Gas): [No response received]

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 27

4.2.2 Responses received: 19 (Objections)

4.2.3 Summary of responses:

- By granting permission it becomes more likely that the property becomes used as an events venue
- There has been excessive noise from this venue
- No regard for its license
- The property is in residential use therefore the proposed development is inappropriate
- Inappropriate to allow this in a residential area
- The proposed development would exacerbate the use as an events venue
- Application should be refused due to lack of compliance with license
- The proposal will create traffic problems
- Noise and safety risks
- Anti-social behaviour concerns
- Increased police intervention at site
- Area inappropriate for business venue
- Proposal will create parking issues
- Adverse impact to neighbours

4.2.4 Site notice posted 19.12.2021, expired 12.01.2022

4.2.5 Press notice published 24.12.2021, expired 17.01.2022

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In July 2021 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".

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

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies of the adopted Core Strategy include CP1, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies of the adopted Development Management Policies LDD include DM1, DM2, DM6, DM8, DM13 and Appendices 2 and 5.

6.3 Other

Hunton Bridge Conservation Area Appraisal (2008)

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

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7 **Planning Analysis**

7.1 Site Overview

7.1.1 It is recognised that concern has been raised by Councillors, the Parish and neighbours given the issues at the property from a licencing perspective, following the grant of a premises licence which went to a Review late last year. Last July a number of events were held at the property which caused a substantial number of complaints within the local area. Due to the level of complaints and Police involvement the licence went to Review, thereby the existing licence was strengthened further. Further information is still awaited from the licencing department, although since the Review, the LPA is not aware that any events have taken place on the property.

7.1.2 A planning enforcement case was opened following the complaints to look into the use of the site. This investigation is still live as further information was requested from the owners by the local planning authority (LPA) via a Planning Contravention Notice which has, to date, not been completed to the satisfaction of the LPA. Nevertheless, the lawful use of the application site is as a single dwellinghouse with the grounds seemingly falling within the curtilage of the dwellinghouse.

7.1.3 The application has been submitted under a 'householder' application and does not seek to materially alter the use of the site. Whilst concerns remain regarding the potential change of use of the site which can be regarded as a material consideration; based on the current circumstances and the substantial break between events, significant weight cannot, at this stage be attached to such concerns.

7.2 Impact on the Metropolitan Green Belt

7.2.1 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use.

7.2.2 The NPPF states at Paragraph 149 that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt however sets out six exceptions to inappropriate development which include:

- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) *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;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

7.2.3 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Whilst Policy CP11 pre-dated the NPPF (2012), it reflects the wording of both NPPF 2012 and 2021 and thus can be afforded weight as part of the decision making process.

7.2.4 Given the proposed outbuilding is entirely detached from and set away from the main dwelling, by a substantial distance, as a matter of planning judgement it is considered that the physical separation is such that it cannot be considered as an extension to the existing building. As a new detached outbuilding, it is noted that the proposed outbuilding would not fall within any of the above exceptions listed within paragraph 149 and thus must be classed as inappropriate development for the purposes of the NPPF (2021). However, Policy DM2 of the Development Management Policies LDD does allow for the provision of ancillary buildings. Policy DM2 is a part of the statutory Development Plan for Three Rivers, and post-dates the 2012 NPPF (it was adopted following examination in 2013). It was therefore adopted at a time when national planning policy in respect of development in the Green Belt was very similar as it is today (i.e. very limited difference between 2012 NPPF and 2021 NPPF in respect of Green Belt). On this basis, it is considered that full weight can be given to DM2 in decision making terms.

