

## PLANNING COMMITTEE – 23 MARCH 2023

### PART I - DELEGATED

#### PRELIMINARY REPORT

10. 22/1945/FUL: Hybrid application for the creation of a Film Hub to include detailed approval for demolition of a number of existing buildings including children's farm buildings and change of use of Langleybury House and Aisled Barn for filming and the construction of a cafe within the Walled Garden, new car parking area to north of site, alterations to existing access points along Langleybury Lane, change of use of the L Shaped Barn (to multi purpose use including cycle hub, showers and vehicle storage) and change of use of ground floor of the existing Laundry to reception facility, together with outline planning approval (matters reserved: Scale, Layout, Appearance and Landscaping) for change of use of site to a Film Hub to include Craft Workshop buildings, Sound Stages, Support Workshops, Production Offices, Backlots, Film and Television Training Facility Building, Offices, Ancillary Buildings, parking areas and relocation of Langleybury Children's Farm including new farm buildings. Alterations to existing cycle path and pedestrian network within the site, to include provision of a new pedestrian/cycle access within the site to the A41 (DCES)

Parish: Abbots Langley

Expiry of Statutory Period: 16 February 2023

Extension agreed to 30 June 2023

Ward: Gade Valley

Case Officer: Suzanne O'Brien

**Recommendation:** That the Committee notes the report and is invited to make general comments with regard to the material planning issues raised by the application.

**NOTE: A decision will NOT be made on this application at this time. The application will be returned to a future committee meeting for determination.**

**Reason for consideration by the Committee:** The application has been called in to committee by three Members of the Planning Committee. The application was called in due to effect on Green Belt and traffic issues. In addition the proposal represents a departure from the Development Plan.

#### 1 Relevant Planning History

- 1.1 20/1775/RSP - Retrospective: Erection of palisade fence and associated gate - Permitted - 23.10.2020.
- 1.2 20/2301/LBC - Listed Building Consent: Internal and external repairs to the kitchen and north bay window, including repairs to roof, walls, ceilings and kitchen windows - Permitted - 21.12.2020.
- 1.3 20/2759/LBC - Listed Building Consent: Temporary retention of alterations to interior and exterior of Langleybury House for film set dressings – Permitted - 11/08/2021.
- 1.4 20/2760/LBC - Listed Building Consent: Retention of permanent alterations to interior and exterior of Langleybury House as a result of filming use - Permitted - 23.07.2021.
- 1.5 21/0460/ADV - Retrospective Advertisement Consent: Erection of 2no. non-illuminated signs at the entrance to the Drive, and 1no. non-illuminated sign at the entrance to Home Farm Drive – Permitted - 20.04.2021.

- 1.6 20/1697/RSP - Retrospective: Temporary change of use of the site and buildings to film studios, erection of sound studio building and engineering operations including formation of hardstanding and levels changes and associated works with the change of use including film sets, storage compounds, marquees and lighting (temporary permission of period of three years) – Permitted – 03.09.2021.

### **Pending Applications**

#### *Langleybury House*

- 1.7 22/2064/LBC - Listed Building Consent: A scheme of internal repairs throughout the building combined with external removal and dismantling works (to include stripping out/demolition, set removal, temporary dismantling, and unit salvage) – Pending Consideration.
- 1.8 22/2131/LBC - Listed Building Consent: External landscaping works to Walled Garden and formal garden of the Mansion including repair works in respect of stairs, fountain plinth and bench, boundary walls, North Yard, Garden Walls, Boiler House and Historic Pond – Pending Consideration.

#### *Stable Block*

- 1.9 22/2075/LBC - Listed Building Consent: External works to building to include removal of modern features and fixings and dismantling, replacement/reinstatement of features including lead work, roof, clock tower, vents pipe works, brick features and fenestration – Pending consideration.

#### *Aisled Barn*

- 1.10 22/2075/LBC - Listed Building Consent: External works to building to include removal of modern features and fixings and dismantling, replacement/reinstatement of features including lead work, roof, clock tower, vents pipe works, brick features and fenestration – Pending consideration.

#### *L Shaped Barn*

- 1.11 22/2082/LBC - Listed Building Consent: Conversion of building to multi purpose use including cycle hub, showers and vehicle storage including internal alterations, demolition of lean-to structure, removal of truncated door and removal of corrugated metal roof covering – Pending consideration.

#### *Former Laundry Building*

- 1.12 22/2083/LBC - Listed Building Consent: Internal works to allow the change of use on ground floor from laundry to reception facility. External works to include elements of demolition and improvement works, such as the removal of existing UPVC windows and replacement with timber framed windows and repairs to existing roof and brickwork as required – Pending consideration.

#### *Old Farm Cottages*

- 1.13 22/2078/LBC - Listed Building Consent: A scheme of external works to include dismantling and reinstatement of chimneys and parapet walls, lead work removal, masonry cleaning, and a comprehensive programme of repair work to building including to windows, and all windows and doors to be repainted – Pending Consideration.

## **2. Description of Application Site**

- 2.1 The application site contains Langleybury House (Grade II\* listed), Stables to Langleybury (Grade II listed), Aisled Barn at Langleybury (Grade II listed) and Old Farm Cottages (Grade II listed) in addition to a number of other buildings associated with the historic Langleybury Estate; the agricultural use to the south of the site, and a series of two and three storey buildings associated with the former Langleybury School (which closed in 1996). It also includes a number of existing residential properties that are not proposed to be changed in use. The application site encompasses the existing Childrens Farm sited within the historic Walled Garden and the open parkland sited to the south and east of Langleybury House extending down the valley towards the Grand Union Canal. The site extends south from Langleybury House down to the boundary with the M25 slip road; the land to the south and east of the built form consists of open undulating landscape. The application site covers an area of approximately 63.40hectares.
- 2.2 Since the school closed, different parts of the site have been put to various uses, with agricultural uses taking place generally to the south of the site, a children's farm to the north, and filming activities taking place within the main house and the surrounding land including in and around the school buildings which currently have temporary consent for filming.
- 2.3 More recently the house, curtilage, stable buildings, school buildings and grounds have been used on a larger scale for filming, with external areas being used for short term and long term sets. A sound studio building has been constructed within the courtyard of the former school buildings and a number of the former school buildings are used for ancillary purposes to filming, for example as workshops. Land levels have been altered within parts to provide a level platform to allow the construction of external temporary film sets and this has also resulted in the laying of additional areas of hardstanding around the existing buildings.
- 2.4 Home Farm, the agricultural unit to the south west of Langleybury House, including the land and buildings within the red line indicating the application site, have been changed in use to serve the wider filming within the House and previous school site.
- 2.5 The application site is located on the western side of the Gade Valley. Beyond the mansion, to the east of the site, the ground level falls steeply in elevation until it reaches the River Gade and the Grand Union Canal in the centre of the valley. There is a small area of parkland lawn to the north of the main house, the remains of a formal terraced garden to the east, and the remains of a walled garden to the northwest of the mansion.
- 2.6 The site is located within the Metropolitan Green Belt and the Chilterns Landscape Area. The northern aspect of the site is sited adjacent to Hunton Bridge Conservation Area. St Pauls Church sited to the north east of the northern aspect of the application site is a Grade II\* Listed Building.

### **3. Description of Proposed Development**

- 3.1 This hybrid planning application seeks outline planning permission for the creation of a Film Hub to include detailed approval for demolition of a number of existing buildings including children's farm buildings and change of use of Langleybury House and Aisled Barn for filming and the construction of a cafe within the Walled Garden, new car parking area to north of site, alterations to existing access points along Langleybury Lane, change of use of the L Shaped Barn (to multi purpose use including cycle hub, showers and vehicle storage) and change of use of ground floor of the existing Laundry to reception facility, together with outline planning approval (matters reserved: Scale, Layout, Appearance and Landscaping) for change of use of site to a Film Hub to include Craft Workshop buildings, Sound Stages, Support Workshops, Production Offices, Backlots, Film and Television Training Facility Building, Offices, Ancillary Buildings, parking areas and relocation of Langleybury Children's Farm including new farm buildings. Alterations to existing cycle path and pedestrian network within the site, to include provision of a new pedestrian/cycle access within the site to the A41.

### ***Detailed elements***

- 3.2 The detailed elements consist of the development seeking full planning permission. The detailed part of the application is concentrated around the Langleybury House, Walled Garden and part of the agricultural unit.
- 3.3 The detailed element seeks full planning permission for the change of use of this part of the site to filming on a permanent basis. In addition, the detailed elements of the proposed development include the following:
- 3.4 The change of use of the Langleybury House and Aisled Barn and external areas to filming. This would not involve any alterations to the buildings in terms of increase in built form. Internal and external making good of these buildings and external landscape features are proposed, details of which do not require planning permission. Full details of the alterations to the buildings are set out within the relevant Listed Building Consents as set out within the Planning History section above.
- 3.5 The construction of a café. The existing structures within the Walled Garden associated with the existing use as a children's farm would be demolished. The café building would be sited within the historic Walled Garden; it would only serve the film hub. The building would be sited to the north west of the Langleybury House, 68m from Langleybury Lane. The existing historic wall would be made good where required, with the installation of a pedestrian opening proposed to serve the café. The café would be located along the eastern aspect of the wall. It would measure 17.1m by 37.4m (including the roof overhang). It would have a maximum height of 5.8m when measured from the lower land levels with a double pitched roof, central valley and gabled ends. Internally the café would contain Kitchen, W/Cs, seating area, flexible space and outside covered seating area. The café would be predominantly glazed along the south east and south west elevations. A 3.1m wide (approx. 136m long) access would be provided between the main access road and the north western elevation of the café. The historic gardens would be converted into working gardens.
- 3.6 Change of use of the ground floor of the existing Laundry building into an office and reception. The two first floor level residential units would be retained. The change of use would not result in any alterations to the scale of the building but would include internal alterations such as internal door and subdivision of the internal layout. Externally no material changes would result from the proposed change of use.
- 3.7 Change of use of the L shaped barn sited within the farm yard to Shower and W/C, Maintenance and Repair, Buggy Parking, E Bike charging and bike storage. With the exception of the demolition of the small lean to the building would be made good with little changes to the original features of the building with the exception of the installation of a new external timber door.
- 3.8 Additional parking would be provided within three areas. One would be sited to the east of the Mansion where approximately 108 car parking spaces will be provided. The area shown as hard standing on the plan will measure 174m by 140m. Plan 2107-IFDO-00-RF-DR-A-1020 identifies that the land levels to the east of the parking, that have historically been increased to serve the temporary filming use of the site, will be regraded back to pre-existing levels. A second parking area measuring 31m by 18m would be provided to the north west of the Langleybury House; no details of the amount of parking proposed have been provided. A further 9 parking spaces would be provided in a third area, with a 5.3m wide access road sited to the north west of the Laundry Building to provide access.
- 3.9 The application seeks full planning permission for access which would be in relation to both the detailed elements of the scheme and outline aspects. The two existing accesses serving Langleybury House and Farm would be improved through an increase in width and improved visibility splays. The third access will be served by the existing access serving

South Lodge to the south of Langleybury House this again will be increased in width with improved visibility splays.

***Outline elements (matters reserved: Scale, Layout, Appearance and Landscaping). Detailed plans have been submitted however due to the matters that are reserved these are only indicative only.***

- 3.10 The existing Childrens Farm is proposed to be relocated to the north of the site adjacent to St Pauls C of E Primary School. This would be sited adjacent to and served by the access road serving St Pauls C of E Primary School. The Childrens Farm building have a maximum height of 5m. The field to the north of the access road serving the C of E Primary School would include a parking area that would serve both the Farm and C of E Primary School. It is noted that the description identifies that the parking area to the north forms part of the detailed aspect of the scheme; the agent has however clarified that is to form part of the outline element of the proposal. The description will be amended to reflect this and reconsulted on in due course.
- 3.11 A film and training facility. The existing school building and ancillary buildings will be demolished, including the buildings that only have temporary consent. The replacement structure would have a maximum height of 14m. It would have a mixed use consisting of both a training facility and commercial office space. Commercial Office space would also be provided within the farm yard area between the Aisled Barn and Craft Zone.
- 3.12 Construction of 'Craft Zone' (PR-01) to the south, concentrated around the existing E shaped barn. This would provide warehousing style development that is proposed to provide a series of units available for long term hire as a base for supply chain companies. It is anticipated that the buildings will be occupied by companies involved in: Prop storage, Sculpting, Special Effects, Carpentry, Stunts, Location Supplies, Lighting, Camera Equipment, Grip, Costume or Wardrobe, Hair or Make Up, Visual Effects, Generators, Rigging, Scenery, Photography, Catering, Plant Hire, Editing and Post Production, Recycling and Environmental Work. The Parameter Plan indicates that the buildings in this section would have a maximum height of 8.5m. Parking for cars and HGVs would be provided within and surrounding the Craft Zone.
- 3.13 Sound Stages and Support Space (to the south of the Craft Zone). An indicative gap of approximately 100m would separate the two spaces. The development within this section would form a linear pattern of development and extend up to the southern boundary that adjoins the M25 slip road. 20 Support buildings would be provided that would front Langleybury Lane; these buildings would have a maximum height of 9m. These buildings are anticipated to be occupied as support space to serve the proposed development and off site sound studio space as workshops, storage and rehearsal.
- 3.14 Six Sound Stages would be sited to the rear of the Support Space. These would have a maximum height range of 17-18m. Production office space would also be provided adjacent to the Sound Studios. Parking would be interspersed within the support space and sound studios. To the south of the site additional parking would be provided to the rear of the proposed Sound Stages.
- 3.15 A back lot would be provided to the rear of the Sound Stages. This would occupy an existing plateau in the land; it has not been indicated that the land levels will be required to be altered to accommodate this aspect of the scheme. No permanent buildings are proposed within this location; no details of parameter heights for set builds have been indicated.

### ***Landscaping***

- 3.16 The development would include hard and soft landscaped features throughout the site. The land to the east between the proposed built form and river is to be retained as open space with improvements proposed. Existing footpaths are to be improved and new public right

of ways and cycle routes are proposed to be provided. These aspects fall within the Outline elements of the proposal and as such are indicative only. The indicative layout plans detail that all elements of the site will be connected via internal walk, cycle and vehicle routes.

3.17 Within the full element the area of hard landscaping would be provided including the parking areas as set out above. New pathways would also be inserted around the Langleybury House and Walled Garden with the hardsurfacing within the existing farm area largely retained. A detailed landscaping proposal has been provided as shown on Plan DE509\_300 which includes orchard trees, wildflower areas and planting of new trees.

3.18 The application is supported by the following documents which have been taken into account as part of this assessment:

- Environmental Statement

Volume 1 – Main Technical Assessments covering the following areas: Scope, Methodology and Consultation; Site and Scheme Description; Landscape and Visual; Ecology and Nature Conservation; Cultural Heritage; Transport; Noise and Vibration; Air Quality; Socio-Economics; Water Environment; Climate Change and Resilience; Ground Conditions; Archaeology; Soils; Cumulative Residual Effects; Mitigation and Monitoring

Volume 2 – Technical Figures and Appendices including the following documents:

- Landscape and Visual Impact Assessment (Appendix D)
- Lighting Assessment (Appendix D)
- Ecological Survey Assessments (Appendix E)
- Arboriculture Report (Appendix E)
- Veteran Tree Assessment (Appendix E)
- Historic Buildings Report (Appendix F)
- Transport Assessment (Appendix G)
- Travel Plan (Appendix G)
- Noise and Vibration Assessment (Appendix H)
- Air Quality Assessment (Appendix I)
- Flood risk Assessment (Appendix K)
- Energy Statement (Appendix L1)
- Ground contamination Report (Appendix M)
- Archaeology Desk Based Assessment (Appendix N)
- Geophysical Survey Report (Appendix N)
- Agricultural Land Classification Report (Appendix O)
- Soil Assessment (Appendix O)
- Soil Carbon Assessment. (Appendix O)

Volume 3 – Non-Technical Summary.

The application is further supported by the following documents:

- Design and Access Statement
- Planning Statement
- Statement of Community Engagement
- Socio- Economic Assessment
- Health Impact Assessment
- Waste Strategy and Site Waste Management Plan
- Materials and Waste Assessment
- Green and Blue Infrastructure Strategy
- Outline Nature Recovery Plan

- Energy Statement
- Sustainability Statement
- Arboriculture Report

## 4. Consultation

### 4.1 Summary of Statutory Consultation:

Abbots Langley Parish Council	4.2.1	Object
Three Rivers District Council - Landscape Consultant	4.2.2	Object
Three Rivers District Council - Conservation Officer	4.2.3	No comments received
Historic England	4.2.4	Object
Victorian Society	4.2.5	No comments received
National Amenity	4.2.6	No comments received
Dacorum Borough Council	4.2.7	No objection
Watford Borough Council	4.2.8	No comments received
Environment Agency	4.2.9	No objection
Canal and River Trust	4.2.10	No objection
Hertfordshire County Council – Highways Authority	4.2.11	Objection overcome
National Highways	4.2.12	Object
Hertfordshire County Council – Footpath Section	4.2.13	Information
Hertfordshire County Council – Archaeology	4.2.14	Object
Hertfordshire County Council – Lead Local Flood Authority and TRDC's appointed Drainage Consultant	4.2.15	Object
Hertfordshire County Council – Minerals and Waste	4.2.16	Objection overcome
Hertfordshire County Council – Property Services	4.2.17	No objection
Hertfordshire County Council – Public Health	4.2.18	No comments received
Hertfordshire County Council – Forward Planning Department	4.2.19	No comments received
Hertfordshire County Council – Ecology	4.2.20	No comments received
Herts and Middlesex Wildlife Trust	4.2.21	Object
Natural England	4.2.22	No objection
Three Rivers District Council – Development Plans	4.2.23	No objection
Three Rivers District Council – Transportation and Parking	4.2.24	No comments received
Three Rivers District Council – Environmental Health Officer (Residential)	4.2.25	No comments received
Three Rivers District Council - Environmental Health Officer (Commercial)	4.2.26	No objection
Affinity Water	4.2.27	No objection
Thames Water	4.2.28	No objection
British Pipeline Agency	4.2.29	No objection
National Grid	4.2.30	No comments received
Sarratt Parish Council	4.2.31	No comments received
National Planning Casework Unit	4.2.32	No comments received
The Chiltern Society	4.2.33	Object
Abbots Langley Neighbourhood Plan Steering Group	4.2.34	No objection

## 4.2 Statutory Consultation

### 4.2.1 Abbots Langley Parish Council: [Object]

Members appreciate the driving force behind this development and acknowledge it would enhance local employment opportunities and achieve some of the aspirational points presented within the draft Neighbourhood Plan.

Members feel; however, this application demonstrates inappropriate development within the greenbelt whilst not demonstrating any special circumstances that would permit it. Members strongly object to the siting of the proposed structures towards the west ridge of the site, setting them on the west boundary. Their Height, Location and Scale (17.5m) would have a detrimental effect on the residents of Hunton Bridge to whom the buildings would be a large skylined ribbon of development presenting an overbearing backdrop.

Whilst members acknowledge the removal of the school structure, it should be noted that this structure is highly visible, despite being situated within the lower areas of the site. This further demonstrates the detrimental effect that the development would have as its siting on the topography would have a far higher ridge line and therefore be highly visible.

Members also believe the development would result in the greenbelt boundary being pushed significantly further west from the current urban boundary set on the River Gade. Resulting in an effective deepening of Hunton Bridge whose historic boundary lies to the east of the River Gade with its Banks forming the edge. Minimal development lies to the west of the Gade and is limited to the immediate bank side area. Whilst we appreciate that the current proposal for the lower area between the proposed development to the west and the Gade to the east would be historical and community gardens, the Precedent of allowing this development would open opportunities for future 'infill' development within this void.

