**6. 17/2077/FUL – Demolition of existing garages and construction of 6 no. 2 bed 4 person flats for temporary accommodation with associated car parking and landscaping, at GARAGES REAR OF 12 TO 14 BOWRING GREEN, SOUTH OXHEY, HERTFORDSHIRE, for Three Rivers District Council**

◼(DCES)

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| Parish: Watford Rural | Ward: South Oxhey |
| Expiry Statutory Period: 12 December 2017 | Officer: Suzanne O’Brien |
|  |  |
| Recommendation: That Planning Permission be Granted subject to conditions  Reason for consideration by the Committee: The applicant is Three Rivers District Council. The application has also been called in by Watford Rural Parish Council. | |

1. **Relevant Planning History**

1.1 No relevant planning history.

2. **Site Description**

2.1 The application site is of a rectangular shape measuring approximately 24m in width at its maximum and 44m in depth. The site is enclosed by residential development. The access to the site is via an existing vehicular access sited off of Bowring Green between No.12 and No.14 Bowring Green.

2.2 The site currently contains 33 single storey garages and the rest of the site is laid as hardstanding. The land levels of the site rise up from east to west.

2.3 The surrounding built form consists of two storey dwellings consisting of terraced and semi-detached properties. The rear elevations of the surrounding neighbouring properties face the application site and the rear boundaries adjoin the application site. The flank elevations of No. 2 and No.3 Bognor Gardens to the west face the application site. The application site also forms the flank boundaries of these neighbouring properties. The site is enclosed by close boarded fencing.

2.4 Nascot Woods runs along the southern aspect of Bowring Green.

3. **Description of Proposed Development**

3.1 Planning permission is sought for the demolition of the existing garages and erection of three permanent two storey modular constructions to provide 6 units for use as temporary residential accommodation.

3.2 The modular buildings would sit at an angle in the plot and would have a staggered footprint. Each building would have a width of 6.3m, depth of 12.5m and height of 8.5m with a pitched roof and gables to the front and rear elevations. The buildings would be spaced 1.2m apart; combined the units would cover a total width of 21.2m. Access to the units would be from the southern aspect of the site. Each unit would be independently accessed. The first floor levels would be served by stair cases which would be sited along the western aspect of the proposed buildings. The stair cases would be enclosed by screening along the western elevations which would have a height of 5.7m. Access to the ground floor units would be via a passage under the stair wells.

3.3 The proposed buildings would be set in a minimum of 6.4m from the south west boundary, 2.4m from the north east boundary, 1m from the north-west boundary and 10.4m from the south east boundary.

3.4 To the south east of the development 6 car parking spaces are proposed. These would be served from the existing access road that serves the garages. The parking and access area is proposed to be a shared surface. Parking for 4 bicycles would be provided to the south of the building. Landscaped areas would be sited along the south, west and north of the buildings; these would be separated from the shared vehicle and pedestrian space by electronic metal gates and 1.8m high screening to provide a secure access. Additional planting is indicated within the site. A refuse area enclosed by 1.7 metre timber fencing is also proposed along the south east boundary by the rear amenity space provision serving No.12.

3.5 The building would include 6 units. The submitted layout plans indicate that this would comprise of 6 x 2 bedroom four person units. This is in recognition that the greatest need for temporary homelessness accommodation is for two bed accommodation.

3.6 The units would be self-contained with two bedrooms, kitchen diner, living room and bathroom.

4. **Consultation**

4.1. **Statutory** **Consultation**

4.1.1 Watford Rural Parish Council –

*PLANNING APPLICATION 17/2077/FUL | Demolition of existing garages and construction of 6 no. 2 bed 4 person flats for temporary accommodation with associated car parking and landscaping | Garages Rear Of 12 To 14 Bowring Green South Oxhey Hertfordshire*

*I write in connection with the above planning application. WRPC have examined the plans and local councillors know the site well. Although the Council fully support the building of temporary accommodation at this location we wish to object to certain aspects of this development. Our aim in writing to you is to ensure the safety of the existing residents and the future tenants of this accommodation by asking you to address the following:*

*1)This development goes against TRDC’s "Local parking policy” DM13*

*DM13a) Development should make provision for parking in accordance with the parking standards and, the zone based reductions set out in Appendix 5 until such time as set standards are revised.*

*Under Appendix 5 C3 residential it clearly states that for two-bedroom dwellings you allocate 2 spaces. Halving this will clearly exacerbate the existing overcrowded parking that currently exists along Bowring Green and the surrounding area.*

*2) This development is under risk of flooding*

*Under CP1 (b) it states that TRDC will avoid development in areas at risk of flooding. Under DM8 a) it states, “Development will only be permitted where it would not be subject to unacceptable risk of flooding”*