- 7.2.5 Policy DM2 of the Development Management Policies LDD (adopted July 2013) relates to development within the Green Belt and states that the Council will only support the provision of ancillary buildings in the Green Belt where it can be demonstrated that the development would:
- i) be of a scale and design clearly subordinate to the dwelling and of a height and bulk such that the building would not adversely affect the openness of the Green Belt*
 - ii) be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development*
 - iii) avoid features normally associated with the use of a building as a dwelling such as dormer windows.*
- 7.2.6 The proposed outbuilding would be sited some 60m from the host dwelling which is considered to be significant. The outbuilding would also be sited on a part of the site that is currently free from built form. It is therefore considered that the proposed building would have a significant urbanising impact on the open character of this currently undeveloped part of the site.
- 7.2.7 The outbuilding would be of a substantial scale, particularly with regard to its width and height at the front, and would contain a significant amount of glazing, particularly within its front elevation. It is considered that the harm identified above is further exacerbated by the scale and external appearance including extensive glazing and fenestration. The building appears commercial in character and does not possess the appearance of an ancillary building.
- 7.2.8 Furthermore, it is not considered that the proposed outbuilding demonstrates an ancillary use to the host dwelling in terms of its internal layout and accommodation. This is partially due to the proposed scale of the building however the building would contain a significant amount of seating and a sizable bar (on a commercial scale). When considering its siting, set a substantial distance from the house, the commercial scale of the bar, the number of seating and its appearance, these factors, would, in the opinion of the LPA go beyond the scope of being ancillary to the main house. As such, the proposed outbuilding would conflict with Policy DM2.
- 7.2.9 It is also acknowledged that the site presently contains a range of outbuildings including a building of substantial size positioned close to the host dwelling. The proposed development does not demonstrate a need for the proposed building that could not be accommodated within one of the existing buildings on site.
- 7.2.10 In summary, it is acknowledged that the outbuilding does not fall within one of the identified exceptions set out in the NPPF however, for the reasons discussed above, it is considered that weight must be attached to the criteria set out in Policy DM2. In this case, the proposal is considered to be contrary to Policy DM2 as the outbuilding is not an ancillary building nor is it of a scale and design that is clearly subordinate to the dwelling and lastly it is considered to be of a height and bulk such that it would adversely affect the openness of the Green Belt. Furthermore the building would be sited in a location, a significant distance from the dwelling and on an open part of the site, which would be prominent in the landscape and would result in the spread of urbanising development. The proposed development is therefore inappropriate by definition and also harms the openness of the Green Belt. No conflict arises with the purposes of the Green Belt. The NPPF at paragraph 148 states that substantial weight must be given to any harm to the Green Belt unless 'very special circumstances' exist which outweigh the inappropriateness, harm to openness and any other harm identified below. A consideration as to whether any special circumstances is assessed below.
- 7.3 Impact on the Character & Appearance and Conservation Area

- 7.3.1 Policy CP1 of the Core Strategy seeks to support buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.
- 7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not have a significant impact on the visual amenities of an area and that extensions should not be excessively prominent in relation to the general street scene and respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.
- 7.3.3 The application site is partially located within the Hunton Bridge Conservation Area. The part of the site located within the Conservation Area is limited to the northern portion of the wider site which does not include the host dwelling and principal amenity garden upon where the proposed development is sited. In relation to development proposals in Conservation Areas Policy DM3 of the DMP LDD stipulates that development will only be permitted if it preserves or enhances the character or appearance of the area and retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens.
- 7.3.4 The proposed outbuilding is not considered to have an adverse impact on the setting of the Conservation Area due to its distance from the Conservation Area. It is considered that the proposed development would not result in harm to the character and appearance of the dwelling or area.
- 7.3.5 The proposal is therefore considered to be acceptable in terms of its impact upon the building, street scene and Conservation Area. Notwithstanding, this consideration does not serve to overcome the harm to the Metropolitan Green Belt, identified in the previous section of this report
- 7.3.6 The proposed development is therefore acceptable in accordance with of Policies CP1 and CP12 of Core Strategy (adopted October 2011), Policies DM1, DM3 and Appendix 2 of the DMP LDD (adopted July 2013) and the Hunton Bridge Conservation Area Appraisal (2008).
- 7.4 Impact on the Amenity of Neighbours
- 7.4.1 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'.
- 7.4.2 Given the position of the proposed extensions, it is not considered that the proposal would result in harm to any neighbour by virtue of a loss of light or have an overbearing impact. It is not considered, given the position of the building in relation to nearby dwellings, that overlooking would arise.
- 7.4.3 The application as applied for is on the basis that it would be used by the occupants of the main dwelling; however, concerns regarding its possible commercial use have been set out above. If used for the latter purposes, there would be concern given the presence of outdoor seating.
- 7.4.4 In summary, the proposed development as applied for would not result in an adverse impact on the residential amenity of any neighbouring dwelling and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.
- 7.5 Highways & Parking
- 7.5.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access. Policy DM13 and Appendix 5 of the Development

Management Policies LDD advises on off street car parking requirements. Appendix 5 sets out that a 4 or more bedroom dwelling should provide three parking spaces.