The development abutting Langleybury Lane, would demonstrate that the junction of Old House Lane, or the journey from Chandlers Cross, would give the impression of Hunton Bridge starting on this west boundary, with the A41 being a Thru Route. This is completely out of character with the current historic context. The density and location of the proposed structures would block views across the valley and onto the site, further strengthening the belief that this is full urban infill and not a Ribbon Development.

The proposed community garden and accessible parkland would provide valuable community space, but the areas have limited accessibility on foot, and they further demonstrate a damaging spread of the urban environment across the River Gade. Members feel the same aims could be better achieved in other ways closer and more accessible to the central population within the Urban context.

#### 4.2.2 Three Rivers District Council Landscape Officer (Consultant): [Objection]

Thank you for consulting us on the Hybrid application for the creation of a Film Hub to include detailed approval for demolition of a number of existing buildings including children's farm buildings and change of use of Langleybury House and Aisled Barn for filming and the construction of a cafe within the Walled Garden, new car parking area to north of site, alterations to existing access points along Langleybury Lane, change of use of the L Shaped Barn (to multi purpose use including cycle hub, showers and vehicle storage) and change of use of ground floor of the existing Laundry to reception facility, together with outline planning approval (matters reserved: Scale, Layout, Appearance and Landscaping) for change of use of site to a Film Hub to include Craft Workshop buildings, Sound Stages, Support Workshops, Production Offices, Backlots, Film and Television Training Facility Building, Offices, Ancillary Buildings, parking areas and relocation of Langleybury Children's Farm including new farm buildings. Alterations to existing cycle path and pedestrian network within the site, to include provision of a new pedestrian/cycle access within the site to the A41.

This letter sets out our consultation response on the landscape impact of the application and how the proposal relates and responds to the landscape setting and context of the site.



The following documents have been submitted for review:

- o Site Location Plan (dwg no. 2107-IFDO-00-RF-DR-A-0001, dated Oct 2022)
- o Outline Nature Recovery Plan (dated Oct 2022)
- o Lighting Assessment (dated Oct 2022)
- o Lighting Management Plan (dated Oct 2022)
- o Arboriculture Report (dated Oct 2022)
- o Veteran Tree Assessment (dated Oct 2022)
- o Green & Blue Infrastructure Strategy (dated Dec 2022)
- o Planning Statement (dated Oct 2022)
- o Design & Access Statement Rev C (dated Oct 2022)
- o Environmental Statement Volumes 1, 2 & 3 (dated Oct 2022)
- o Environmental Statement Addendum (dated December 2022)
- o Executive Design Summary Rev B (dated Nov 2022)
- o Detailed Area Landscape Masterplan (dwg no. DE509\_300, dated Oct 2022)
- o Parameter Plan (dwg no. 2107-IFDO-00-RF-DR-A-1104 REV H, dated Oct 2022)
- o Masterplan Details
- o Proposed Site Sections
- o Existing Sections
- o Proposed Site Plan with Levels (dwg no. 2107-IFDO-00-RF-DR-A-1006 REV A, dated Oct 2022)
- o Light Monitoring Location Plan – Human (dwg no. SK-01 SHEET\_01, dated Oct 2022)
- o Light Monitoring Location Plan – Ecological (dwg no. SK-01 SHEET\_02, dated Oct 2022)
- o Assessed Scheme of Lighting 1-4
- o Site Demolition Plan (dwg no. 2107-IFDO-00-RF-DR-A-0505 REV B, dated Oct 2022)
- o Building Demolition Plan (dwg no. 2107-IFDO-00-RF-DR-A-0510 REV B, dated Oct 2022)
- o Masterplan Detail with Demolition Overlay (dwg no. 2107-IFDO-00-RF-DR-A-1030, dated Dec 2022).

The documents submitted as part of this planning application has been reviewed following a desktop study and a site visit by a Chartered Landscape Architect and Member of the Landscape Institute. The site visit was undertaken on a bright and clear day in late July 2022, when deciduous trees had full leaf cover and overall visibility was good.

The site lies in an undulating landscape comprising of broad topped hills and shallow valleys. The site occupies the east facing slope of a hill which lies on west side of the valley of the River Gade on the south-eastern side of the M25. The urban area of Abbots Langley lies to the north-west and Kings Langley is situated north of the M25.

#### Local Policy Context

The current Local Plan (2014) for Three Rivers District consists of the following Development Plan Documents:

- The Core Strategy (adopted October 2011);
- The Development Management Policies (DMP) Local Development Document (LDD) (2013);
- and
- The Site Allocations LDD (adopted November 2014).

Relevant policies within these documents include, but are not limited to:

- DM6: Biodiversity, Trees, Woodland and Landscaping (DMP LDD 2013)

This policy states under Section F: Trees, Woodlands and Landscaping that:

- i. Proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.
- ii. Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerows Regulations 1997.
- iii. 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 Standards.
- iv. Development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage. Development likely to result in future requests for significant topping, lopping or felling will be refused.
- v. Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland (including ancient woodland), protected trees (including aged or veteran trees) and hedgerows, unless conditions can be imposed to secure their protection.
- vi. Where the felling of a tree or removal of a hedgerow is permitted, a replacement tree or hedge of an appropriate species, size and in a suitable location will be required, taking account of issues such as landscape and biodiversity.
- vii. Areas forming part of development proposals which are to be transferred to the local authority for maintenance should be designed for ease of access and low cost maintenance overheads and management regimes.

▪ DM7: Landscape Character (DMP LDD 2013)

Section B: Landscape Regions of this policy it states:

In all landscape regions, the Council will require proposals to make a positive contribution to the surrounding landscape. Proposals that would unacceptably harm the character of the landscape in terms of siting, scale, design or external appearance will be refused planning permission. The Council will support proposals that:

- i. Lead to the removal or a reduction in the impact of existing structures and land uses that are detrimental to the visual quality of the landscape
- ii. Enhance public access and recreation opportunities without detriment to the landscape or wildlife
- iii. Contribute to delivery of Green Infrastructure
- iv. Contribute to the measures identified in the Hertfordshire Landscape Strategy 2001 to strength, reinforce, safeguard, manage, improve, restore and reconstruct landscapes.

▪ It's also acknowledged that Policy SA7 of the Site Allocations LDD identifies the site as potentially being appropriate for hotel/leisure development and residential, with the continuation of agricultural uses also identified as remaining appropriate. On this basis, the film hub proposal is not in clear accordance with the uses identified in Policy SA7 and that, as such, any subsequent planning application would represent a departure from the Current Local Plan.

Landscape and Visual Impact

The application has been supported by a Landscape Visual Impact Assessment (LVIA) undertaken by Define on behalf of the applicant. The LVIA has been carried out in accordance with the principles set out within the 'Guidelines for Landscape and Visual Impact Assessment', Third Edition ('GLVIA3') (2013) prepared by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA). The assessment includes a desktop study, a review of the landscape and visual baseline and an assessment of landscape and visual receptors, that includes value, susceptibility and sensitivity and an assessment of potential direct and indirect effects on landscape and the visual environment. The methodology is generally supported; however, we advise the applicant reviews their criteria descriptions. For example, the Moderate Effect Criteria within Table D3.9 'Nature of Effect Criteria' states "the proposals would cause a barely perceived deterioration in the character and amenity of the view from the range of visual receptors and a range of distances". We would understand this to be an error and would advise it is amended to ensure the description aligns with the scale of effect.

### Review of Landscape Character

The importance of understanding the landscape character of all landscapes in England is recognised in the NPPF, which states that planning policies and decisions should contribute to the natural environment by: "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services". Landscape character assessment is the process which can identify these intrinsic values and unique characteristics of the diverse landscapes in the UK.

The LVIA has identified the landscape baseline of the site as including the National Character Area (NCA) as defined by Natural England and the Hertfordshire Landscape Character Assessment.

The Site is located across two National Character Areas (NCA). The eastern part of the site falls within NCA 111: Northern Thames Basin, whilst the western part of the site is part of NCA 110 Chilterns.

The Northern Thames Basin is a large and diverse landscape with a similar overarching character of agricultural land, interspersed with woodland, dissected by rivers and influenced by the urban areas of North London. Statements of Environmental Opportunity (SEO) are identified as part of the NCA guidelines. These include:

- SEO 3: Protect and appropriately manage the historic environment for its contribution to local character and sense of identity and as a framework for habitat restoration and sustainable development, ensuring high standards (particularly in the London green belt) which respect the open and built character of the Thames basin. Enhance and increase access between rural and urban areas through good green infrastructure links to allow local communities recreational, health and wellbeing benefits.
- SEO 4: Manage and expand the significant areas of broadleaf woodland and wood pasture, and increase tree cover within urban areas, for the green infrastructure links and important habitats they provide, for the sense of tranquillity they bring, their ability to screen urban influences and their role in reducing heat island effect and sequestering and storing carbon.

In contrast, within the NCA Chilterns, views are enclosed within branching valleys, sunken routeways and extensive woodland and hedgerow-enclosed fields. There are hidden, tranquil pockets along single track lanes and rights of way. The SEOs include:

- SEO 1: Manage the wooded landscape, the woodlands (including internationally important

Chilterns beechwoods), hedgerows, commons and parklands with the aims of conserving and enhancing biodiversity and the historic landscape and its significant features; maximising the potential for recreation; and securing sustainable production of biomass and timber.

- SEO 4: Enhance local distinctiveness and create or enhance green infrastructure within existing settlements and through new development, particularly in relation to the urban fringe and growth areas such as Luton. Ensure that communities can enjoy good access to the countryside.

The most localised Landscape Character Assessment for this site is the County level Hertfordshire Landscape Character Assessment. Within this assessment, the application site is located within the Lower Gade Valley Landscape Character Area (LCA) with the Upper Gade Valley LCA to the north and Sarratt Plateau LCA to the west.

The key characteristics of the Lower Gade Valley LCA include:

- narrow valley floor with wide canal and wetland habitats
- historic parkland landscapes, some in declining condition
- historic houses set on the plateau edge looking over the valley
- arterial routes and M25 to north of area
- gently sloping valley sides with minor secondary valleys
- urban development hidden by vegetation or set back from the slopes
- individual woods within parklands
- extensive public access to the south
- important mosaic of wildlife habitats adjacent to urban population

We would however conclude that the most distinctive feature of this landscape is the gently sloping valleys, historic parkland landscapes and mosaic of wildlife habitats.

We note that the applicant does make reference to the LI Technical Guidance Note (TGN) 'Assessing the Value of Landscapes Outside National Designations' 02-21 but has not been used in its entirety to assess the value of the Site. However, the assessment methodology does define the landscape features that provide value and on balance we are satisfied with the method used for assessing landscape value.

Of the effects judged, those that have been deemed significant are:

- LCA 11: Lower Gade Valley (Operation Stage Year 1) medium-high sensitivity landscape receptor would receive an effect that is Moderate-Major Adverse.
- Site and immediate setting (Operation Stage Year 1) medium-high sensitivity landscape receptor would receive an effect that is Moderate-Major Adverse.

At Year 15 it is judged that the nature of effect on LCA 11 and the Site and immediate setting landscape resource will go from "purely adverse to both adverse and beneficial. Whilst the scale of the effects is still identified as Moderate-Major, the effect is now considered to be Not-Significant as the benefits identified above offset the direct adverse changes to these landscape receptors" Although we agree that the establishment of the mitigation strategy will change the level of effect on these landscape receptors, we would argue that overall, the nature of effect remains as adverse given the introduction of large structures such as Sound Stages, Backlots and Ancillary Buildings will have an urbanising effect. However, the level would reduce from 'Moderate-Major adverse' to 'Minor-Moderate adverse' and therefore not be deemed significant in EIA terms.

Notwithstanding the above, we note that the Summary of Effects table (Table D8.1) does not reflect the judgements determined in the Chapter. For example, Lower Gade Valley and

Site and Immediate Setting – Year 1 Operation Stage are deemed Significant. But in the table, they are judged as ‘neutral’ at Year 1, as well as Year 15.

#### Night-time character and Lighting

We note that a lighting assessment has been undertaken and welcome the details on the baseline night-time situation / existing sources of lighting in the landscape and supporting photography.

Fundamentally this assessment has considered the impact on human receptors from night-time views to proposed lighting. However, we would still expect to see an assessment of the anticipated change in lighting and the effect this would have on landscape receptors such as LCA 11: Lower Gade Valley and the Site and immediate setting.

#### Visual Amenity

Visual effects are a result of the sensitivity of visual receptors (people who will experience changes to existing views) to the proposed development and the magnitude of those changes. The visual envelope of the proposed development is influenced by the proximity of existing built form within the local area, the relatively level topography and limited established vegetation therefore we accept that the proposed viewpoints are adequate and represent the visual envelope appropriately.

The appraisal has identified visual receptors within the Study Area that are likely to have visibility of the Proposed Development. These include [but are not limited to]; Bridleway 045, PROW 038, Grand Union Canal and Langleybury Lane. Though for the majority of the assigned value, susceptibility and sensitivity judgements we are in agreement. It's worth noting that for all Visual Receptor Groups the visual sensitivity has been assigned the lowest judgement. For example, Visual Receptor Group 2 has been assigned a value of medium and a susceptibility of medium-high, resulting in an overall sensitivity of medium. Whilst Visual Receptor Group 3 has been assigned a medium-high value and a susceptibility of medium, also resulting in a medium sensitivity. The Receptors have differing judgements, yet the same outcome. Clarification is sought as to the justification for these choices.

Verified photography was undertaken in August 2022. Generally, we welcome the presentation of the photographs and the inclusion of the wirelines in accordance with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019). Preferably, photography should be undertaken in the winter months when leaf cover and screening are at a minimum and therefore representative of the worst-case scenario. However, we do note that the seasonal effect has been considered as part of the assessment as stated in Para D3.39.

On review, we are of the judgement that the adverse visual impacts will primarily be limited to the local area, given the topography of the landscape and the vegetation within the immediate setting of the site.

This does not however mean that the localised impacts are not of significance and should still be of material consideration.

For example, at Year 15, we agree that the magnitude of change will reduce in leaf conditions, however we are of the judgement that the scale of effect on local visual receptors such as Langleybury Lane will still be significant at Year 15, especially when you consider winter views. There is a strong reliance on mitigation measures such as a hedgerow (to mature up to 4m in height) and 10m tree planting along Langleybury Lane. Although these landscape elements do provide some necessary screening, these measures contradict the current open countryside and parkland views that can currently be experienced and will not fully screen the proposed built form.

## Cumulative Impact

The assessment of cumulative landscape or visual effects (Chapter P: - Cumulative and Residual Effects) follows the same methodology as the assessment undertaken in the LVIA (Chapter D of the ES) in that the level of effect is determined by assessing the sensitivity of the receptor and the magnitude of change, although the cumulative assessment considers the magnitude of change posed by multiple developments.

Proposed schemes as part of Warner Bros. Studios (Ref 22/0491/FUL, 20/2667/FUL, 22/0918/FUL and 19/1944/FUL) (referred to as schemes 6-9) have been considered as potentially having a cumulative effect during construction and operation phases.

From a landscape perspective, the assessment notes that the proposed built form associated with schemes 6-9 will de-sensitise the LCA 11 landscape receptor but will not have any notable additional effects during construction or operation. Though we don't necessarily completely agree with this judgement, it's felt that any additional change would not be significant.

In regard to visual amenity, it states that Visual receptor 9 (users of the public right of way to the east of the River Gade (Bridleway 40)) will be slightly de-sensitised by increased visibility of built form associated with schemes 6-9 but is unlikely to result in any notable additional effects at construction or operation stages, or any additional residual effects. We agree with this judgement.

## Layout and Landscape Design

Notwithstanding the matters raised above, the inclusion of a Green Infrastructure Strategy as part of the application submission and the reference to Building with Nature and the 12 Standards is welcomed.

We do however seek clarification as to who has/is undertaking the assessment and ask that they are an Approved BwN assessor. Similarly, we ask whether a review from the BwN team has been undertaken to establish whether all standards at this application stage have been met.

As a design response and to help mitigate visual impact, we would also recommend that an Environment Colour Assessment (ECA) is produced to inform the colour palette for built form. The objective of an ECA is to help to resolve many of the issues associated with colour selection and specification and aid landscape and visual mitigation and enhancements. Commonly, the Natural Colour System (NCS) is used to identify the relevant colours; however, there are further details of the process available in the Landscape Institute ECA technical note (04/2018).

We would also recommend the following landscape principles and design amendments are explored:

- o The built form edge should be pulled further away from the western boundary and stronger edge to the countryside through mitigation planting commensurate to the scale of development being proposed. This could be accomplished by predominantly through woodland / belt planting of native species and the creation of an 'eco-tone' of native scrub / thicket and wildflower planting to assist the transition from built development to rural countryside.
- o The blue Infrastructure section of the GI Strategy refers to drainage flow paths. We seek clarification as to whether there will be underground pipe systems in place, or whether nature based above ground solutions will be used?

## Summary and Conclusion

Overall, based on our site visit and desktop study we consider the site has sensitive landscape qualities both designed, and natural, which need to be conserved. Though we are not fully opposed to the principle of development within this location, we are of the professional judgement that the proposed development will have an adverse impact both on visual amenity and landscape character and therefore noted errors need amending and clarifications are sought. In addition, the following information is still outstanding and needs to be provided prior to determination:

- An Environmental Colour Assessment (ECA).
- A landscape night-time assessment needs to be undertaken.

If you have any queries regarding the matters raised above, please let me know.

4.2.3 Three Rivers District Council - Conservation Officer: No comments received to date; although there are ongoing discussions including Conservation Officer input.

4.2.4 Historic England: [Object]

### **Summary**

Langleybury is a fine example of a Georgian country house with Victorian alterations consisting of a good-quality composition and a distinctive plan form.

The house is part of a wider estate of important ancillary buildings which are recognised nationally by their grade II designation. This includes the stable block, 'old farm cottages' and aisled barn which is thought to date from the 15/16th century. The house and estate buildings form a remarkable and highly important complex which is set in historic parkland.

The current planning application is a hybrid application for detailed approval and reserved matters. The detailed approval relates to change of use of the Langleybury House and ancillary buildings and the construction of a café in the walled garden. The reserved matters application relates to change of use of the site to a Film Hub to include craft workshop buildings, sound stages, support workshops, production offices, backlots, film and television training facility building, offices and ancillary buildings.

The proposed 'film hub' and buildings would result in a high level of less than substantial harm to the significance that the grade II\* Langleybury House and other listed buildings at Langleybury House derive from their setting.

Historic England does not consider that clear and convincing justification in line with planning policy (NPPF, paragraph 202) has been provided to show that the proposals are required to secure the future of the site. While the heritage benefits would be positive in repairing the Langleybury House and other listed structures, restoring parts of the landscape and reinstating formal garden features, we do not consider they alone outweigh the harm that would result from the proposals. Nor is it clear that the proposals are required to deliver these or that alternative, less harmful ways of delivering them have been considered.

It is for your Council to consider the wider public benefits and weigh the harm against these. In doing so we would urge you to give very great weight to the conservation of this highly significant place.

Historic England has serious concerns regarding the amount and scale of proposed new buildings on the site. If the proposals are not amended to reduce scale of development considerably and further justification for the scale of the development is not forthcoming, please treat this as an objection.

## Historic England Advice

### Significance

Langleybury House is a Georgian country house built circa 1725-8 for Sir R. Raymond, Lord Chief Justice. It is built from red brick with stone dressings and a slate roofs. There is a stone cornice to 19th century balustraded parapet with urns.

The house was heavily altered and extended in the Victorian period firstly remodelled for W.J. Loyd circa 1860-70 and extended for E.H. Loyd, circa 1890.

At this time the mansion was re-orientated, a closed porch with pedimented doorcase added and a two storey late 19th century canted link replaced the earlier covered passage to the service wing. The link adds irregularity and intrigue.

Langleybury is a fine example of a Georgian country house with Victorian alterations consisting of a good-quality composition and a distinctive plan form.

The house's more than special architectural and historic interest is reflected in its grade II\* listing.