*This area is listed as high risk on the Environmental Agencies flood risk map. What provisions are going to be put in place to prevent this occurring?*

*3) Concerns regarding emergency access to the site*

*Under DM1 Residential Design & Layout it states “Development will only be supported where it can be demonstrated that the proposal will not result in: Servicing by an awkward access drive which cannot easily be used by service vehicles*

*We believe current plans do not allow easy access for emergency and waste vehicles into the site. Due to the excessive parking there currently, we believe this will be an issue.*

*4) Concerns regarding the privacy of existing residents*

*Under CP12 Design for development you state that developments will “Protect residential amenities by taking into account the need for adequate levels and disposition of privacy”*

*Having seen the design, it seems there is no provision blocking sight lines into the existing gardens and houses. Our Council would like you to reconsider the use of a second storey to take this into account.*

*Finally, please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision.*

4.1.2Herts Property Services *-*

*Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Three Rivers’ CIL Area and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.*

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

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

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

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

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

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

*Justification*

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

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

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

*(i) Necessary to make the development acceptable in planning terms.*

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

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

*(ii) Directly related to the development;*

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

*(iii) Fairly and reasonable related in scale and kind to the development.*

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

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

*I trust the above is of assistance if you require any further information please contact the Development Services team.*

4.1.3National Grid *–*

No objection raised but provided advisory notes. National Grid has identified that it has apparatus in the vicinity which may be affected by the activities specified. Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works.

4.1.4 Highways Authority –

*Proposal*

*Demolition of existing garages and construction of 6 no. 2 bed 3 person flats for temporary accommodation with associated car parking and landscaping*

*Decision*

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

*1. Prior to the commencement of the development hereby permitted full details (in the form of scaled plans) shall be submitted in relation to the proposed parking / access area to demonstrate the following:*

*• A turning area and/or revised parking arrangement that enables all vehicles accessing the site to turn around safely.*

*Reason: In the interest of highway safety and traffic movement. This is to be in accordance with Hertfordshire County Council’s (HCC) construction specification and to the Local Planning Authority’s satisfaction.*

*2. The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.*

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

*HIGHWAY INFORMATIVE:*

*HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:*

*AN) 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 website*

[*https://www.hertfordshire.gov.uk/services/highways-roads-and-*](https://www.hertfordshire.gov.uk/services/highways-roads-and-)*pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047.*

*COMMENTS / ANALYSIS:*

*The proposal comprises of the development of six two-bed flats and associated car parking at a garage site at Bowring Green, South Oxhey. Bowring Green is designated as an unclassified local access road, subject to a speed limit of 30mph and highway maintainable at public expense.*

*VEHICLE ACCESS & PARKING:*

*The site is accessed via a 28m long private access road that runs between 14 and 12 Bowring Green. The access road is approximately 5.1m wide encompassing a circa 4.1m wide carriageway and 1m wide footway. The current vehicular and pedestrian visibility at the junction with Bowring Green and the width of the private access road is considered to be acceptable and in accordance with Manual for Streets (MfS) and Roads in Hertfordshire: A Design Guide.*

*The proposal includes the provision of six on site car parking spaces, the layout of which is shown on submitted plan no. 020A. HCC as Highway Authority considers the dimensions of the proposed parking spaces to be acceptable and in accordance with MfS and Roads in Hertfordshire. However HCC is recommending that the layout of the parking and access area be revised. Residents using the three parking spaces furthest north in the site would have difficult turning and manoeuvring on site as illustrated by the submitted swept path analysis (drawing no. 2017/3809/007). Furthermore there is no turning area for any other vehicles using the site, which could cause a conflict between different users. Condition 1 has been recommended for inclusion to take into consideration of this.*

*The level of parking is not in accordance with car parking standards as outlined in Appendix 5 of Development Management Policies: Local Development Document and there will be a loss of approximately six garages that are currently used by other properties. However Three Rivers District Council (TRDC) has stated that “these respective tenants would be offered alternative garages”. It is unlikely that any effects from parking would be significant enough to recommend refusal from a highway perspective. TRDC is the parking authority for the district and therefore should ultimately be satisfied with the parking provision.*

*REFUSE / WASTE COLLECTION:*

*Provision has been made for on-site bin/refuse storage for each of the properties as shown on submitted plan no. 400. Provision should be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point, which has been achieved. The submitted Transport Statement states that “refuse collections and deliveries would be undertaken on-street with refuse vehicles not requiring access to the site”.*

*EMERGENCY VEHICLE ACCESS:*

*The proposed access road is 4.1m wide, which would allow access for fire trucks and emergency vehicles, which would be able to get to within 45m to all parts of the proposed dwellings. This is in accordance with the guidance in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses.*