7.5.2 The application dwelling would retain a driveway large enough to accommodate at least three parking spaces which would meet the adopted standards. The access to the site would remain as existing. Concerns in relation to the proposed development causing an increase in demand for parking and traffic issues are noted however the proposal is to serve the host dwelling and any permission granted would be conditioned as such.

7.5.3 The proposed development would accord with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

7.6 Rear Garden Amenity Space

7.6.1 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 Appendix 2 of the Development Management Policies Document states that 'amenity space must be provided within the curtilage of all new residential developments.'

7.6.2 The application site would retain ample amenity space following the implementation of the proposed extensions.

7.6.3 The proposed development would accord with Policy CP12 of the Core Strategy (adopted October 2011) and Appendix 2 of the Development Management Policies document (adopted July 2013).

7.7 Trees & Landscape

7.7.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.

7.7.2 The proposal would not require the removal or result in any harm to trees.

7.7.3 The proposed development would accord with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies document (adopted July 2013).

7.8 Flood Risk

7.8.1 Paragraph 167 of the National Planning Policy Framework states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Paragraph 168 states that applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55. Footnote 55 states that a site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. Policy DM8 of the Development Management Policies LDD related to Flood Risk and Water Resources.

7.8.2 The area upon which the proposed outbuilding is sited sits partially within Flood Zone 2 and 3 according to the Environment Agency flood mapping. The government guidance states that a Flood Risk Assessment should be carried out and submitted within any planning application within Flood Zone 2 and 3 including for minor development and change of use.

- 7.8.3 The Environment Agency (EA) were consulted on the proposed development and raised objection on a number of grounds. The proposed building would be sited some 5.0m from the watercourse of the Grand Union Canal which would be well within the 8.0m buffer of a main river. The EA consider that the proposal would restrict essential maintenance and emergency access to the watercourse, stating that the permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works. The EA further considered that the proposed building would adversely impact the stability of the flood bank which will compromise its function. The EA also consider that the proposed development has the capacity to interfere with natural geomorphological process and could be placed at risk of damage arising from channel migration and erosion.
- 7.8.4 No information relating to the flood risk of the development or mitigation measures were submitted with the application. In light of the above objection, the proposed development is considered to be contrary to Policy DM8 of the Development Management Policies DPD.

7.9 Biodiversity

- 7.9.1 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.
- 7.9.2 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 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. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application.
- 7.10 Do Very Special Circumstances exist?
- 7.10.1 It has been demonstrated that the proposed development would be inappropriate by definition and would also result in harm to the Metropolitan Green Belt. It has also not been demonstrated that the proposed development would not have an adverse impact on flooding. As per paragraph 148 of the NPPF any harm identified to the Green Belt should be given substantial weight.
- 7.10.2 No Very Special Circumstances have been submitted by the applicant. The development therefore remains inappropriate development, harmful to the openness of the Metropolitan Green Belt and it has not been demonstrated that the development would not have an adverse impact on flooding.

8 **Recommendation**

- 8.1 That PLANNING PERMISSION BE REFUSED for the following reasons:

R1 The proposed outbuilding would be, inappropriate development, by definition and would also result in actual harm to the openness of the Green Belt. The outbuilding also by virtue of its scale, siting and the fact it is not considered to be an ancillary building means it conflicts with Policy DM2 of Development Management Policies LDD (adopted July 2013). It is considered that very special circumstances do not exist to outweigh the harm of the development to the Green Belt by virtue of its inappropriateness and actual harm. As such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

- R2 In the absence of sufficient information, it has not been demonstrated that the proposed development would not have an adverse impact on flooding and the adjacent Grand Union Canal watercourse. Therefore necessary consideration and appropriate mitigation cannot be given to the impact of the development contrary to Policies CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021)

Informative

- I1 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 has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. Whilst the applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions, the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.