The house is part of a wider estate of important ancillary buildings which are recognised nationally by their grade II designation. This includes the stable block, 'old farm cottages' and aisled barn thought to date from the 15/16th Century. Unusually the historic farmyard is located very closely the Langleybury House, situated directly the south-west. The house and estate buildings form a remarkable and highly important complex which is set in an historic parkland.

Like the Langleybury House itself the grounds are also a result of multiple phases of development. The land to the north and east of the mansion was originally imparked while the southern area was absorbed into a larger area of imparkment in the later 19th century. Some more recent buildings and landscaping relating to the site's use as a school in the 20th century have had a detrimental impact to the house and its setting. At this point the landscaping was largely left to grassland, relatively few trees, and several areas of hardstanding. Modern development outside the park has also changed the wider setting. However, the landscape still retains a rolling parkland character within the which the house is commandingly sited on a plateau overlooking the land to the south.

The Langleybury House is currently on the Historic England Heritage at Risk Register (HAR).

### Impact of the proposals

The proposed new build elements to create the 'Film Hub' complex would result in less than substantial harm of a high level to the setting and significance of the mansion and other listed buildings.

Historic England has been involved in pre-application discussions regarding these proposals and proposals for repair of the Hall and other structures.

#### a) Proposals and context

The current application is hybrid for detailed approval for the demolition of a number of existing buildings including children's farm buildings and change of use of Langleybury House and Aisled Barn for filming and the construction of a cafe within the Walled Garden, new car parking area to north of site, alterations to existing access points along Langleybury Lane, change of use of the L Shaped Barn (to multi purpose use including cycle hub,



showers and vehicle storage) and change of use of ground floor of the existing Laundry to reception facility.

Outline permission (matters reserved: Scale, Layout, Appearance and Landscaping) is sought for the change of use of site to a Film Hub to include Craft Workshop buildings, Sound Stages, Support Workshops, Production Offices, Backlots, Film and Television Training Facility Building, Offices, Ancillary Buildings, parking areas and relocation of Langleybury Children's Farm including new farm buildings. Alterations to existing cycle path and pedestrian network within the site, to include provision of a new pedestrian/cycle access within the site to the A4. While the plans are indicative from our pre-application discussions we understand the submitted proposals reflect the intentions for the site.

The proposals arise from a desire to create a film hub at the site, building on its current success as a filming location. The intention is to repair the Langleybury House and other listed and non listed structures within the ownership, restore some of the landscape and reinstate garden features.

#### b) Children's Farm

The children's farm is currently located in an ad-hoc manner along the garden walls. The proposals seek to re-locate this facility further north and link the car-park with the school and cricket club.

We welcome the removal of the detrimental ad-hoc farm buildings from the walled garden. The proposed location would work logistically due to the access to the school and the car park. The details of this element would be reserved so we do not have detailed comments to make at this stage. While we can see the merit of the proposed location, we have some concerns relating to the scale of the play equipment which should be low key and low scale as should any buildings proposed for this site.

#### c) Walled Garden

The proposals in this area include a café building, the restoration and recreation of historic walled garden walls and associated planting. As is set out above, we welcome the removal of the detrimental ad-hoc farm buildings and the restoration of the garden walls.

The proposed café building is quite substantial in scale and would sit above the garden walls. We acknowledge the double pitched roof would keep the roofline lower than a single pitch, but wonder if the height could be reduced further? The long structure contains a café at one end, further seating along half the width with half a seating area and then covered seating area at the other end. If the covered seating area was reduced, this would help to decrease the length and scale of the building.

The proposals show this structure would be timber clad with large areas of glass and a standing seam zinc roof. The design and materials would give the building an incongruous appearance making it overly prominent within the immediate setting of the Langleybury House.

#### d) Farm Buildings

The historic farmyard is located directly to the south-west of the mansion. The proposals for this area show demolition of some detrimental modern additions. Two new buildings would be added in this area.

The majority of the buildings in this location run on an axis with the Langleybury House with the exception of the return element of the 'L-shaped barn'. The proposed building labelled 12.02 would sit at 90° to this current axis and act as a bookend, creating a small courtyard

with the aisled barn and L-shaped barn. This would go against the existing grain of development. The proposed modern scandi design style with flat roof, large areas of glazing and light coloured timbers would be incongruous with the traditional service buildings. This building would be particularly prominent in views from the main access. This would have a negative impact on the significance that the Langleybury House and the grade II farm buildings derive from their setting.

e) Craft Sheds

The proposed craft sheds would be in an area directly south west of the farmyard in the historic core of the estate. The Former Dairy (referred to as the 'E shaped barn'). It was built as an Edwardian addition on land which was imparked in the 19th century.

This element is part of the reserved matters application. We understand the layout on proposed drawings is indicative of the intentions for any further applications. The proposed craft sheds would surround the E-shaped barn and isolate it among a sea of modern development. This would cut it off from its former context as part of the farm complex and working estate, this would impair the legibility of the site, causing harm to the significance the Langleybury House and listed farm buildings derive from their setting.

The amount of new build in this area so close to the Langleybury House is dramatic and while the buildings proposed are single storey the amount and footprint of this proposed craft village is inappropriate in its context within the immediate setting of the Langleybury House.

If the proposed new build was drawn back into the site, perhaps by the removal of the range opposite the E-shaped barn and the removal of one or two buildings opposite that it could create a visual connection between the historic estate and the E shape barn. This would also help to reduce the numbers of units in this area.

f) Education Building

The application seeks to demolish the existing school buildings and construct a new building on the same site to a smaller footprint. The building is intended for educational use for the film sector, however the detail of what would be taught and who the end user would be is unclear.

The school is located to the immediate south of the Langleybury House. This building is part of the reserved matters application. The supporting information shows the current design approach as an ultra-modern design and radical form.

The existing school is large in scale and detracts from the setting of the Langleybury House. Any building/s that replace the school would need to be sensitively designed to minimise any impact to the significance the Langleybury House derives from its setting.

We have concerns regarding the indicative scale of the educational building. Views from the main approach show this building looming in the background and views from within the parkland looking back towards the Langleybury House show the education building as the most prominent building. The building's siting on the top of the valley, on the same platform as the house, allows it additional prominence.

A proposal of this scale and design would have a considerable negative impact on the setting of the Langleybury House.

g) Sounds Sheds and development in the southern parkland

Although historic maps indicate that this is within part of the parkland created by the mid

1880's through the creation of Langleybury Lane and the land' enclosure, it still forms an important part of the experience of the landscape and the setting of the Langleybury House.

As with other proposals falling within the reserved matters application the proposed masterplan shows the intentions for the layout, amount and scale of the proposals in this area of the parkland.

The proposed scale and form of the development including all back plots and service roads would result in a large increase of built form in this part of the historic parkland altering the character of the soft landscape dramatically. The large scale and massing of the units would make them overly prominent and alien in the landscape. This would result in harm to the setting of the Langleybury House.

In order to reduce this harm, development in this area needs to be substantially reduced in area to minimise the spread of built form into the historic setting of the building.

#### h) Backlot

This is the name given to the large area of hard standing behind the sound stages. This area would be used as ancillary storage area for the sound stages or as a space to set up large outdoor sets. The hard landscaping would be incongruous in the open soft landscape.

This area extends into the parkland and into key site lines from the Langleybury House and its historic core. While the intention is for this to be used on a temporary basis large sets that would be set up for considerable periods of time and potentially on a back to back basis would dramatically alter the parkland character and detract from the rural setting of Langleybury House.

#### i) General design

We have concerns regarding the general design approach.

We understand the desire to create buildings 'of their time' but in the context of the historic farm buildings we question whether buildings more traditional in form and material would be more appropriate.

We have concerns regarding the large areas of metal proposed on the larger buildings. While we understand this aspect of the proposal is outline, we feel important to raise concerns at this stage. Metal would be reflective and incongruous in the traditional parkland setting.

### Legislation, Policy and Guidance

#### a) Legislation

Historic England's advice is provided in line with the statutory requirement placed on local planning authorities by the Planning (Listed Buildings and Conservation Areas) Act, 1990, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (Section 16(2)).

#### b) National Planning Policy Framework (NPPF)

The overarching purpose of the planning system is to contribute to the achievement of sustainable development. This means the planning system has three overarching objectives, economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways, paragraphs 7 and 8.

Paragraph 197 encourages local planning authorities to take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 further advises that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to less than substantial harm to its significance”.

Paragraph 200 states “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”

Paragraph 202 advises that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

#### c) Guidance

Our advice reflects guidance in the good practice advice notes produced by Historic England on behalf of the Historic Environment Forum in GPA 2; Managing Significance in Decision- Taking in the Historic Environment, GPA 3; The Setting of Heritage Assets.

#### Historic England’s Position

A large amount of the proposals are matters reserved however we understand the submitted parameter plans are broadly of the scale intended for the site.

In our view the proposed new build elements to create the ‘Film Hub’ would result in less than substantial harm of a high level to the setting and significance of the grade II\* listed mansion and other listed buildings.

This level of harm could be reduced if the amount of new development and its scale was reduced as indicated in our advice. This is particularly relevant for the proposed development in the southern part of the site (Sound Stages, Backlot and Support Workshops).

We understand these proposals are put forward to bring about the repair and long-term viability of the site. Historic England wants the house to have a secure future and, while we welcome the repair of the Langleybury House and associated buildings/ structures, we have serious concerns regarding the proposed level and scale of development associated with this use.

The supporting information does not demonstrate that the current proposals are the minimum necessary to support the site. We are therefore not yet convinced this level of development has been fully justified in accordance with paragraph 200 of the NPPF.

Your authority should also be satisfied that the proposed use would secure the long term future of this building at risk. Were the proposed use to cease, development of this scale would affect any other future use of the house. In addition, it is not clear how the long-term repair and maintenance of the house could be secured/ tied to these proposals and your authority might explore how this could be achieved.

National planning policy states that less than substantial harm should be weighed against the public benefits including securing an optimum viable use (paragraph 202).

It is for your Council to consider public benefits arising from this scheme and weigh the harm against these. In doing so we would urge you to give great weight to the conservation of this highly significant Langleybury House and its setting and be convinced that the harm is outweighed by wider public benefits which could not be similarly delivered in a less harmful way.

Historic England has serious concerns regarding the amount and scale of proposed new build on the site. In view of the significance of Langleybury House, the high level of harm the proposed development would cause, together with the absence of a clear and convincing justification to show the proposals are required to secure the future of the site, if the proposals are not amended and a robust justification provided, please treat this as an objection.

### **Recommendation**

Historic England objects to the application on heritage grounds.

We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 197, 199, 200 and 202. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of these paragraphs of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

4.2.5 Victorian Society: No comments received.

4.2.6 National Amenity: No comments received.

4.2.7 Dacorum Borough Council: [No objection]

Thank you for consulting with Dacorum Borough Council (DBC) in relation to the above scheme for the creation of a film hub at Land East of Langleybury Lane and including Langleybury House Estate.

These comments are provided on behalf of the Council by a Lead Officer within the Development Management team and should be construed accordingly.

We would acknowledge the desire to see this land redeveloped for appropriate purposes as set out through the creation of a development brief for the site and note that the proposals have been subject to positive pre-application discussions. We do not wish to raise any objections per se to the development of the site, however we would ask you to consider whether public access and associated improvement works to the site (footpaths, habitat creation) could be undertaken with a view to providing Suitable Alternative Natural Green Space (SANG).

As you may appreciate, consultants working for DBC have recently identified that recreational pressure was causing substantial harm to the Chilterns Beechwoods Special Area of Conservation and Natural England therefore indicated that we should be subject to a moratorium on new residential development pending the formulation of a mitigation strategy.

The mitigation strategy has been approved as set out in the following document:

<https://democracy.dacorum.gov.uk/documents/s36836/Appendix%20A%20-20Draft%20Mitigation%20Strategy%202.pdf>

Whilst DBC are currently seeking to provide SANG solutions through the development of land within our ownership, the capacity of these sites is finite and is unlikely to sustain the level of housing growth anticipated in the Borough. This site may be able to assist in providing additional SANG capacity for Kings Langley and settlements in the south east of the borough subject to meeting the requirements in paragraphs 3.5.10, 3.5.17, 3.5.18 and Table 4 of this mitigation strategy.

We would ask that SANG is provided at this site if possible and would welcome further discussions on this matter.

4.2.8 Watford Borough Council: No comments received.

4.2.9 Environment Agency: [No objection]

Thank you for consulting us on the above application which we received on 10 November.

As part of the consultation we have reviewed the documents submitted in line with our remit. Including the following specific documents:

Phase 1 Desk Study, No. 001, Rev. V2.0, dated October 2022, prepared by Wardell Armstrong LLP

Environment Agency Position

Based on a review of the submitted information we have no objections subject to the inclusion of the below Landscape and ecological management plan condition and 7 Groundwater and Contaminated Land conditions.

Biodiversity

The ecological enhancements that have been proposed including the proposed restoration of historic ponds, management of wet woodland and grazing marsh will require a management plan to be in place to ensure the landscape provides a maximum benefit to people and the environment and ensures their ongoing biodiversity value is not lost.

In light of the above, the proposed development will only be acceptable if a planning condition requiring a landscape management scheme is included.

This approach is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Without this condition we would object to the proposal because it cannot be guaranteed that the development will not result in significant harm to the existing wet woodland and grazing marsh.

## Condition 1

### Landscape and ecological management plan

No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- details of maintenance regimes for the ponds, wet woodland and grazing marsh
- details of any new habitat created on site including the dimensions, depths of the ponds and proposed planting schemes for all habitats.
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan for the River Gade and the on-site tributary
- details of management responsibilities for the habitats across the wider site
- details of the proposed structure of the inlet to the River Gade including dimensions, materials and proposed management regime
- details of any proposed footpaths, fencing and lighting, ensuring that the river corridor remains a dark ecological corridor (light below 2 lux)

### Reason(s) 1

To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted policy DM6: Biodiversity, Trees, Woodland and Landscaping of the Three Rivers Local Plan.

### Groundwater and Contaminated Land

The previous uses of the development site present a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located:

- within source protection zones 1 and 2
- upon a principal aquifer and secondary aquifers

The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

## Condition 2

Universal condition for development on land affected by contamination No development approved by this planning permission shall commence until a remediation strategy to deal

with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

#### Reason 2

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

#### Note 2

The following report was submitted as part of the Environmental Statement: Phase 1 Desk Study, No. 001, Rev. V2.0, dated October 2022, prepared by Wardell Armstrong LLP. This information is sufficient to discharge part 1 of the above condition.

#### Condition 3

##### Verification report

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

#### Reason 3

To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

#### Condition 4



#### Long-term monitoring

The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

#### Reason 4

To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 174 of the National Planning Policy Framework.

#### Condition 5

##### Previously Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

#### Reason 5

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

#### Condition 6

##### SuDS Infiltration of surface water into ground

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

The development shall be carried out in accordance with the approved details.

#### Reason 6

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

#### Condition 7

Piling/boreholes/tunnel shafts/ground source heating and cooling systems– lack of information – details to be agreed Piling/ other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

#### Reason 7

To ensure that the proposed development does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework.

#### Condition 8

##### Decommission of investigative boreholes

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected.

The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

#### Reason 8

To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 174 of the National Planning Policy Framework.

#### Informative

Land contamination: risk management and good practice

We recommend that developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health

Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed

- Refer to the contaminated land pages on gov.uk for more information

#### 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-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing [enquiries@environment-agency.gov.uk](mailto: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.

Advice to applicant

#### Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

We recommend that all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' standards for water consumption.

We also recommend you contact your local planning authority for more information.

#### 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.

#### 4.2.10 Canal and River Trust: [No objection]

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.

The main issues relevant to the Trust as statutory consultee on this application are:

- a) The impact on the character and appearance of the waterway corridor.
- b) The impact on the biodiversity and water quality of the canal.
- c) Energy Efficiency

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters. Our advice and comments follow:

The impact on the character and appearance of the waterway corridor.

The site lies to the west of the Grand Union canal which to the north-east of the site passes through the Hunton Bridge conservation area. The Masterplan provided indicates that the built form proposed would be set back substantially from the canal and is therefore likely to have minimal impact on the waterway corridor. The desire to maintain the majority of the open parkland and to supplement the existing trees is welcomed as this would aid in maintaining the current bucolic feel of the waterway in this location.

The majority of the wider site is separated from the canal by a main road and builder's yard, with only the southern third of the site having a direct connection to the canal corridor. Overall the proposals appear appropriate with access to existing footpaths being maintained and views from the canal would be sufficiently screened by the 'Parkland' area.

The submission indicates that access points are proposed to the towpath and full details on these, any necessary improvements/mitigation measures to the access points and provision of wayfinding signage should be provided to assist with the additional usage that the towpath will experience and to ensure that the Council's aspirations for improving walking and cycling are met. It should also be ensured that any landscaping close to the canal is of native species, appropriate to this waterside location, and has regard for any potential impacts on the stability of the canal. The future maintenance and management regimes and responsibilities for the open spaces should also be provided for consideration. These matters could be addressed by the submission of reserved matters and conditions on any outline approval. The Trust wish to be consulted on this information when available.

There is reference to the potential for new moorings on the canal though no further details have been provided, such as what type of moorings, works involved in their provision, assessment of impact on navigational safety/biodiversity, future maintenance /management requirements etc. Any proposals for moorings would require the separate agreement of the Trust and until such time that this detail is provided, to the satisfaction of the Trust, and relevant agreements/ consents are in place, the Trust cannot guarantee these works could be undertaken. Further discussions will be needed with the Trust's Business Boating Team and the applicant/developer is advised to review our Business Boating Online Moorings Process and discuss this with them. The applicant /developer is also advised that any access or connection to the towpath would also be subject to a separate commercial agreement with the Trust.

The impact on the biodiversity and water quality of the canal.

The waterways have a rich biodiversity, with many areas benefiting from SSSI, SAC, SLINC or CWS designations.

Developments can have an adverse impact on the ecology of the waterways. The drainage methods of new developments in particular can have significant impacts on the structural integrity, water quality and the biodiversity of waterways. It is important to ensure that no contaminants enter the canal from surface water drainage.

Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site should be avoided and details of pollution prevention measures should be provided. Works should also be carried out at appropriate times to avoid adverse impacts to nesting birds / bats etc. This could be addressed by the imposition of a condition requiring the submission of a Construction and Environmental Management Plan.

The proposals indicate the restoration of wetlands and a historic inlet with discharge to the River Gade. These works would be close to the canal and any discharge would ultimately flow to the canal. It is therefore important to ensure that there is no contamination of the waterway during construction or operation of the site. The full details on the restoration of the wetlands and inlet should be provided and supported by appropriate ground investigations and remediation measures. This matter could be addressed by condition and the Trust wish to be consulted on this detail when available.

#### 4.2.11 Hertfordshire County Council: Highways Authority [No Objection – Objection overcome]

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

## REASONS AND COMMENTS

The proposals are not currently compliant with Policies 1 (The Transport User Hierarchy) and 5 (Development Management) and fail to maximise access by sustainable means. There is insufficient information on the number of person trips numbers to allow the council to gauge the impact of this development upon the sustainable transport network. Furthermore, the suitability of the base traffic models have not been compared to the base level of queuing in order to demonstrate their validity for use in further assessment.

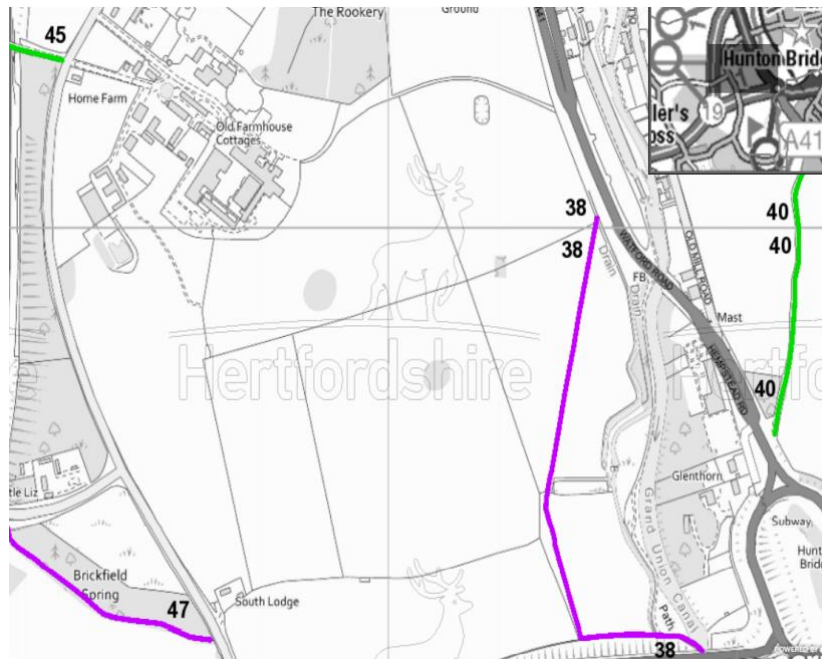
The existing Langleybury Estate (film hub and Children's farm) is located circa 6-7km cycle northwest of Watford's town centre and rail station. In addition to access to the national rail network the rail station also provides access to the London Over and Underground networks. The estate is bound to the south by the A41 spur road to Junction 19 of the M25 (dual carriageway); to the east by the River Gade and a single carriageway section of the A41 which bridges over the river; to the Northeast by the St Pauls CoE primary school; and to the north and west by the single carriageway Langleybury Lane. The film hub/ House and Children's Farm are located towards the north west of the estate. The A41 currently provides a barrier to the site for direct pedestrian/cycle access from the residential area of Abbots Langley (circa 1-4km east of the site).

The estate currently has two formal motorised vehicle accesses from Langleybury Lane, one directly opposite Langleybury Fields (farm access track and PROW 45) which serves the existing house/film hub; and a second access circa 30m north which serves the Children's Farm. There is also a third motor vehicle access onto Langleybury Lane for an individual residential property (South Lodge) and the southern field of the estate. A fourth and narrow (circa 3m wide) gated access to the northern fields of the estate forms the western arm of the mini roundabout which serves as the motor vehicle access to the St Paul's CoE primary school. The northeastern arm of the roundabout forms a priority 'T' junction with Langleybury Lane. circa 80m north east Proposals are to expand the Film Hub and relocate the Children's Farm north within the estate towards the St Paul's CoE Primary school access.

It is proposed that the former Children's Farm access is upgraded to facilitate two way working and HGV access and becomes the principal motor vehicle access to the Film Hub. Whilst the former main road access, which would be similarly upgraded, becomes a secondary vehicle road access. The third and less formal to the estate is to be upgraded into a formalised access that can also support two way traffic and HGV's. HCC would recommend that the number of access junctions into the expanded film hub are rationalised.

As mentioned previously the Children's Farm within the Langleybury Estate is being relocated towards the St Paul's CoE primary school. The relocated Children's Farm and a 50 space car park will be accessed from the eastern arm of the St Paul's CoE primary school access roundabout. The car park is being built to accommodate car parking for the school which is currently uncontrolled and problematic.

The public footpath PROW ABBOTS LANGLEY 038 currently traverses the south eastern area of the site.



Proposals would upgrade the PROW and extend it to Langleybury House and footpath connection made to the River Gade (Grand Union Canal) tow path towards the existing PROW's northern end. A further shared foot/cycle route will connect Langleybury House and the footway on the western side of the A41. Whilst this network of foot/cycleways is fine for recreational walks by staff, it is considered it is inadequate in terms of ensuring compliance with Policies 1 (The Transport User Hierarchy) and Policy 5 (Development Management) with regards to ensuring a safe and direct sustainable access to the site from along desire lines. As previously discussed the A41 currently obstructs the desire line from Abbots Langley. HCC Highways advised the applicant to look at providing a pedestrian/cycle crossing across the single carriageway 40mph section of the A41 in the vicinity of the pedestrian/cycle access to the site to ensure that the development would be LTP4 compliant.



The developers transport consultant responded:



3.41

The future pedestrian / cycleway access will be provided onto the A41, however a crossing could be provided so that pedestrians/cyclists can tie into the existing footway network on the eastern side of the A41 due to the lack of footways along the western side. An image of where the crossing would be located is shown in **Photo 3.7** below. Vehicles may be travelling at fairly high speeds and therefore it is envisaged that the crossing would comprise a pedestrian island as a traffic signal crossing is not deemed appropriate.



**Photo 3.7 – A41 Adjacent to Future Pedestrian/Cycleway Entrance**

Further to this the HCC Road Safety team has been consulted and it is considered that a crossing could and should be provided. This is a 40mph section of road and is subject to 40mph for circa 600m on approach to a potential pedestrian crossing from the south. From the north the southbound approach reduces from a national speed limit dual carriageway to a 40mph single carriageway circa 70-90m in advance of a potential crossing. The short section of dual carriageway is interrupted by a signalised junction with Langleybury Lane/ Bridge Road circa 300m north of a potential crossing.

The junction is also subject to some congestion and the transport modelling presented in the supporting Transport Assessment (TA) corroborates this. It is not considered that traffic speeds in this location would be prohibitive to a pedestrian/cycle crossing. Furthermore, the recently HCC Highways DM approved Warner Bros expansion (22/0491/FUL) will install a pedestrian crossing circa 500m south of the potential crossing.

#### Road Safety (Personal Injury Accident (PIA) Analysis)

HCC Highways have reviewed the Personal Injury Accident (PIA) analysis within the TA and whilst there was a serious accident in the vicinity of the existing road access to Langleybury house this and other accidents within the last 5 years have been reviewed and the councils accepts the finding reported in the TA that these events are not consistent in the type of accidents, nor are they consolidated to any singular point, with the majority recorded to be as a result of driver or individual error. Hence there is no underlying road safety issues apparent in the vicinity of the site that would be exasperated by the proposals.

#### Trip Generation/ Attraction

Whilst HCC would have preferred a Multi Modal and Person Trip Based analysis HCC Highways DM has reviewed the traffic generation/ attraction presented within the TA and accept the rate/ traffic trip numbers presented.

#### Modal Split

In line with the previous comment regarding a people trip assessment the predicted percentage modal split should have been applied to person trips or applied retrospectively

to predict the number of trips by all modes that this development would attract in order that the developments impact upon all modes can be predicted.

It is noted that whilst the 2011 census recorded that only 66% travel to work trips for trips with a destination within the Middle Super Output Area (MSOA) Three Rivers 003 within the development is located are by car, the TA predicts based on information from their consultants that 87.5% of the trips to the proposed site will be by private car.

#### Trip Distribution/Assignment

The origin of motorised vehicle trips to the proposed development has been predicted according to the pattern of journey to work trips to the MSOA observed in the 2011 census considering origins with greater than 5 trips. The subsequent trips have been assigned to the road network according to the traffic routing information provided by Google Maps. HCC Highways are satisfied by this process in order to consider their distribution on the Hertfordshire road network.

#### Traffic Analysis

The TA subsequently presents traffic analysis of the following junctions:

- 3 x Site Accesses (PICADY).
- School Access / Langleybury Lane (PICADY).
- Langleybury Lane / Old House Lane (PICADY).
- Langleybury Lane / Fir Tree Hill (PICADY).
- A41 / Langleybury Lane (LinSig).
- M25 Junction 20 (LinSig).
- A41 Western Avenue / A411 Hempstead Road (LinSig).

However, the base models of these junctions have not been compared against existing queues in order to demonstrate that they are valid for use and at this time the council is unable to gauge the traffic impact of the proposals.

#### Travel Plan

HCC's Travel Plan teams notes that the walking and cycling route audit included in the Transport Assessment assesses routes to main destinations, provides recommendations made rather than commitments. However it is noted that there is a willingness to contribute towards off site walking/cycling improvements is stated. However, the developer must also actively install pedestrian/cycle infrastructure to encourage modal shift in the interim and update the travel plan to reflect them.

At 670m away, the nearest bus stop is over the recommended accessibility criteria that we use (400m) and bus services have changed since the Transport Assessment and Travel Plan was written.

There is still the hourly 501 service on Sun between Aylesbury and Watford, but the 500 route has gone and been replaced with the 508 Hemel Hempstead-Mt Vernon service (Mon-Sat half hourly, hourly). Bus users subsequently require to change in Hemel Hempstead if you want to get to Tring/B'std/Aylesbury Mon-Sat. However, buses now continue to Mt Vernon and there is a better service with both 501 and 508 running. The proposals include extension of the existing shuttle bus between The Grove, Watford Jnc and Town Hall (every 20-30 mins) into the site and a willingness to put on an extra electric shuttle bus to Kings Langley station.

Whilst an updated travel plan given the addition of a commitment to annual monitoring would be acceptable at this stage in the planning process and the travel plan is considered generally good, there will be a need to assess the adequacy of public transport links once



staff/visitor origins known so shuttle services can be tailored appropriately to complement available bus services and other sustainable transport options. Prior to its full acceptance post planning the travel plan team further comment that:

- ☐ Travel Plan Co-Ordinator contact details as well as those of a secondary contact to be made available on appointment. Details of hours allocated to the role and frequency on site will also need to be provided once known.
- ☐ A statement of commitment to the effective implementation of the Travel Plan is provided from a suitable member of senior management once in post is made;
- ☐ Paragraph 6.4 which states that feedback from staff will be included in the review process – this should be formalised with a Steering Group for the Travel Plan which can comprise key individuals and form part of other meetings/groups that exist on site.
- ☐ The package of proposed measures is comprehensive. Discussion with HCC is recommended regarding the travel app as others already exist (eg in Watford) and there may be an opportunity to create links to relevant websites/data such as HCC travel information.
- ☐ Monitoring needs to be annual rather than every other year as proposed, with targets for each year based on survey data. Review of the plan should then take place after each survey. It is noted that no target is set for visitors. If visitor numbers are insignificant compared to staff/film hub workers then this is satisfactory, but may need review if not.
- ☐ An Evaluation and Support fee of £1200 per year (for a 5 year plan, so £6000 total) secured by S106 must be committed to.

#### Contributions

HCC Highways operate two levels of S106 agreements, with items directly mitigating the impact of a development agreed through Strand 1 S106 agreement and those items mitigating the wider cumulative impact of development addressed in a Strand 2 S106 agreement.

In the first instance HCC would envisage that the agreed junction improvements and travel plan contributions are delivered via a Strand 1 S106 agreement.

With regards to a Strand 2 contributions:

As part of the nearby Warner Bros planning application a contribution of £1,226,400 was agreed for to be used towards cycleway improvements (SM17 - A411 Hempstead Road and Grand Union Canal Corridor Cycleway Improvements) to support their 70,559sqm expansion. This is in addition to substantial offsite works which will be delivered by the developer. The proposed Langleybury House development is a circa 28,922sqm expansion and similar in nature and location. Therefore, if the development were to proceed, HCC Highways would request a pro rata contribution of £502,699. This would be in addition to the A41 toucan (delivered by developer) and be used towards the cycleway improvements serving the site.

Warner Bros are also committing £875,000 towards the improvement of the local bus services. Therefore, if the development were to proceed, HCC Highways would expect a proportional contribution of £358,661.

In total, if the development were to proceed, HCC Highways DM would expect a Strand 2 Contribution of £861,360.

#### **4.2.11.1 Following receipt of these comments further information was submitted and sent to the Highways Authority for comment. The addition information overcame the Highways objections:**

## Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the agreed to Strand 2 contribution and the following conditions:

### CONDITIONS

1) No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i) Roads, footways.
- ii) Cycleways.
- iii) Foul and surface water drainage.
- iv) Visibility splays
- v) Access arrangements
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

### 2) Existing Accesses – Widened or Improved

Prior to the first occupation / use hereby permitted the vehicular access improvements, as indicated on drawing number (2107-IFDO-00-RF-DR-A-1005 Rev J), shall be completed and thereafter retained in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3) Surface Water: Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

### 4) Electric Vehicle (EV) Charging Points as % of total car parking spaces

Prior to the first occupation / use of the development hereby permitted, provision shall be made for 20% of the car parking spaces to have active provision for EV charging and 80% of the car parking spaces to have passive provision for EV charging.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

### 5) Cycle Parking – Not shown on plan but achievable

Prior to the first commencement of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and

approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan(adopted 2018).

#### 6) Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

#### 7) Highway Improvements – Offsite

##### A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level\* shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number (4909-006-Rev-) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

##### B) Implementation / Construction

Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

## 8) Rights of Way

### A) Design Approval

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence on site unless otherwise agreed in writing until a Rights of Way Improvement Plan for the off-site and on-site Rights of Way improvement works has/have been submitted to and approved in writing by the Local Planning Authority.

### B) Implementation / Construction

Prior to the first occupation/use of the development hereby permitted the off-site and on-site Rights of Way improvement plan works (including any associated highway works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

## 9) Travel Plan – Requested Prior to Use

At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

## 10) Requirement for Traffic Monitoring

No development shall commence until a monitoring programme to assess the level of traffic generation at defined intervals of occupancy shall be submitted to and approved in writing by the Local Planning Authority. The monitoring programme shall be implemented as agreed.

Reason: To ensure that agreed traffic levels are not breached and thus highway network is adequate to cater for the development proposed to be in accordance with Policies 5 and 12 of Hertfordshire's Local Transport Plan (adopted 2018).

## APPROPRIATE INFORMATIVES

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

[www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN5) Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

AN6) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-anagement.aspx> or by telephoning 0300 1234047.

AN7) Roads to remain private: The applicant is advised that all new roads/ access routes associated with this development will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name

plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.

AN8) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN9) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

AN10) Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website [www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms](http://www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms) or by telephoning 0300 1234047.

AN11) Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing [travelplans@hertfordshire.gov.uk](mailto:travelplans@hertfordshire.gov.uk)

COMMENTS

The existing Langleybury Estate (film hub and Children's farm) is located circa 6-7km cycle northwest of Watford's town centre and rail station. In addition to access to the national rail network the rail station also provides access to the London Over and Underground networks. The estate is bound to the south by the A41 spur road to Junction 19 of the M25 (dual carriageway); to the east by the River Gade and a single carriageway section of the A41 which bridges over the river; to the Northeast by the St Pauls CoE primary school; and to the north and west by the single carriageway Langleybury Lane. The film hub/ House and Children's Farm are located towards the north west of the estate. The A41 currently provides a barrier to the site for direct pedestrian/cycle access from the residential area of Abbots Langley (circa 1-4km east of the site).

The estate currently has two formal motorised vehicle accesses from Langleybury Lane, one directly opposite Langleybury Fields (farm access track and PROW 45) which serves the existing house/film hub; and a second access circa 30m north which serves the Children's Farm. There is also a third motor vehicle access onto Langleybury Lane for an individual residential property (South Lodge) and the southern field of the estate. A fourth and narrow (circa 3m wide) gated access to the northern fields of the estate forms the western arm of the mini roundabout which serves as the motor vehicle access to the St Paul's CoE primary school. The northeastern arm of the roundabout forms a priority 'T' junction with Langleybury Lane. circa 80m north east.

Proposals are to expand the Film Hub and relocate the Children's Farm north within the estate towards the St Paul's CoE Primary school access.

It is proposed that the former Children's Farm access is upgraded to facilitate two way working and HGV access and becomes the principal motor vehicle access to the Film Hub. Whilst the former main road access, which would be similarly upgraded, becomes a secondary vehicle road access.

The third and less formal to the estate is to be upgraded into a formalised access that can also support two way traffic and HGV's.

The new Childrens Farm and a small (50 space) car park shared with the primary school would be accessed the existing school access onto Langleybury Lane.

HCC Highways DM had originally objected to the proposals having then considered primarily that they were not at the time compliant with the policies both national and local, particularly those contained in HCC's Local Transport Plan (LTP) 4, aimed at creating sustainable developments. Secondly and related to the primary objection, HCC considered there was insufficient information on the number of person trips numbers to allow the council to gauge the impact of this development upon the sustainable transport network. At the time the suitability of the base traffic models were yet to be confirmed demonstrating their suitability for use in further traffic assessment.

Caneparo Associates have subsequently responded to these objections and HCC Highways request for Strand 2 Contribution in a Transport Technical Note (N12-JT-SD-Transport Response Note HCC F2 (230206)). Subsequently, this response by HCC Highways Development Management (DM) considers that note in addition to the original Transport Assessment (TA, October 2022).

### Sustainable Transport Policy

Whilst proposals would upgrade the PROW network within the estate and establish a new foot/cycle path to the west side of the A41; the A41 is considered a barrier to direct sustainable access to the site to/from the nearby residential area of Abbots Langley. HCC proposed a Toucan crossing of the A41 to overcome this barrier and unlock the site sustainably. Initially the applicant through Caneparo did not consider the crossing was required.

However the need for the Toucan crossing has now been recognised:

"It is understood that should a toucan crossing be provided that the proposed development would be compliant with Policy 1 and Policy 5, as the walking/cycling route to/from Abbots Langley would be improved."

Whilst Caneparo has also indicated that 'the Applicant is willing to provide the funding in order to allow a toucan crossing to be provided'. HCC Highways consider that in order to unlock the site in time appropriate to the development it is considered that the applicant should provide the crossing under a S278 agreement rather than waiting for the council to develop a scheme.

HCC Highways also had concern over the number of motor vehicle accesses to the proposal site, considering that this also did not establish a policy compliant site that considers the sustainable modes first. However, Caneparo have explained that for operational reasons the three accesses are required. Caneparo also point out that the original proposals had yet more accesses still and the number of proposed access have already been rationalised according to pre applications discussions with HCC Highways and further rationalisation would not be efficient in terms of the site operation.

Given the provision of the crossing and the explanation regarding the number of vehicle access points HCC Highways will withdraw the objection on policy grounds.

#### Mode Split

As indicated previously initially HCC Highways DM considered that there was insufficient information within the TA regarding the number of person trip numbers which would allow the council to gauge the impact of this development upon the sustainable transport network. Caneparo have subsequently provided this information to HCC Highways in the transport technical note. It must be noted that estimates by Caneparo are based on a 87.5% usage of the private car, whereas the application travel plan seek to reduce this to 70% through greater use of the sustainable modes which the above 'toucan' crossing will help to facilitate. The existing modal split for employees destinating in Three Rivers 003 (the area which includes the site and west side of Kings Langley) includes only 66% driver mode share. 78% of employment trips destinating in the southern area of Kings Langley (Three Rivers 002) are driving a private car and 73% of employment trips destinating in the northern area of Kings Langley (Three Rivers 001). Therefore, the 70% target is considered realistic at this stage.

Furthermore, HCC Highways now accept the traffic generation attributed to the site subsequent to the person trip generation approach presented in the Traffic Technical Note.

#### Modelling

As indicated earlier HCC were unable to consider the traffic modelling analysis presented in the TA as it had not been demonstrated at that time that the base traffic models used in the analysis were approximately reflective of observed traffic queues. It must be noted however, that it is only feasible to capture traffic data, including queues, for a limited time window. There is also a large debate as to what actually constitutes a queue. Furthermore, a traffic model is unable to reflect the constantly adaptive nature of the traffic network. Thus predicted queues in a traffic model should not necessarily exactly match only give an indication whether the model is approximately valid.

In response to HCC Highways concerns Caneparo have produced a Traffic Model Validation Report (Appendix E of the Transport Technical Note). The report also demonstrated the robustness of the utilised traffic inputs into the model. Having reviewed



the Validation Report HCC Highways DM now consider the base traffic models suitable for further analysis.

Caneparo indicate that for distribution purposes they have selected Travel to Work trips residing MSOA 003 with destinations elsewhere from the 2011 Census results. HCC Highways consider though that this is the wrong way round and journey to work trips destinating in MSOA 003 and originating elsewhere should have been used for estimation purposes. However, once removing the large number of trips that drive within MSOA alone for work, HCC Highways have not found the utilised distribution estimate significantly different from that estimated by HCC Highways. Therefore, HCC Highways are happy with the distribution estimate utilised by Caneparo.

Caneparo have subsequently assigned these trip estimates to the highway network using Google Maps and making assumptions about the accesses use. HCC Highways are also satisfied with this.

## M25 Junction 20

The analysis of the M25 Junction 20 roundabout presented by Caneparo indicated that the signalised roundabout operates currently well above its effective operational capacity (90% DoS) and just within its absolute capacity (100% DoS) during the peak hour. With the A41 southbound approach being subject to the most significant queuing (circa 36 pcu's per lane during the AM peak just before the lights change to green).

With growth alone 2025 the roundabout goes just over absolute capacity during the network peak hours (101.1% AM and 103.3% PM). The original Caneparo TA indicated that the queuing remains the exact same during the most critical AM peak hour, however that was considered by HCC Highways to be a 'copy and paste error' and Caneparo have sent a revised table of results for this junction which predicts (under growth alone) the highest mean maximum queue (MMQ) on the A41 southbound approach would rise to 42pcu's (passenger car equivalents). With the addition of the proposed development due largely to the instability of the junction operating over absolute capacity the highest MMQ rises by 5pcu's. Whilst not ideal, HCC do not consider that this is a significant impact that can't be mitigated through the travel plan process and improving the site's accessibility (predominantly the A41 toucan).

## A41/ Langleybury Lane Traffic Signal Junction

The A41/ Langleybury Lane traffic signals according to the Caneparo analysis are currently operating slightly above their optimal traffic efficiency level (90%) during the AM peak hour with the inside lane of the southbound A41 approach being slightly over capacity (although still within absolute capacity, 100%) at 91.3% seeing a MMQ of 23 pcu's before the lights go green. According to the Caneparo model all other approaches operate within capacity during the AM peak hour and the junction operates with sufficient operational capacity.

With traffic growth alone to 2025 the A41/ Langleybury Lane the performance of the traffic signals are predicted by the Caneparo model to slightly deteriorate. However, the overall situation is approximately the same as presently. The degree of saturation of the inside lane of the southbound A41 approach being 92.5% during the AM peak hour and the corresponding MMQ before the lights go green is predicted to rise slightly to 24pcu. Furthermore, the junction though performs within its absolute capacity during the AM peak. During the PM peak hour as before the junction operates within its ideal capacity.

The addition of the development traffic in the AM peak hour is shown to have a significant impact.

The degree of Saturation of the inside lane of the southbound A41 rises to almost absolute capacity at 99.7% and the corresponding queue rises to 38pcu. HCC Highways consider that it is appropriate to mitigate this impact through the travel plan process, improving the site's accessibility (predominantly the A41 toucan) and as discussed at the end of this response contribution to schemes encouraging a wider modal shift.

#### A41/ Hempstead Road Partially Signalised Roundabout

The prepared model of the A41/ Hempstead Road Partially Signalised Roundabout suggests that the roundabout currently is operating over its operationally ideal capacity (90%) but within its absolute capacity (100%) during both peak hours. With the junction operating at 97.1% during the AM peak hour and 98.3% during the PM peak respectively. As with the previous analysis it is the southbound approach that experiences the greatest degree of congestion during the AM, operating with a Degree of Saturation of 97.1% and a MMQ of 8pcu, although other links within the junction experience slightly more queuing despite a lower operating DoS. During the PM conversely the NB approach to the roundabout suffers most, where the DoS is 98.3% and a queue of 22pcu's spread across 2 lanes.

With growth alone to 2025 the junction is predicted to be nearly at absolute capacity during the AM peak (DoS = 99.8%) and over its absolute capacity during the PM peak (DoS = 100.6%). This is seen in the queuing increasing slightly on the SB approach during the AM peak (MMQ = 11pcu's) but rising substantially for the NB approach during the PM peak where the predicted MMQ across two lanes is 48pcu's.

As growth due to other developments has done to the PM junction performance, growth due to the proposed development pushes the junction over absolute capacity during the AM peak (DoS = 100.8%) and the queuing rises significantly to 37 pcu's. During the PM peak hour whilst the proposals have little impact upon the peak NB direction, they create a new slightly greater peak on the southbound approach of 105.5% which generates significant queuing of 48 pcu's which is confined to a single lane (the left lane being a free flow slip). HCC Highways consider that it is important to mitigate this severe impact through the travel plan process, improving the site's accessibility (predominantly the A41 toucan) and as discussed at the end of this response contribution to schemes encouraging a wider modal shift.

#### Site Access Junctions, Old House Lane / Langleybury Lane and Grove Mill Lane / Langleybury Lane

The analysis presented by Caneparo indicates that the existing access junctions that will be reconfigured; Old House Lane / Langleybury Lane and Grove Mill Lane / Langleybury Lane are currently (2022) operating well within capacity at the moment with little or no queuing evident.

During the peak hours of 2025 prior to expansion of the Langleybury Studios the performance of these junctions (the existing access junctions that will be reconfigured; Old House Lane / Langleybury Lane and Grove Mill Lane / Langleybury Lane) changes little, operating well within capacity and with little or no queuing evident.

With the addition of the proposed development and reconfiguring of the junctions there is a very marginal increase in queuing at the Grove Mill Lane / Langleybury Lane junction but certainly nothing that would be considered significant and the junction remains significantly within capacity (with the highest RFC being 0.26, where 0.85 is the desirable maximum capacity and 1.0 is the absolute maximum capacity). The other junctions (the reconfigured access junctions and Old House Lane / Langleybury Lane) continue to operate with significant spare capacity (the highest RFC being 0.13).

## Contributions

HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works being works that are directly required to unlock the development and solely the responsibility of the development. Strand 2 mitigation works being works that address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from.

In the first instance HCC would envisage that the agreed junction improvements and travel plan contributions are delivered via a Strand 1 s106 agreement. This includes the support fee for the aforementioned Travel Plan.

In the second instance (Strand 2) HCC calculate an appropriate headline figure based on the findings of HCC's adopted Developers Planning Obligation Toolkit (2021). Strand 2 contributions should address the cumulative impacts of all development, large and small, facilitating delivery and enhancement of the necessary active and sustainable transport networks. These local sustainable networks must be provided in their entirety to provide the sustainable connections to the key trip generators, as such contributions will be pooled to fund these networks within the local area (subject to any legislative restrictions), as supported by National Planning Policy Framework (NPPF). This second strand contribution is intended to help implement broader transport measures in the catchments of new development from which contributions are secured. The need for second strand contributions will be balanced against the level of first strand contributions and any other relevant planning matters.

As part of the nearby Warner Bros planning application a contribution of £1,226,400 was agreed for to be used towards cycleway improvements (SM17 - A411 Hempstead Road and Grand Union Canal Corridor Cycleway Improvements) to support their 70,559sqm expansion. This is in addition to substantial offsite works which will be delivered by the developer. The proposed Langleybury House development is a circa 28,922sqm expansion and similar in nature and location. Therefore, if the development were to proceed, HCC Highways would request a pro rata contribution of £502,699.

This would be in addition to the A41 toucan (delivered by developer) and be used towards the cycleway improvements serving the site.

Warner Bros are also committing £875,000 towards the improvement of the local bus services.

Therefore, if the development were to proceed, HCC Highways would expect a proportional contribution of £358,661.

In total, if the development were to proceed, HCC Highways DM would expect a Strand 2 Contribution of £861,360.

Caneparo have agreed to this contribution in their February 2023 Transport Note "The requested contribution of £861,360 is agreed".

## Summary

In summary, HCC Highways DM agrees that with the provision of the Toucan crossing, in order to establish a policy compliant proposal, and strand 2 contributions, to mitigate the development's impact in the area, our objection can be withdrawn. In order however, that the crossing is provided in good time to unlock this development sustainably in the interest of the developer it requires to be provided under a S278 agreement.

### 4.2.12 National Highways: [Object]

Referring to the planning application referenced above, notice is hereby given that Highways England's formal recommendation is that we

- a) offer no objection (see reasons at Annex A);
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);
- c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);**
- d) recommend that the application be refused (see reasons at Annex A)

Highways Act 1980 Section 175B is not relevant to this application.<sup>1</sup>

<sup>1</sup> Where relevant, further information will be provided within Annex A.

National Highways Planning Response (NHPR 22-10) October 2022

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

## **Annex A**

National Highway's assessment of the proposed development NH has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN).

The SRN is a critical national asset and as such NH works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

In the case of this proposed site, National Highways is interested in the potential impact that the development might have upon the M25 Junction 20. We are interested as to whether there would be any adverse safety implications or material increase in queues and delays on the SRN during the construction and operation.

### **Accident data**

Accident data has been analysed for 2017 to 2021. Two years of this data was during the Covid-19 pandemic where there were restrictions on travel. NH therefore request that data for a five-year period prior to the Covid-19 pandemic is analysed to ensure that the effects of the pandemic has been considered. Data used must be Stats 19 validated data. Furthermore, it is requested that Figure 2.4 is provided in a higher resolution in order to see the locations and severity of the accidents particularly around the M25 junction 20.

### **Accessibility**

It is noted that the closest bus stops from the site are approximately an 8-minute walk, 670m east of the main site access with a frequency of one bus every 30 minutes. Whilst 670m is an acceptable walking distance to bus stop, this distance is taken from the eastern edge of the site and doesn't represent the average or 'worst case' walking distance to existing bus stops. Furthermore, with a low frequency of bus service it is not considered to be an attractive service to staff occupying the site.

## Policy Review

It is noted that the DfT circular 02/2013 has not been included within the policy review.

## Parking and Access

The TA has assumed a split of the following across the access points;

All staff arriving to the film hub would utilise Access Point 3

All staff arriving to the industrial units, office, education facility and creche will utilise either Access Point 1 or Access Point 2, depending on which direction they arrive from.

NH seek clarification on how the three accesses will be managed ie how will the site ensure that only the correct users are using each existing access point?

The Transport Assessment sets out the total number of car parking spaces for each land use. The overall reduction in the maximum standard is welcomed to promote the use of sustainable travel to the site.

It is also noted that the existing site currently accommodates a children's farm which will be retained, and that no new trips are associated with this land use. It is therefore unclear why the children's farm is seeking additional parking if there are no new trips on the network, furthermore the number of car parking spaces sought are substantially above the maximum parking standard as set out in the table below.

Use	Description	Area (sqm)	Standard	TA	Maximum	% Reduction/Increase
A3	A3 Ancillary Café	383	1 space per 5 sqm plus 3 spaces per 4 staff	0	Unknown number of staff	N/A
B1a	B1a Office Space	6,303	1:30 sqm	108	210	-49%
B1a	Craft Workshop	11,254	1:30 sqm	204	375	-46%
B1c	Sound Stages	10,596	1:30 sqm	215	353	-39%
B1c	Support Building	12,518	1:30 sqm	196	417	-53%
B1c	Production Offices	5,587	1:30 sqm	136	186	-27%
B1c	Backlot	30,000	1:30 sqm	0	1000	N/A
D1	D1 Creche	422	1 space per 4 pupils	11	Unknown number of pupils	Unknown number of pupils
D1	D1 Education Facility	2,159	1 space per 4 pupils			
Sui Generis (D2)	Children's Farm	136	1:22sqm	50	6	709%

An overview of the car Parking Management Plan has been set out. This indicates that priority will be given to those who car share and that fines will be issued if they don't comply. NH would request to know how many of the car parking spaces will be dedicated for car sharers and how will this be split across the site? Clarification of whether enforcement of the EV spaces will be included in the Car Park Management Plan is also required.

The use of an electric minibus to provide access to The Grove, Watford Junction and the Town Hall is welcomed. The Transport Assessment sets out the frequency of services and indicates that the levels of services will be increased to Watford Junction. However, details of the services and frequencies are required to indicate the site's commitment to this service. A new shuttle service will be provided between the site and Kings Langley Railway Station. This will provide two services each hour during the morning and evening commuting periods, with no services provided between 10:00-14:00. Due to the shift patterns of staff using the site and in line with the existing shuttle services to the other locations. NH requests that services are also provided throughout the duration of the day (ie the off peak hours) and that all new services are provided from first occupation.

#### Travel Plan (TP)

NH welcomes the inclusion of a travel plan. NH note that There are no firm commitments to provide a docking area for the cycle hire scheme closer to the site.

There are aspirations to provide a docking area within the proposed site and discussions have taken place with the operator. Appendix A simply sets out all the costs options available without any commitment to fund any option.

The TA indicates that 'it is pertinent to note that the first service during the week is at 05:18 which arrives at the site at circa 06:25, with the last servicing operating from the site at circa 22:00. This therefore demonstrates that travelling by bus is a viable option for future staff.' However, the distance from the edge of the site to the closest bus stop is 670m. To the middle of the site, it is considerably further, therefore this is not considered a particularly viable option.

The target of 15% reduction in single occupancy car use is indicated. This 15% reduction is relied upon as part of the assessment of the junctions within the Transport Assessment.

It indicates in the TP that the Travel Plan co-ordinator will discuss the results of the surveys with HCC officers within one month of each survey and review progress towards any agreed targets. NH request to be given an opportunity to be included in the review process to be assured that the TP targets are being met.

#### Trip Generation and Mode Share

It is noted that the floor areas used in the Transport Assessment come from the scoping note. However, the floor areas being applied for within this application are different in comparison to the scoping note that NH has reviewed. The floor areas are slightly higher for the office and education land use and lower for the craft workshops in comparison to those used in the scoping note. Can the Transport Assessment be updated to use the correct updated floor areas? Can you also please confirm what the anticipated trip generation for the other land uses being applied for are ie Sound stages, support building, production offices and backlot or are these considered ancillary and won't create trips in their own right?

The modal share has been adjusted to reflect that car use will be the predominant mode of travel to the site. However there does not seem to be any justification for the changes and why the mode shares used have been selected.

#### Effect on the Highway Network

The network peak hour of 07:00-08:00 and 17:00-18:00 have been identified. It is unclear why 08:00 -09:00 has not been identified as the network peak hour.

In Appendix O there is a slight mismatch between the distribution for the film hub and the commercial vehicles leaving the site, the proportion turning from the northbound off slip right at the roundabout is slightly different for each scenario yet it is understood that the distribution is supposed to be the same (28% vs 31%). Census data has been used to determine the destination trips. Based on the information presented in the Transport Assessment, the number of trips is not likely to have a material impact on the M25 junction 20.

National Highways have requested additional information be supplied by the applicant and so, at this time, we are unable to conclude a review of the impact this development proposal may have on the SRN. For this reason, we recommend that the planning authority does not determine this application for a period of 56 days from the date of this recommendation – that is 18 January 2023 or until National Highways submits an alternative response.

#### 4.2.13 Herts Footpath Section: [Information only]

I would draw the applicant's attention to the County Councils Rights of Way Improvement Plan (ROWIP) suggestion list. The County Councils ROWIP is a requirement of the Countryside & Rights of Way Act 2000 and is a related document of the Local Transport Plan.

I have noted that a verge or field edge path has been identified. This would deliver a safer off road link for vulnerable non-motorised path users.

#### 4.2.14 Herts County Council – Archaeology: [Object]

Thank you for consulting us on the above application.

The proposed development site comprises the former Langleybury Estate and Home Farm. Langleybury House [Historic Environment Record No 11391] is an early 18th century Grade II\* Listed country house that was in use as a school between 1947-96. It is set within the remains of its former parkland and formal gardens [HER 12721], which were laid out in the mid 19th century. Associated buildings include the Grade II Listed Stables, to the south-west of the house, the notable late 14th century aisled barn, built by abbot John Moot [HER 4851], which is Listed Grade II, the Home Farm [HER 11393], and the associated 1-3 Old Farm Cottages (also Listed Grade II), which used to house farm workers.

We have previously commented on pre-application advice request 22/1423/PREAPP (letter dated 16th September 2022), noting that the proposed development area is of very substantial size, and that it is in a situation favourable to settlement. It therefore has a high potential to contain significant archaeological remains. The proposed development may have an impact upon undesignated heritage assets, some of which may be of regional significance.

We recommended that should a planning application be submitted for this proposed development it should be supported by:

- The existing archaeological desk-based assessment prepared by Lichfields: Lichfields, Langleybury Film Hub Archaeological Desk-Based Assessment, September 2022
- The existing geophysical survey report prepared by Magnitude Surveys, Geophysical Survey Report Langleybury House, Hertfordshire, July 2022
- Any existing assessment of the impact of the proposed development on the historic built environment and designed landscape.

In addition, we recommended that the following works be carried out (to meet NPPF, para 194), and the results also submitted:

- An archaeological geophysical survey of additional areas of the overall development site, as appropriate
- An archaeological trial trench evaluation to test the geophysics results and quantify the archaeological resource.
- If not already in existence, an assessment of the impact of the proposed development on the historic built environment and designed landscape.

As per our pre-application recommendations, the Archaeological Desk-based Assessment prepared by the applicant's archaeological consultant (Lichfields), and the geophysical survey report prepared by Magnitude Surveys are included in the Environmental Statement (N1 – N4) submitted. I also note the submission, within the ES, of The Langleybury Estate, Kings Langley, WD4 8RP, Historic Buildings Report for Ralph Trustees Limited, Douglas Insall Associates, October 2022).

It is stated (Planning Statement. Archaeology):

5.124 With regard to below ground archaeology, Chapter N of the ES addresses this matter and is informed by a detailed Desk Based Assessment (DDBA) and a separate Geophysical Survey Report.

5.128 Further to this, a programme of trial trenching informed by a Written Scheme of Investigation (WSI) is to be agreed with the County Archaeologist and will be undertaken to allow a full assessment of archaeological potential to be made by the LPA. This assessment will be provided prior to the determination of the planning application.

ES Chapter N – Archaeology re-iterates this undertaking.

I can inform you that this office has agreed a Written Scheme of Investigation for archaeological trial trench evaluation with the applicant's archaeological consultant (Lichfields).

The trial trenching is currently being carried out by Wessex Archaeology, and is likely to be completed this month.

However, we will not be in a position to provide the Planning Authority with informed advice as to the impact of the proposal on the historic environment, or detailed recommendations as to the extent and nature of the archaeological mitigation that will be required, until a detailed report on the results of the evaluation has been prepared and submitted to the Planning Authority, and to this Office.

I therefore recommend that the planning application is not determined until this report has been submitted.

Please do not hesitate to contact me should you require any further information or clarification.

#### 4.2.15 Herts County Council – Lead Local Flood Authority (Consultant response): [Object]

1.SuDS and drainage will be dependent on a 1 in 1 year storm event surface water sewer capacity. Events exceeding this are anticipated to discharge to three attenuation basins (2no. in Catchment 2 and 1no. in Catchment 3). Basins are understood to discharge via infiltration up to a 1 in 30-year climate change standard. Events exceeding this are anticipated to include unrestricted overtopping of basin capacity. Further information is required. Applicant to provide further information.

☐How are the ponds to be designed for overtopping without embankment failure for the lifetime of the development?



- ☐ If high infiltration rates can be achieved, what will prevent seepage beneath embankments and associated failure risk?
- ☐ How will exceedance flow up to the 1 in 100-year climate change event be safely managed without scouring to fields downstream?
- ☐ We note that infiltration testing has been provided at a single location only. Applicant to provide the location of existing ground investigation and further testing to demonstrate infiltration at all appropriate locations.
- ☐ No typical details and design for safety information have been provided (including access for maintenance).
- ☐ Further information on basin management and maintenance, including soakaway, for the lifetime of development including climate change is required.

2. Based on the provided layout, proposed wetland features appear not to have a profile that resembles wetlands. Further information is required. Applicant to provide further information.

- ☐ EA flood mapping indicates numerous wet areas, how has potential groundwater emergence been considered and what would be the implications for wetland capacity?
- ☐ We note that the second (downstream) wetland area is located within EA defined Flood Zones. How will attenuation be achieved at this location?
- ☐ SuDS proposals include for exceedance storage yet no information as to how floodwater can be contained has been provided.
- ☐ No typical details and design for safety information have been provided (including access for maintenance).
- ☐ Further information on wetland management and maintenance for the lifetime of development including climate change is required.
- ☐ Evidence of EA consultation/permit to discharge required.

3. SuDS proposals include for various surface water swales. It is understood that filter drains will link swales within Catchment 2, however, it is unclear how other swale features will operate and what capacity they will provide.

- ☐ Applicant to provide information on swale capacity and interconnectivity.
- ☐ No typical details and design for safety information have been provided (including access for maintenance).

4. We note that key areas of parking are to be formed as permeable paving with infiltration. At present, no information has been provided as to suitability of ground conditions for infiltration specific to these locations (linked to Comment 1). Further information is required. We note that the provided Maintenance Plan does not include areas of permeable paving. It is critical that permeable paving is appropriately maintained, including replacement, for the lifetime of development to ensure long term effectiveness.

5. A single soakaway location does not give sufficient clarity as to ground conditions. Further information is required for elements of surface water drainage that are dependent on infiltration as the basis for design. Can you substantiate the Safety Factor of 2 for infiltration SuDS, which is very low, as a means of managing runoff and siltation for the lifetime of development? Has any sensitivity testing been undertaken to demonstrate viability of the scheme?

6. A full detailed drainage plan including location of SuDS measures, pipe runs and discharge points is required at full planning. We note that the level of detail provided on the surface water drainage network is insufficient. An appropriate level of details and controls should be provided, including full Micro Drainage (or equivalent) in accordance with requirements.

7. There has been no detailed assessment of Catchment 1 provided for review.

8. Whilst reuse of the cistern for watering gardens is a positive measure, the applicant should provide details on how connections will facilitate drainage to the system and how water levels in the cistern can be managed prior to flood events without causing localised flooding.

9. The Maintenance Plan needs to be adapted to include management and maintenance of all elements of the proposed scheme including access arrangements, and remediation and replacement of permeable paving if required for the lifetime of the development including climate change.

#### 4.2.16 Herts County Council – Minerals and Waste Team: [Object]

I am writing in response to the above pre-planning application insofar as it raises issues in connection with minerals or waste matters. Should the District Council be minded to permit this application, a number of detailed matters should be given careful consideration.

##### Waste

The proposed development as described above will result in the production of additional waste to be managed within the county, arising from the ground works and construction stages and proposed usage. As a result, waste matters will need to be considered as part of the proposed development and waste prevention, re-use, recycling and recovery options employed to minimise waste requiring disposal, in line with the waste hierarchy.

Government policy seeks to ensure that all planning authorities take responsibility for waste management when determining applications at a district/borough level. In particular, the Waste Planning Authority wishes to highlight the content of the National Planning Policy for Waste, which was published by government in October 2014. This is of relevance to local planning authorities as it provides the following guidance that relates to the determination of non-waste planning applications:

'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal. This includes encouraging re-use of unavoidable waste where possible and the use of secondary aggregates and recycled materials where appropriate to the construction. In preparing planning applications applicants are urged to pay due regard to policies within the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. In particular the following policies are of relevance and applicants should ensure their objectives are met by way of details submitted with the application(s):

- Policy 1: Strategy for the Provision for Waste Management Facilities. (This is relates to the penultimate paragraph of the policy only);
- Policy 2: Waste Prevention and Reduction: &

- Policy 12: Sustainable Design, Construction and Demolition.

In line with Policy 12, the Waste Planning Authority would expect the planning application to be supported by a Site Waste Management Plan (SWMP), which aims to reduce the amount of waste, produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

We are pleased to see that a Waste Strategy and Site Waste Management Plan (SWMP) (dated October 2022) has been submitted alongside this application.

The submitted SWMP provides sufficient and necessary details the Waste Planning Authority expects to see included. The SWMP provides a high level of information relating to the estimated amount of demolition waste to arise also detailed with EWC codes. Estimated amount of waste arising from the construction is also included, along with waste management proposal. A table for recording actual amount of waste arisings is also set out.

Details of Waste carriers and Waste management facilities for where waste is proposed to be sent should also be provided.

SWMP's are live documents which should be updated periodically throughout the duration of a project. Actual waste arisings should be recorded in the SWMP as the project progresses, as well as details of where waste is taken to.

Policy 12: Sustainable Design, Construction and Demolition of the Waste Core Strategy and Development Management Policies (2012) document under which the requirement for a SWMP has arisen, requests that completed SWMPs are submitted to the Waste Planning Authority to collate the waste data to assist with waste planning and monitoring by understanding the quantities of construction and demolition waste that is being produced which requires managing.

As a reminder, the SWMP must be available to any contractor carrying out work described in the plan and should be forwarded to the Waste Planning Authority when completed. There is no need to provide monthly progress; instead the final figures at the completion of the project would be sufficient. These should be sent to the Spatial Planning and Economy Unit at the above postal address or by email to: [MineralsandWaste@hertfordshire.gov.uk](mailto:MineralsandWaste@hertfordshire.gov.uk)

## Minerals

In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. It should be noted that British Geological Survey (BGS) data also identifies superficial sand/gravel deposits in the area on which the application falls.

Adopted Minerals Local Plan Policy 5 (Minerals Policy 5: Mineral Sterilisation) encourages the opportunistic extraction of minerals for use on site prior to non-mineral development. Opportunistic extraction refers to cases where preparation of the site for built development may result in the extraction of suitable material that could be processed and used on site as part of the development.

Policy 5 further states that:

The County Council will object to any development proposals within, or adjacent to areas of potential mineral resource, which would prevent, or prejudice potential future mineral extraction unless it is clearly demonstrated that:

- i. the land affected does not contain potentially workable mineral deposits; and/or
- ii. there is an overriding need for the development; and
- iii. the mineral cannot practically be extracted in advance.

The Minerals Planning Authority therefore object to the proposed development and request a site investigation and evaluation by way of a Minerals Resource Assessment (MRA) to be undertaken in order to assess the potential for workable mineral deposits underlain at the site and to avoid the possibility of mineral sterilisation (please refer to Section 5(a) of the adopted Minerals Consultation Areas SPD).

It should be noted that if the full resource is to be extracted, there may be the need for a separate mineral planning application and potentially a separate EIA. If opportunistic extraction is undertaken the relevant issues could be covered within an EIA supporting the proposed development.

However, if the mineral resources are proposed to be left, justification of departure from policy must be demonstrated and this may also result in an objection from the county council.

**4.2.16.1 Following receipt of these comments further information was submitted which Herts Minerals and Waste made the following comments removing their objections:**

After consideration of the submitted Minerals Resource Assessment (MRA) dated September 2022, the County Council, as the Minerals Planning Authority recognises the limitations to prior extraction of the site due to borehole evidence indicating low quantity and quality of mineral and constrains around existing residential development.

Given this, the County Council, as the Minerals Planning Authority, insists that the applicant explores further the opportunistic use of the deposits across the site should permission be granted. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make for sustainable use of these valuable resources.

We would now withdraw our earlier objection subject to the recommendation that the following condition be applied, if officers are minded to approve:

Condition: Prior to the commencement of development/excavation or ground works in each phase of the development a minerals recovery strategy for the sustainable extraction of minerals shall be submitted to and approved in writing by the Local Planning Authority, in accordance with the submitted Mineral Resource Assessment dated September 2022. Thereafter, the relevant phase or phases of the development must not be carried out other than in accordance with the approved minerals recovery strategy. The minerals recovery strategy must include the following:

- a) An evaluation of the opportunities to extract minerals (sand and gravel, hoggin and other soils with engineering properties); and
- b) A proposal for maximising the extraction of minerals, providing targets and methods for the recovery and beneficial use of the minerals; and
- c) a method to record the quantity of recovered mineral (re-use on site or off-site).

REASON: In order to prevent mineral sterilisation, contribute to resource efficiency, promote sustainable construction practices and reduce the need to import primary materials in accordance with Policy 5 of the adopted Hertfordshire Minerals Local Plan Review and the National Planning Policy Framework.

**4.2.17 Herts County Council – Property Services: [No objection]**

I refer to the above mentioned application and am writing in respect of planning obligations sought by Hertfordshire County Council towards early years; primary and secondary education; SEND, library, youth, waste and HFRS services, to minimise the impact of development on HCC's services for the local community.

Planning obligations should only be sought for residential developments that are major development, which is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. Therefore we will not be seeking financial contributions.

However, you may receive separate comments from the Highways Unit.

PLEASE NOTE: Please consult the Hertfordshire Fire and Rescue Service Water Officer directly at [water@hertfordshire.gov.uk](mailto:water@hertfordshire.gov.uk), who may request the provision of fire hydrants through a planning condition.

Should you require any further information, please do not hesitate to contact the Growth & Infrastructure Unit.

4.2.18 Herts County Council – Public Health: No comments received.

4.2.19 Hertfordshire County Council – Forward Planning: No comments received.

4.2.20 Hertfordshire County Council – Ecology: No comments received.

4.2.21 Herts and Middlesex Wildlife Trust: [Object]

Application must demonstrate a measurable net gain to biodiversity in accordance with NPPF.

In accordance with NPPF, BS 42020, and The Environment Act 2021 the following information should be provided to demonstrate compliance with these documents

- Net gain to biodiversity (habitats) should be adequately and objectively demonstrated by application of the Natural England Biodiversity Metric.

The NPPF states:

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity

The object of an ecological report submitted in support of a planning application should be to demonstrate how the proposals are capable of being consistent with NPPF and local planning policy and deliver a measurable biodiversity net gain.

BS 42020 states:

'8.1 Making decisions based on adequate information

The decision-maker should undertake a thorough analysis of the applicant's ecological report as part of its wider determination of the application. In reaching a decision, the decision-maker should take the following into account:

h) Whether there is a clear indication of likely significant losses and gains for biodiversity.'

A Natural England Biodiversity Metric must be completed before a decision can be made. It must show a biodiversity net gain of >10% to be compliant with planning policy.

All habitats selected in the metric must be justified with data, e.g. botanical surveys with relative abundances and quadrat photographs. Habitats selected must correlate with UK Habitats definitions.

All condition assessment sheets for different habitats must be supplied with evidence to justify why they do not meet criteria.

#### 4.2.22 Natural England: [No objection]

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary of Natural England's Advice:

No objection

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

#### 4.2.23 Three Rivers District Council - Development Plans: [Comment]:

**Representation:** This application seeks permission for the creation of a Film Hub through demolition and alterations of some existing buildings and the construction of new buildings. The application also seeks permission to relocate the existing Children's Farm. The proposal also comprises of improvements to Locally Listed and Grade II and II\* Listed Buildings within the site, which are sought for in a separate application for Listed Building Consent.

The site is located in the Green Belt. Policy CP11 of the Core Strategy (adopted 2011) states that 'there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it.' Policy DM2 of the Development Management Policies LDD (adopted 2013) states that the construction of new buildings in the Green Belt is inappropriate, with certain exceptions listed in the National Planning Policy Framework (NPPF, 2021). The NPPF states, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations. The application supporting documents state the following benefits anticipate the very special circumstances in the NPPF; contribution to the economy and employment opportunities, heritage value, sustainable development, ecology and biodiversity net gain and inclusion of public space, open space and shared facilities with local services. On this

basis, the development of a film hub on this site can be considered as very special circumstances.

Policy CP1 'Overarching Policy on Sustainable Development' of the Core Strategy states that new development, in contributing to the sustainability of the District, needs to take account of protecting and enhancing existing community facilities and providing new facilities. Policy CP1(m) of the Core Strategy states development should take into account necessary infrastructure to enable and/ or support development, including (but not limited to) education, green infrastructure, leisure and community facilities. The application proposal includes improvements, alterations and enhancement to existing community facilities including the relocation of the Children's Farm, within the vicinity of the site, to adjacent to St Pauls Primary School and Nursery. The application supporting documents state a new parking facilities, a café and learning space will be provided alongside the Children's Farm, as a means to support its use. The supporting documents also state three new pedestrian and cycle access are proposed alongside a new public footpath and cycle path within the parkland area, where improvements to the landscape and woodland are proposed.

The Spatial Strategy in the Core Strategy states in order to achieve the Spatial Vision for Three Rivers, new development will be directed towards previously developed land. Policy CP1(m) states development should make efficient use of land by guiding development onto previously developed, brownfield land and incorporate mixed-use development wherever possible, recognising that some previously developed land can have significant biodiversity value. The National Planning Policy Framework's (NPPF) core planning principle is to encourage the effective use of previously developed land and also supports development of brownfield land. The application proposes development on green-field land with a portion of the application site on previously developed land and on a brownfield site. The development proposal also includes retaining a significant portion of green-field land with improvements to landscape alongside biodiversity net gain and the planting of approximately 680 new trees to enhance the green space. Therefore, the proposal complies with the Spatial Strategy and Policy CP1(m).

Policy DM3(a) 'The Historic Built Environment' supports the retention and enhancement of heritage assets and to putting heritage assets to viable and appropriate uses to secure their future protection. The policy states development should sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment. The development site contains one Locally Important Building, three Grade II and one Grade II\* Listed Buildings within the vicinity of the site. The application supporting documents states improvements and enhancements to all Listed and Locally-Listed Buildings on site will be sought in a separate application for Listed Building Consent. *On this basis*, the proposal would comply with Policy DM3(a) however this will be considered in more detail as part of the Listed Building Consent application.

The South West Herts Economic Study (2019) states the TV and film studios in Three Rivers are key assets for South West Herts' creative industries. The forecast growth in demand for studio space presents significant opportunities to generate more value from these sectors. Therefore, the application proposal would be contributing towards the growth of the TV and film industry within the District. The Economic Study also estimates that there is a requirement for 28,800 sqm of industrial and warehousing floorspace over the period to 2036. After taking into account existing commitments and capacity on existing employment allocations, the total requirement for industrial and warehousing space is 21,945 sqm (or 5.5ha of employment land using the plot ratio of 0.4 recommended in the Economic Study). Policy CP6 of the Core Strategy states that the Council will provide for a range of small, medium and large business premises and retain overall levels of industrial and warehousing floor space within the district. The application proposes flexible units within the Craft Workshop zone which supports the use of industrial and warehousing space including B2 and B8 uses. The supporting documents state the South Site area will include Support

Workshops whereby each workshop will have the facilities to support activity falling within B2 and B8 uses. Subsequently, the application complies with the South West Herts Economic Study and Policy CP6 of the Core Strategy.

In respect of proposed offices, Policy CP6(n) states that the sustainable growth of the Three Rivers economy will be supported by releasing office space from employment use where this is expected to be surplus to employment needs across the plan period, as indicated by an up to date Employment Land Study. The South West Herts Economic Study (2019) estimates an oversupply of 6,263sqm during the period to 2036 and so the proposal would not be in conflict with Policy CP6(n).

4.2.24 Three Rivers District Council – Transportation and Parking: No comments received.

4.2.25 Three Rivers District Council – Environmental Health (Residential): No comments received.

4.2.26 Three Rivers District Council – Environmental Health (Commercial): [No objection]

#### Air Quality

I have reviewed Chapter I - Air Quality of the ES.

An Air Quality Assessment has been undertaken to assess the impacts of the construction and operational phases of the proposed development.

The assessment of construction phase impacts concludes that the implementation of embedded mitigation measures during the construction phase, will substantially reduce the potential for dust and particulate matter to be generated and any residual impact on sensitive receptors is considered to be not significant.

The assessment of operational phase impacts concludes that there will be no exceedances of the relevant air quality objectives or target levels and negligible impacts. The residual effect of the proposed development on sensitive receptors is considered to be not significant.

I would recommend that a condition requiring the submission of a dust management plan be applied to any permission granted. The dust management plan should incorporate the recommended mitigation measures discussed in paragraphs I5.3-I5.5 of the Air Quality Assessment.

Measures aimed at reducing private car use during the operational phase are welcomed. I understand from reading the Air Quality Assessment that the applicant has prepared a Travel Plan. The plan is also discussed in the Transport Assessment. Unfortunately, I could not find the Travel Plan amongst the documents available online.

#### Land Contamination

I have reviewed Chapter M - Ground Conditions of the ES and the Phase 1 Desk Study prepared by Wardell Armstrong (Report ref. GM12410/Final).

The preliminary risk assessment has identified a number of plausible contaminant linkages that require further investigation. The Environmental Consultant has recommended that a targeted ground investigation be undertaken.

Based on this, the standard contaminated land condition is recommended on this and any subsequent applications for the site.



1. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A site investigation scheme, based on the Phase 1 Desk Study prepared by Wardell Armstrong (Report ref. GM12410/Final), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

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

iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

3. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 4.2.27 Affinity Water: [No objection]

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

##### Water quality

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (THEG). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

##### Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

##### Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

#### 4.2.28 Thames Water: [No objection]

##### Waste Comments

This site is affected by wayleaves and easements within the boundary of or close to the

application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Developer Services - <https://www.thameswater.co.uk/developers>

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

#### 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.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

#### 4.2.29 British Pipeline Agency: [No objection]

Thank you for your correspondence regarding the above noted planning application.

Having reviewed the information provided, the BPA pipeline(s) is not affected by these proposals, and therefore BPA does not wish to make any comments on this application.

However, if any details of the works or location should change, please advise us of the amendments and we will again review this application.

Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

4.2.30 National Grid: No comments received.

4.2.31 Sarratt Parish Council: No comments received.

4.2.32 National Planning Casework Unit: No comments received.

4.2.33 Chiltern Society: [Object]

The Chiltern Society is well-established with circa 7000 members acting as a voice of all those championing the Chilterns and our countryside; campaigning to cut overbearing development, conserving the Chiltern landscape, and promoting the enjoyment and environmental understanding of the area.

The applicant's submission is a 'Full' Planning Application, however, the covering letter states that "since part of the application is submitted in outline, with all matters reserved except for access. Until specific occupiers are identified the precise specification of the development proposals cannot be known within the outline zone" This statement rather undermines the 'full' planning status of the whole application. Table 1 of the covering letter lists the buildings that fall into this 'outline' category, (which seems to cover the majority of the new buildings) where it is stated that this is "based on baseline site information and an understanding of potential future occupier requirements". If the applicant is unclear on future occupier requirements, why is a 'full' planning application submitted and how can an economic assessment of any validity be carried out.

This large Green Belt site is already part developed (in the North of the site) but the majority of the site is an undeveloped open landscape with unrestricted views across the Gade valley. Whilst sympathetic redevelopment of the brownfield parts of the site may have the benefits of industrial development leading to employment and economic growth, the Chiltern Society believe the proposed plans, particularly for the more rural parts of the site (in the Southwest) are far too industrial and overbearing, destroying large areas of open land and obliteration of the open view across the Gade valley in all directions. Proposed buildings of up to 9m, 17m and 18m (just under 60ft) are totally inappropriate for this site.

NPPF Para 140 refers to exceptional circumstances in relation to changes in Green Belt. This is not relevant in this case as it relates to changes in Green Belt itself, which can only be changed as part of a Local Plan. In this respect, the land concerned is currently and will remain Green Belt unless reviewed in a new Three Rivers Local Plan.

Accordingly, the only basis on which this application could be approved is under NPPF 146/7 which requires 'very special circumstances' to be established. None of the 'exceptions' listed in NPPF 149 apply to this case, therefore the development is classed as inappropriate.

The Chiltern Society reject the claim that "the increase in the built form.... "has been sensitively designed as to mitigate harm.... [in].. the wider landscape of the site" and we

would not agree that the proposed mitigation would reduce harm even after 15 years of tree growth.

Abbots Langley Parish Council have published documentation supporting their draft Neighbourhood Plan on the importance of the Gade valley views which would be obliterated by this development.

As this development is intended to serve film operations across the South East it would add more traffic to Langleybury Lane, the A41 and surrounding motorway junctions. If the Warner Brothers expansion (22/0491/FUL) is approved, we will expect that the traffic flow analyses for this application will have to be reworked to incorporate the traffic flows in a new baseline.

It is our view that the 'very special circumstance' claimed has not been proven or expressed in relation to scale of the proposed development, in particular to the buildings in the more rural part of the site.

Para 5.32 of the Full Planning Statement claims that parts of the site will remain Green Belt and therefore will be protected for evermore. This clearly is a false assertion as all the land is currently Green Belt and under threat by this proposed development. Should this assertion be true no development would be able to take place across the whole site.

With the Developer's admission on the uncertainty surrounding the requirements of the potential occupiers and hence the economic viability of the site, the argument that the economics of the proposal tilt the balance harm/benefit to achieving the 'very special circumstances' claimed is clearly invalidated. With the proliferation of film making facilities in the local area (the expansion of Warner Bros at Leavesden, new facilities in Bovingdon and proposals for Marlow) one must question the risk of overcapacity.

With the site split between brownfield and rural, and the more speculative building in the rural section, the Chiltern Society would expect separate or phased assessments to be made with appropriate 'full' and 'outline' separate applications.

There are many misleading claims made by the developer. To claim the Langleybury mansion is "unique" is not true as the UK has many such buildings used for film sets. "Enhancements to the parkland" cannot be true with many oversized buildings overlooking the parkland. Only relatively small areas of the site will be opened-up to the public against the claim of "large areas of the site" to be open.

The Developer's site assessment shows that groundwater is vulnerable to pollution and this aspect requires independent scrutiny before any development is approved. Similarly, recognising the site is within a water stressed area more data is required on predicted water usage with comparisons to current usage.

Supporting information on biodiversity and net gain claims, including methodology used, could not be found in the application so comment is not possible at this stage.

## Summary

In summary, the Chiltern Society consider this site as being two distinct areas which should be considered separately; one, the brownfield area to the North which may be suitable for sympathetic development; the other, an open landscape with views across the Gade valley that should be protected. With the Developer's very speculative and unsupported claim on the economic benefits, the assertion that the proposal meets the 'very special circumstances' test clearly fails.

The Society's position is therefore to strongly object to this proposed development.

Does not compromise the five purposes of Green Belt.

I am writing in support this planning application because of the many public benefits that result from these proposals, as result of major private investment from a local landowner - Ralph Trustees Ltd. I acknowledge that 'any development of Greenbelt Land must meet the requirements as defined in National Planning Policy Framework (NPPF) which states at Para 138: "Green Belt serves five purposes:

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

I believe none of the above five purposes will be compromised and legal agreements should be put in place to ensure any future development does not undermine this position. With regard to (c), the proposals do assist in safeguarding the countryside by the significant investment in renewing the natural landscape and removal of derelict and inappropriate buildings, whilst ensuring the new on-site activities provide funding for the continued maintenance of the natural environment of this estate.

The proposals do present 'exceptional' opportunities for the future use of this site NPPF Para 140: 'Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. ... Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.'

I believe the proposals in this Planning Application do represent 'exceptional circumstances' which provide proposals which are uniquely relevant to the Langleybury Estate. Eight particular benefits for the community include:

1. Restoring the Grade Two listed building, Langleybury House (built in 1720) and its formal gardens/orchard etc. This is on the English Heritage Buildings at Risk Register.
2. To replace the derelict Langleybury Secondary School that closed in 1996 - 26 years ago.
3. To provide a much-needed Craft Campus with units for long term hire as well as a Film and Television

Training Facility, workshops, sound stages and production offices. These are facilities directly relevant to the future development of the film/TV industries in this area and ensure local people can receive the skilled training, experience and qualifications to allow them to work locally on well-paid employment.

4. The proposed enlarged area of open parkland with access to the Grand Union Canal and tree planting.

5. Providing a joined up public foot paths and cycle network, improved facilities and relocation/renovation of the Children's Farm, additional parking facilities and a café in the restored walled gardens of Langleybury House.

6. The proposals have been developed in consultation with Historic England and could provide many benefits for the area as well as restoring the historic views from Langleybury House including the restored parkland.

7. Interest was shown by the Ralph Trustees in an Aspirational Project ( See Draft Abbots Langley Neighbourhood Plan, Chapter 12, Page 100, <https://www.abbotslangley-pc.gov.uk/parish-council/draft-2abbots-langley-neighbourhood-plan/> )for a Community Garden and the range of services that the Sunnyside Trust could provide, if this planning application receives permission to go ahead. Sunnyside were asked to respond to this opportunity by preparing a list of proposals for the Langleybury Estate and summarise their 25 years of experience providing training and work for young people and adults with learning disabilities. This document was submitted by the Sunnyside Trust to the Ralph Trustees for discussion on 20th November 2022.

8. The Sunnyside Trust 'would like to be part of and potentially coordinate a group of community partners (Langleybury Church, St Paul's School, the Children's Farm, the Cricket Club, Electric Umbrella, New Hope, Watford Chamber of Commerce, Abbots in Transition) to offer a community hub to run a variety of social enterprises.

### Addressing Local Concerns

The main two concerns that appear to be under discussion with regard to this planning application are:

1. Increased traffic on Langleybury Lane.
2. Siting new buildings on the south-west area of the site, adjacent to Langleybury Lane.

Response to 1. Increased traffic on this road should not be significant due to the activities at the Film Hub.

The current main uses relate to school traffic to/from St Paul's School, and movement from Abbots Langley to schools in the Croxley Green area. Proposals for additional parking which parents can use when at St Paul's School will improve safety and remove roadside parking on Langleybury Lane. This is a rural road with few buildings along this section. Any traffic pollution and noise will be insignificant compared to the nearby M25 which is adjacent to this lane, although screened by trees and the motorway cutting.

Response to 2. Having visited the exhibition of the Film Hub Proposals in November 2022, I understand that the proposed new buildings are beyond a ridge and therefore cannot be seen from the public parkland in the Gade valley. These buildings can be seen from the ridge across the valley, adjacent to Gypsy Lane and some other housing areas in Hunton Bridge. If this is a concern for residents, I believe more native trees could be planted and, if necessary, additional earthworks on site, to ensure the rural views can be preserved.

My support for these proposals is because of the importance of this scheme for the local economy, the creation of employment and training for a wide range of people of differing abilities, the removal of derelict buildings and the restoration our local heritage whilst offering improved recreational facilities for the community and enhancing the biodiversity of the area. This is an exceptional opportunity providing a relevant future for this site and is compatible with the policies presented in the Draft Neighbourhood Plan for Abbots Langley.

## 5 Public/Neighbour Consultation

**5.2 Site Notice:** Expired 12 December 2022 (a number of site notices around the perimeter of the site).

**Press Notice:** Expired 18 December 2022

**Number of neighbours consulted:** 49

**Number of responses:** 36 (15 Objections; 21 support)

## **Objections**

Support the many benefits however points need addressing. Development would increase volumes of traffic along an already busy and fast road. Speed calming measures are required; Existing traffic lights cause significant queues up Langleybury Lane; Car park would lead to a large number of cars entering and exiting the road to the school, how will they be supported to enter and exit Langleybury Lane where sight lines are blocked; Bollards along verges would stop parking; Access from A41 should be developed; Trees should be replaced; Overdevelopment; Urban development on Green Belt land will damage landscape for ever; Destruction of the valley and wonderful heritage; Additional traffic; Claims for special circumstances are unsubstantiated; Do not know who the specific occupiers will be; Should be considered alongside Warner Bros which will result in extensive industrialisation of Green Belt land; Hunton Bridge already have experienced the intrusive sound stages and messy backlots; Very little Green Belt left in Hunton Bridge/Langleybury; Visual impact would be great with development clearly visible from A41 and M25; Not all parts of site will remain in Green Belt; Does not include proof of the methodology for claims of biodiversity; Will not bring employment this is evidenced by Warner Bros.; Additional traffic will be safety risk for children; Support demolition of school and renovation of the mansion but film hub will not be open to public; Adverse effect on Listed Building, conservation area and trees; Road will not be able to cope with traffic; Site has already changed; No justification of very special circumstances for speculative proposal; Will destroy views and character of west side of Gade Valley with industrial buildings; 18m high buildings will be very visible from viewpoints around the valley and will dominate skyline; Will push back Green Belt and open up for future infill; Light pollution; Will destroy rural view as set out in neighbourhood plan; Lack of information on sound stages or backlots; Covenants to prevent future development down the valley welcomed; Additional traffic to Langleybury Lane and surrounding roads; Should avoid building on fields in times of drought; proposed water storage will prevent water reaching aquifers; Overshadowing; Sympathetic development of the brownfield part of the site could be achieved; Should demand full information on scale of development from view points which will be affected by the proposal; Large area will not be opened up to the public; Noise pollution; Will remove all views along Langleybury Lane; Incursion into Green Belt; Too close to boundary; Current traffic levels from existing use are excessive; Poor visibility; Large impact on pedestrian, equestrian and cyclist amenity and safety; Traffic report are inadequate; Lane could not cope with HGV traffic; Green Belt land in Hunton Bridge and Langleybury has been reduced; Not acceptable to spoil both sides of the valley; Will lead to increases in traffic along the A41.

## **Support**

Support much needed training facility to support the ever growing motion picture industry in the UK; Will support infrastructure and operations of the film and TV industry complementary to the sound stages being built elsewhere; Will provide space for smaller independent productions that are squeezed out of space by long term takeover deals; Will allow the film industry to grow in a sustainable manner; Lack of film space in the south east; Good location; Herts is perfectly positioned to respond to demand; Would preserve the heritage asset which is a great filming asset; Film and TV Sector is a major contributor to the UK creative industries economy; Supply of studio space is not in line with growth; Film hub responds to the shortage of dedicated blended space; Support long term employment; Training will ensure industry will benefit local people; Will provide complementary development; The UK film and TV sector generates jobs, building skills and creates opportunities for young people; UK needs to expand the infrastructure; Allow restoration of the mansion; allow purpose built children's farm that will benefit school and local families; Parking will help school and traffic problems; will provide a place for people to learn and will respect local wildlife by maintaining green space; Site is within 30 minutes drive of 75 sound stages; Particular need for ancillary space; Will provide vocational experience



opportunities; Will benefit local area and UK economy; Film industry also brings in tourism; Well placed to serve major studio productions and smaller domestic ones; In favour of additional parking; Siting of farm closer to school will cement close links and provide improved educational facilities; Café at farm for visitors; Will provide exceptional opportunity to support community, environment and create employment; Supported by Sunnyside Rural Trust and will be involved in the workings of the Walled Garden; Langleybury School Alumni support scheme

## **5. Reason for Delay**

- 5.1 The application has been extended beyond its original statutory determination period in order to enable the applicant to work with those statutory consultees who have raised objections, to address their objections.

## **6. Relevant Planning Policy, Guidance and Legislation**

### **6.1 Legislation**

- 6.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).
- 6.1.2 S66 of Planning (Listed Buildings and Conservation Area) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it processes.
- 6.1.3 S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 6.1.4 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- 6.1.5 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.

### **6.2 National Planning Policy Framework and National Planning Practice Guidance**

- 6.2.1 In July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 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”.
- 6.2.2 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 unless there is a clear reason for refusing the development (harm to a protected area).

### **6.3 The Three Rivers Local Development Plan**

- 6.3.1 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.

- 6.3.2 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1 (Overarching Policy on Sustainable Development), CP6 (Employment and Economic Development), CP7 (Town Centres and Shopping), CP8 (Infrastructure and Planning Obligations), CP9 (Green Infrastructure), CP10 (Transport and Travel), CP11 (Green Belt) and CP12 (Design of Development).
- 6.3.3 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 include DM2 (Green Belt), DM3 (Historic Built Environment), DM4 (Carbon Dioxide Emissions and On Site Renewable Energy), DM6 (Biodiversity, Trees, Woodland and Landscaping), DM7 (Landscape Character), DM8 (Flood Risk and Water Resources), DM9 (Contamination and Pollution), DM10 (Waste Management), DM11 (Open Space, Sport and Recreation Facilities and Children's Play Space), DM13 (Parking) and Appendix 5 (Parking Standards).
- 6.3.4 The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policies SA1 (H(7)) and SA7 are relevant.

#### 6.4 Other

- 6.4.1 Hunton Bridge Conservation Area Appraisal (July 2008).
- 6.4.2 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

### 7 **Planning Analysis**

#### 7.1 Principle of Development

##### Green Belt

- 7.1.1 The National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence. The NPPF sets out that 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.
- 7.1.2 Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.1.3 Paragraph 149 of the NPPF identifies that new buildings are considered inappropriate; however, the NPPF sets out the following exceptions to this:
- 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.

7.1.4 Paragraph 150 of the NPPF further clarifies:

‘Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.’

7.1.5 Core Strategy Policy CP11 sets out that the Council will maintain the general extent of the Green Belt in the District and will “encourage appropriate positive use of the Green Belt and measures to improve environmental quality. There will be a presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it”. Development Management Policy DM2 notes that “As set out in the NPPF, the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out below”. Relevant to this current application is (a) New Buildings, which states “Within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance”. Policy DM2 was adopted prior to the publication of the current NPPF. However, it was adopted after the publication of the original 2012 NPPF, and the Green Belt policies in the NPPF are not materially different between the two. It is considered, accordingly, that Policy DM2 is in accordance with the NPPF and may be afforded full weight..

7.1.6 In relation to the assessment of the impact on openness of a development within the Green Belt paragraph 001 of the NPPG states:

*Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.*

- 7.1.7 It will be necessary to assess whether the proposed development would represent inappropriate development within the Green Belt taking into the considerations as set out within paragraphs 149 and 150 of the NPPF.
- 7.1.8 If considered to represent inappropriate development it will be necessary to assess whether the proposed development would result in harm to openness of the Green Belt, taking into consideration factors such as but no limited to the scale of development, any intensification of use of the site and ancillary features such as lighting and hardstanding. The assessment of the impact on openness of the development within the Green Belt will take into consideration the guidance as set out within the NPPG.

#### Loss of Allocated Housing Site

- 7.1.9 Policy SA1 (H7) of the Site Allocations Document identifies that the Langleybury School Site is projected to deliver the replacement of the existing school buildings with 20 dwellings. The projected housing delivery date set out within the Site Allocations Document was 2016-2020. The housing has not been delivered within the estimated time period. The proposed development would result in the housing not being capable of being delivered in accordance with the projections as set out within the Local Plan. As part of the full assessment it will be necessary to take into consideration that the projected housing as set out within the Local Plan will not be delivered on site.

#### 7.2 Impact on the character and appearance of the street scene and locality

- 7.2.1 Paragraph 126 of the NPPF states that:

*"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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..."*

- 7.2.2 Paragraph 130 of the NPPF states amongst other things that:

*"Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."*

- 7.2.3 Paragraph 134 of the NPPF states that:

*"Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to (a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes: and/or*

*(b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*

7.2.4 Policy CP1 of the Core Strategy (adopted October 2011) advised amongst other things that:

*“All development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to:*

*n) Promote buildings and public spaces of a high enduring design quality that respects local distinctiveness, is accessible to all and reduces opportunities for crime and anti-social behaviour”*

7.2.5 Whilst this criterion talks about buildings and public spaces it stresses the importance of design quality and local distinctiveness.

7.2.6 In accordance with the requirements of Policy CP12 of the Core Strategy (adopted October 2011) development should amongst other things:

*“a) Have regard to the local context and conserve or enhance the character, amenities and quality of an area.*

*d) Make efficient use of land whilst respecting the distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials”*

7.2.7 The site is within the Chilterns Landscape Area as identified in the Local Plan and by Hertfordshire County Council's Landscape Character Assessment. Policy DM7 requires development proposals to make a positive contribution to the surrounding landscape. It notes 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. The policy also states that the council will support proposals that: contribute to the delivery of Green Infrastructure.

7.2.8 The detailed aspect of the scheme would be concentrated around the Langleybury House where there is existing built form. The existing buildings serving the farm will be demolished and the historic wall where required will be made good. The café building would be sited to the east of the existing wall which is clearly visible from public vantage points. It would be necessary to assess whether the siting, scale and design of the café would result in demonstrable harm to the character and appearance of the area and visual amenities of the street scene.

7.2.9 The craft zone, commercial zones and training facility would be sited within the existing school and agricultural uses of the site. Although the proposed development forming the craft zone would increase the density of built form within this area, a sympathetically designed scheme, of the farm area and area surrounding the existing E shaped barn, may not result in demonstrable harm to the visual amenities of the area and respect the historic agricultural use of the site. The training facility would be sited where the existing school building and ancillary structures are located. Considering the existing built form and location it is unlikely that this element of the scheme would result in a notable feature as viewed from Langleybury Lane however there would be views of the building from public vantage points along the existing and proposed access routes to the east of the site and wider long range views. The development within the farm area would be enclosed by existing and proposed built form thus its impact on the locality in terms of impact on visual amenities is likely to be limited.

7.2.10 To the south the development would result the addition of a number of buildings within the existing open landscape with a maximum height range of 17-18m. The buildings would sit in an elevated position relative to the land to the east which slopes down towards the Canal.

It would be necessary to assess the potential impact of the development from public vantage points sited both along Langleybury Lane, from the existing (and proposed) public footpaths to the east and wider range views from outside of the site.

7.2.11 The new farm would result in the addition of built form to the north of the Langleybury House and would include the provision of an area of hardstanding to provide parking. The area to the north of the Langleybury House is undeveloped and open in nature.

7.2.12 As part of a full application It would be necessary to assess whether the principle of the development of the site would be appropriate to the setting and character of the area and street scene.

### 7.3 Impact of proposal on heritage assets

7.3.1 Strategic Objective S10 of the Core Strategy is "To conserve and enhance the historic environment by resisting the loss of, or damage to, heritage assets including important buildings". Core Strategy Policy CP12 states that "in seeking a high standard of design, the Council will expect all development proposals to conserve and enhance natural and heritage assets".

7.3.2 DMP Policy DM3 refers to the historic built environment and notes that when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets.

7.3.3 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.

7.3.4 Chapter N of the Environmental Statement includes a chapter in respect of Archaeology which assesses the potential effects of the proposed development on the historic environment.

### 7.3.5 Impact on the setting of the adjacent Listed Buildings

7.3.6 The application site contains a number of heritage assets including both listed buildings and curtilage listed buildings:

The Langleybury House – Grade II \* Listed  
Stable Bloc – Grade II Listed  
Aisled Barn – Grade II Listed  
Cottages (row of three dwellings) – Grade II Listed  
South Lodge – Curtilage Listed  
West Lodge – Curtilage Listed  
Former Gardeners Accommodation – Curtilage Listed  
E shaped Barn – Curtilage Listed  
Former Laundry Building – Curtilage Listed  
The historic garden and features such as the pond and Wall – Curtilage Listed.

7.3.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

*"In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

7.3.8 Paragraph 195 of the NPPF advises that:

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

7.3.9 Paragraphs 199 and 200 of the NPPF state that:

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

*“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”*

7.3.10 Paragraph 202 of the NPPF advises that:

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...”*

7.3.11 The NPPG advises that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

7.3.12 Historic England’s comments are set out in full within paragraph 4.1.12. In summary, Historic England have advised that they consider that the new build elements to create the ‘Film Hub’ would result in less than substantial harm of a high level to the setting and significance of the Grade II\* Listed Mansion and other listed buildings. There are ongoing discussions regarding the development and impact on Heritage features.

7.3.13 Impact on the setting of the adjacent Hunton Bridge Conservation Area

7.3.14 The Hunton Bridge Conservation Area was designated in 1984, and the conservation area appraisal published in 2008. The original settlement is thought to have originated from early coaching routes and the crossing of the River Gade. The appraisal notes that the conservation area is effectively split by the A41 dual carriageway and the canal, which separate the main core of the settlement from the church and vicarage which are sited in more open rural landscape. The appraisal notes that the spire of the church is visible from many parts of the core of the settlement and provides a landmark to views from the east to the west. The eastern boundary of the northern part of the site (where the parking to serve the school and farm) adjoins the boundary of the Conservation Area.

7.3.15 DM Policy DM3 states that “permission will not be granted for development outside but near to a Conservation Area if it adversely affects the setting, character, appearance of or views into or out of that Conservation Area”.

7.3.16 Assessment would be required as to whether the change of use of the adjacent field to include parking and hardstanding and associated lighting and siting of the farm building would adversely affect the setting and views into an out of the adjacent Hunton Bridge Conservation Area. The same assessment would be required as to whether the scale, siting

and design of the development around The Langleybury House and wider site would have any affect on the setting, character and views into and out of the Conservation Area.

#### 7.3.17 Impact on Archaeology

- 7.3.18 The proposed development site comprises the former Langleybury Estate and Home Farm. Langleybury House [Historic Environment Record No 11391] is an early 18th century Grade II\* Listed country house that was in use as a school between 1947-96. It is set within the remains of its former parkland and formal gardens [HER 12721], which were laid out in the mid 19th century. Associated buildings include the Grade II Listed Stables, to the south-west of the house, the notable late 14th century aisled barn, built by abbot John Moot [HER 4851], which is Listed Grade II, the Home Farm [HER 11393], and the associated 1-3 Old Farm Cottages (also Listed Grade II), which used to house farm workers. Herts Archaeology advised that that the proposed development area is of very substantial size, and that it is in a situation favourable to settlement. It therefore has a high potential to contain significant archaeological remains. The proposed development may have an impact upon undesignated heritage assets, some of which may be of regional significance.
- 7.3.19 Herts Archaeology required trial trenching to be carried out and submission of additional information. The trial trenching has been conducted and additional information submitted that has been sent to Herts Archaeology for comment.

#### 7.4 Highways Impacts

- 7.4.1 Paragraph 110 of the NPPF advises that;

*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

*a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*

*b) safe and suitable access to the site can be achieved for all users;*

*c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*

*d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

- 7.4.2 Paragraph 111 of the NPPF states that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.
- 7.4.3 All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113 of the NPPF).
- 7.4.4 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.
- 7.4.5 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:



- i) It provides a safe and adequate means of access*
- j) It is appropriate in scale to the existing infrastructure...*
- k) It is integrated with the wider network of transport routes...*
- l) It makes adequate provision for all users...*
- m) It includes where appropriate, provision for public transport either within the scheme or through contributions*
- n) The impact of the proposal on transport has been fully assessed...*
- o) The proposal is accompanied by a draft Green Travel Plan*

7.4.6 The film hub would be served by the existing three accesses; all of the accesses would be increased in width and served by improved visibility splays. The farm and parking will be served by the same access serving the C of E Primary School.

7.4.7 The application is supported by a Transport Assessment and Addendums and Travel Plan (Appendix G1) as set out within the Environmental Statement. Following the submission of additional information by the applicant no objections are raised by Hertfordshire County Council as Local Highway Authority in relation to the impact of the development on highway safety along Langleybury Lane or impact on the wider highway networks. National Highways have objected to the scheme and have requested further information in respect of the potential impacts on the strategic road network..

## 7.5 Vehicle Parking

7.5.1 Three Rivers District Council are the Parking Authority, and Policy DM13 and Appendix 5 of the Development Management Policies LDD set out the car parking requirements for the District.

7.5.2 There are no parking standards relating specifically to film studio use. The Policy advises that for uses not specifically identified, standards should be considered on a case by case basis. The most closely related standards are considered to be:

- |                                   |                   |
|-----------------------------------|-------------------|
| • Office and Research Development | 1 space per 30sqm |
| • Light Industry                  | 1 space per 50sqm |
| • General Industry                | 1 space per 75sqm |

7.5.3 Appendix 5 does indicate that the car parking standards may be adjusted according to which zone the proposed development is located in. The site is within Zone 4, equating to 75-100% of the demand based standard.

7.5.4 As the application is in outline for the majority of the new build and the plans are indicative only with scale and layout reserved the level of parking for the wider site cannot be formally assessed at this time. However, considering the extent of the site and anticipated measures to reduce travel by car it is considered sufficient parking could be provided without requiring parking off site. Although the parking would be required to be sympathetically sited as to reduce impact on Green Belt and setting.

7.5.5 The area for full planning permission would provide in excess of 100 parking spaces. With the exception of the café, which would serve the Film Hub, the detailed element of the scheme proposes limited increase in built form. The site is already been used for filming. It has not been confirmed whether, if granted permission, filming would stop during to allow the change of use and full delivery of the detailed element of the scheme. Details of the estimated parking requirements for the full aspect and how this will be managed throughout the construction would be required to be clarified. The application is supported by a Travel Plan (Appendix G3 of the Environmental Statement) which sets out measures and initiatives to encourage use of sustainable modes of transport.

## 7.6 Impact on amenity of neighbouring occupiers

- 7.6.1 Paragraph 130 of the NPPF advises that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.6.2 Policy CP6 of the Core Strategy (adopted October 2011) advises that the Council will support development that sustains parts of the District as attractive areas for business.
- 7.6.3 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to protect residential amenities.
- 7.6.4 There are residential properties sited within and adjacent to the application site. Little Liz, the neighbouring Traveller site, is sited on the opposite side of Langleybury Lane to where the Sound Stages and Support Space will be located. The access serving the residential properties of Langleybury Fields and Berry Bushes Farm is sited opposite an access serving the Film Hub. These residential properties are however sited over 500m from the application site. St Pauls Vicarage is located on the opposite side of Langleybury Lane to the proposed parking area to serve the C of E Primary School and Farm.
- 7.6.5 The site is also elevated above the A41 and is clearly visible from the opposite side of the Gade Valley. It will be necessary to assess whether the proposed development would have any adverse impacts on the amenities of neighbours, either in terms of the visual impacts of the development or the impacts from any air, noise or light pollution.

## 7.7 Pollution – Air Quality

- 7.7.1 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:
- (e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*
- 7.7.2 The NPPG provides guidance as to when air quality would be relevant to a planning decision. In summary, it states that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would, amongst other considerations:
- *Significantly affect traffic in the immediate vicinity of the proposed development site or further afield.*
  - *Introduce new point sources of air pollution eg. furnaces.*
  - *Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.*
- 7.7.3 In relation to air quality, Policy DM9 of the Development Management Policies LDD (adopted July 2013) advises that development will not be permitted where it would:
- i. *Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or*
  - ii. *Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.*

- 7.7.4 The Environmental Statement includes an Air Quality 'Chapter I - Air Quality'. An Air Quality Assessment has been undertaken to assess the impacts of the construction and operational phases of the proposed development. The assessment of construction phase impacts concludes that the implementation of embedded mitigation measures during the construction phase, will substantially reduce the potential for dust and particulate matter to be generated and any residual impact on sensitive receptors is considered to not be significant.
- 7.7.5 The assessment of operational phase impacts concludes that there will be no exceedances of the relevant air quality objectives or target levels and negligible impacts. The residual effect of the proposed development on sensitive receptors is considered to not be significant.
- 7.7.6 The Environmental Health Officer has raised no objections to the proposed development subject to conditions.

## 7.8 Pollution – Noise and Vibration

- 7.8.1 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:
- (e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*
- 7.8.2 Policy DM9 of the Development Management Policies LDD (adopted July 2019) sets out that planning permission will not be granted for development that has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development, has an unacceptable adverse impact on countryside areas of tranquillity which are important for wildlife and countryside recreation.
- 7.8.3 The Environmental Statement includes a chapter on Noise and Vibration 'Chapter H -Noise and Vibration'.
- 7.8.4 The Council's Environmental Health Officer is reviewing the submitted details.

## 7.9 Pollution – Light

- 7.9.1 Paragraph 174 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:
- (e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;*
- 7.9.2 Policy DM9 of the Development Management Policies LDD (adopted July 2013) states in relation to lighting proposals, that development proposals which include external lighting should ensure that:
- i. Proposed lighting schemes are the minimum required for public safety and security*
  - ii. There is no unacceptable adverse impact on neighbouring or nearby properties*
  - iii. There is no unacceptable adverse impact on the surrounding countryside*
  - iv. There is no dazzling or distraction to road users including cyclists, equestrians and pedestrians*
  - v. Road and footway lighting meets the County Council's adopted standards*

- vi. *There is no unacceptably adverse impact on wildlife*
- vii. *Proposals in the vicinity of habitats and habitat features important for wildlife ensure that the lighting is sensitively designed to prevent negative impacts on use of these habitat features.*

7.9.3 The application is supported by a Lighting Assessment which reviews the lighting impact of the proposed development and concludes that the lighting methods suggested would reduce light spill over the site boundary into neighbouring areas, and minimise sky glow. The impact of lighting is also considered within the Ecology chapter (Chapter E) of the Environmental Statement.

7.9.4 The Council's Environmental Health Officer and Herts Ecology are reviewing the submitted details. The lighting assessment will also take into consideration impact on Green Belt and wider range views within the Landscape; this will be assessed as part of the landscape impact assessment of the scheme.

#### 7.10 Pollution – Land Contamination

7.10.1 Policy DM9 states that the Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated where the Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land, and there will be no adverse impact on the quality of local ground water or surface water quality.

7.10.2 Chapter M of the Environmental Statement discusses Ground Conditions, Contamination and Geotechnical. The preliminary risk assessment has identified a number of plausible contaminant linkages that require further investigation. The Environmental Consultant has recommended that a targeted ground investigation be undertaken.

7.10.3 The Environmental Health Officer has commented that a condition would be required to secure further investigatory works to be undertaken, and a remediation strategy and verification plan.

7.10.4 The site is located within Ground Source Protection Zones 1 and 2. The Environment Agency have not raised any objections to the proposed development subject to conditions. The Canal and River Trust have also raised concerns regarding contamination of the canal and biodiversity networks and have suggested that these matters can be addressed by condition.

#### 7.11 Impact on Wildlife, Biodiversity and Agricultural Land

7.11.1 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.

7.11.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.11.3 Chapter E 'Ecology and Nature Conservation' of the submitted Environmental Statement is an Ecology report, with that chapter assessing the likely significant ecological effects of the construction and operational phases of the proposal. It is informed by a Preliminary Ecology Appraisal, Phase 1 Habitat Survey, Bat Survey, Invertebrate Scoping report, Reptile survey report and bird survey report, Scientific Technical Report.

- 7.11.4 The application is further supported by a Green and Blue Infrastructure Plan and Outline Nature Recovery Plan. The submissions place significant emphasis on the provision of protecting and improving biodiversity.
- 7.11.5 Herts Ecology are still reviewing the submitted information.
- 7.11.6 In respect of the potential impact of the proposal on Agricultural Land, the applicant has submitted an Agricultural Land Assessment. This demonstrates that the majority of the application site comprises Grade 3 Agricultural Land (good to moderate quality). The built form of the development will primarily be situated on non-agricultural land and Subgrade 3b land. Approximately 7.69ha of best and most versatile agricultural land and 11.89hectares of Subgrade 3b agricultural land will be permanently removed from agricultural use as a result of the development. A further 30.68 hectares of best and most versatile agricultural land will change use as part of the proposal but the Planning Statement identifies could be returned to agriculture with minimal effort. It is confirmed within the Planning Statement that 25 hectares of agricultural will be retained for public access, landscape enhancement and restoration. Natural England have been consulted in relation to the proposed development however no objections have been raised in relation to loss of agricultural land.
- 7.12 Impact on trees and landscaping
- 7.12.1 As previously noted, this application is submitted in outline with landscaping a reserved matter. Nevertheless, the application has been submitted with illustrative landscaping details, and layout is a matter for consideration, which requires consideration to be given to the impact on existing trees and hedgerows.
- 7.12.2 Paragraph 174 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- 7.12.3 In ensuring that all development contributes to the sustainability of the District, Policy CP12 of the Core Strategy (adopted October 2011) advises that development proposals should:
- i) Ensure that development is adequately landscaped and is designed to retain, enhance or improve important existing natural features; landscaping should reflect the surrounding landscape of the area and where appropriate integrate with adjoining networks of green open spaces.*
- 7.12.4 Policy DM6 (Biodiversity, Trees, Woodlands, Watercourses and Landscaping) of the Development Management Policies LDD (adopted July 2013) advises that development proposals for new development should be submitted with landscaping proposals which seek to retain trees and other landscape and nature conservation features. Landscaping proposals should also include new trees to enhance the landscape of the site and its surroundings as appropriate.
- 7.12.5 All 160 high quality (Grade A) trees will be retained. It is indicated in the Planning Statement that a small percentage of moderate quality and below grade tree are proposed for removal. Replacement planting is however proposed although this will form part of the reserved matters for the Outline aspect of the scheme. Three Rivers Landscape Officer is still considering the details in relation to impact of the development on the existing trees within the site.
- 7.12.6 A Landscape Visual Impact Assessment (LVIA) has been submitted in support of the application which is set out within Chapter D of the Environmental Statement. The document concludes that after 15 years the development would not have significant impact affects on the landscape character from agreed visual receptors with the implementation of mitigation measures.
- 7.12.7 The LPA's Landscape Consultant has reviewed the documentation and advised that the following landscape principles and design amendments are explored:

- The built form edge should be pulled further away from the western boundary and stronger edge to the countryside through mitigation planting commensurate to the scale of development being proposed. This could be accomplished by predominantly through woodland shaw / belt planting of native species and the creation of an 'eco-tone' of native scrub / thicket and wildflower planting to assist the transition from built development to rural countryside.
- The blue Infrastructure section of the GI Strategy refers to drainage flow paths. We seek clarification as to whether there will be underground pipe systems in place, or whether nature based above ground solutions will be used?

7.12.8 The Landscape Consultant considered that the site has sensitive landscape qualities both designed and natural which need to be conserved. It is considered that, although not fully opposed to the principle of development within this location, it would have an adverse impact both on visual amenity and landscape character. Following receipt of these comments discussions are ongoing with further details anticipated to be submitted for consideration.

### 7.13 Energy Use

7.13.1 Paragraph 152 of the NPPF states that "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".

7.13.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

7.13.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply.

7.13.4 Three Rivers District Council declared a 'Climate Emergency' in 2019. The Climate Change Motion put forward by Members commits the council to use all practical means to reduce the impact of council services on the environment, use all planning regulations and the Local Plan to cut carbon emissions and reduce the impact on the environment. Following the declaration of the 'Climate Emergency' Three Rivers District Council agreed a Climate Change and Sustainability Report at its Full Council meeting on 25 February 2021. The TRDC Climate Strategy is not a planning document, but an overarching Council Strategy which is informed by the draft policies in the new Local Plan. Whilst the declaration of the Climate Emergency and Climate Change Strategy are noted, it is the current adopted Policy DM4 against which any planning applications must be currently be assessed.

7.13.5 The application is accompanied by Energy and Sustainability Statements. This sets out how the proposed development has been designed around a fabric first approach using building orientation, fabric enhancements and elements of thermal mass to deliver a series of low carbon buildings that will run on high efficiency of air and ground source heat pumps. It is estimated that the proposal will deliver 85% reduction in carbon emissions against current building regulations. The development is planned to be fossil fuel free. No details of the energy efficiency of the café proposed as detailed permission have been provided; this will be required to be clarified. It is anticipated that any future Reserved Matters submission

would provide full details of the energy efficiency of the proposed buildings and demonstrate their ability to comply with Policy DM4.

#### 7.14 Flood Risk and Drainage

7.14.1 The site is located within Flood Zone 1 and therefore has a 'low probability' of fluvial flooding, with less than a 1 in 1000 annual probability of river or sea flooding in any year. However, as the site area is over 1 hectare a Flood Risk Assessment is required.

7.14.2 Paragraph 159 of the NPPF states that;

*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

7.14.3 Paragraph 174 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

7.14.4 Policy CP1 of the Core Strategy (adopted October 2011) recognises that taking into account the need to (b) avoid development in areas at risk of flooding will contribute towards the sustainability of the District.

7.14.5 Policy CP12 of the Core Strategy (adopted October 2011) also acknowledges that the Council will expect development proposals to build resilience into a site's design taking into account climate change, for example through flood resistant design.

7.14.6 Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD (adopted July 2013) advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDs). A SuDS scheme for the management of surface water has been a requirement for all major developments since April 2015.

7.14.7 The application is accompanied by an Outline Flood Risk Assessment including Surface Water Drainage Statement and Section K 'Water Environment' discusses drainage and flood risk.

7.14.8 The Environment Agency have raised no objections to the proposed development and impact on the flood plain that is sited at the lower level part of the site. On going discussions are however being had regarding the Sustainable Drainage aspects of the scheme. Part of the Drainage Scheme proposes the creation of water meadows on the lower fields. To allow continuous access for users of the existing footpath and to help retention of the water it is anticipated that the footpath will be raised above existing ground levels; elevational details of the raised path have not been provided.

#### 7.15 Refuse and Recycling

7.15.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
- ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers

iii) There would be no obstruction of pedestrian, cyclists or driver sight lines

- 7.15.2 The County Council's adopted waste planning documents reflect Government policy which seeks to ensure that all planning authorities taken responsibility for waste management. This includes ensuring that development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and ensuring that the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.
- 7.15.3 HCC would therefore require a Site Waste Management Plan (SWMP) to be submitted which should aim to reduce the amount of waste produced on site. As a minimum the waste types should be defined as inert, non-hazardous and hazardous. The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste during construction, whereby building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste for a project. The total volumes of waste during enabling works (including demolition) and construction works should also be summarised.
- 7.15.4 In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in HCC's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt, is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. In addition the site falls partly within the sand and gravel Mineral Safeguarding Area within HCC's Proposed Submission Minerals Local Plan, January 2019.
- 7.15.5 Adopted Minerals Local Plan Policy 5 (Minerals Policy 5: Mineral Sterilisation) encourages the opportunistic extraction of minerals for use on site prior to non-mineral development. Opportunistic extraction refers to cases where preparation of the site for built development may result in the extraction of suitable material that could be processed and used on site as part of the development. This may include excavating the foundations and footings or landscaping works associated with the development. Policy 8: Mineral Safeguarding, of the Proposed Submission document relates to the full consideration of using raised sand and gravel material on site in construction projects to reduce the need to import material as opportunistic use.
- 7.15.6 The county council, as the Minerals Planning Authority, encourage the opportunistic use of these deposits within the developments, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources.

#### 7.16 Infrastructure Contributions

- 7.16.1 Following receipt of Herts Highways comments the following has been identified as being required to be paid:

£502,699 towards cycle way improvements

£358,661 towards local bus service improvements

#### 7.17 Referral to Secretary of State

- 7.17.1 The Town and Country Planning (Consultation) (England) Direction 2021 requires Local Planning Authorities to consult the Secretary of State before granting planning permission for certain types of development. These include inappropriate developments in the Green



Belt that by reason of their scale or nature or location would have a significant impact on the openness of the Green Belt..

#### 7.18 Very Special Circumstances and Planning Balance

- 7.18.1 As the proposed development represents inappropriate development in the Green Belt, it is necessary to ascertain whether there are any very special circumstances which outweigh the harm caused to the Green Belt and any other harm which may be identified. In addition to the details summarised above, the applicant has submitted a case for very special circumstances within their Planning Statement which should be considered. The key headings from the applicants case are set below:

Heritage Benefits  
Benefits to Natural Capital and Sustainability  
Public Benefits  
Economic Benefits  
Need

#### **Recommendation**

- 8.1 Members should note that there is no recommendation for approval or refusal at this stage in the consideration of the application.
- 8.2 Consequently, it is recommended that the Committee notes the report, and is invited to make general comments with regards to the material planning issues raised by the application.