*CONCLUSION:*

*HCC as Highway Authority has considered that the proposal would not have an unreasonable or significant impact on the safety and operation of the surrounding highway. The development is unlikely to result in a material increase in traffic generation. HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informative.*

4.1.5 Housing Officer –

*We currently have 65 homeless families in temporary accommodation. Of these 65 homeless cases 26 are currently placed in temporary accommodation out of our district with the furthest away being in Harlow, Essex. This clearly demonstrates that temporary accommodation within the district is greatly needed for homeless families.*

*I support this application based on our temporary housing needs.*

4.1.6 Herts Ecology –

*The Hertfordshire Environmental Records Centre does not have any habitat or species records for the application site, which is an area of hardstanding tarmac with garages, encapsulated by housing and gardens. 30m to the south is Nascot Wood which is part of Oxhey Woods Local Nature Reserve (LNR) and Local Wildlife Site (LWS).*

*An Ecological Appraisal (by Lindsay Carrington Ecological Services, September 2017) has been submitted in support of this application. The site was visited on 3 August 2017 and was assessed to be of negligible ecological interest with no semi-natural habitats present and no potential to support protected species.*

*Due to the proximity of the site to important woodland habitats, I would advise a wildlife-friendly external lighting scheme if relevant. In this respect, if appropriate the following Informative should be added to any permission granted:*

*“Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the nearby woodlands and potential roosting / nesting sites.”*

*Biodiversity enhancements are suggested in the form of bird boxes and native tree/shrub planting within the development scheme. These could be expanded to include bat boxes in trees, integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swifts, swallows and martins, refuge habitats (e.g. log piles, hibernacula) for reptiles and invertebrates, hedgehog boxes, gaps under fencing to allow free movement of small mammals (e.g. hedgehogs) and amphibians, green roofs and walls, communal open spaces, etc. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.*

4.1.7Herts Constabulary *–* No comments received.

4.1.8Fire Protection Department *–* No comments received.

4.1.9Landscape Officer *–* No comments received. Members will be verbally updated of any response received.

4.2 **Public Consultation**

4.2.1 Number consulted: 60

4.2.2 No responses received: 140, comprising of;

* 138 objections
* 1 written petition objecting with 45 names;
* 1 online petition with 77 supporters stating 60 properties would be affected by the proposed development.
* Video received of flooding of site and No.14 Bowring Green
* Transport report submitted

4.2.3 Site Notice: Expired 21 November 2017

4.2.4 Press Notice: Expired 17 November 2017

4.2.5 **Summary of Responses**

4.2.6 Proposed development is raising major dis-content; Bowring Green is a quiet road with community spirit; Neighbouring residents were not consulted on type of development to be placed on garage site.

*Impact on residents*

Loss of privacy; Noise and disturbance; Development is too close to boundaries with neighbours; Flats will dwarf neighbouring residents; Height of buildings and proximity to neighbouring properties would cause overshadowing and will block sunlight; How will existing garages be replaced to secure existing gardens?; Stair wells would allow direct overlooking into neighbouring dwellings and gardens where children play; Obscure windows with no openings will be in breach of health and safety; Shoehorning the development would result in a claustrophobic environment; Collection and siting of bins will cause noise and disturbance and smells and vermin; Use of access will cause noise and disturbance and lights will shine into windows of neighbouring properties; Additional landscaping would further impact on residents; Insufficient living conditions for proposed residents; Plans are incorrect and neighbouring properties are closer than shown; Proposed impact on neighbours would be contrary to design policies; Invasive to current houses; No consideration of existing residents; Loss of light; Loss of value; Garages are in neighbouring gardens; Would impact on wooded views; Current privacy and anonymity of existing residents will be lost; Encroach into neighbouring life; Development would result in the construction of 20 foot wall along length of garden; Noise from children playing close to existing residential properties.

*Access and parking*

Due to limited width of access and turning emergency vehicles will not be able to access site and response time will be delayed; Access does not have proper size walkway for pedestrians which will result in conflict; Slope of site would be dangerous in icy conditions; Additional housing will increase chances of an accident in icy conditions; Parking within Bowring Green is already at maximum capacity; Existing severe parking problems and parking on footpaths restrict access for pedestrians, pushchairs, wheelchair, bicycle and scooter access; Flats provide insufficient parking; Limited access for commercial, council and emergency services; Access is in sufficient and visibility lines are blocked by parked cars; Insufficient parking would result in hostility; No disabled or car charging spaces provided; As existing many times delivery, council services and emergency services have difficulty getting down Bowring Green; Site is in an unsustainable location with infrequent bus services and significant distance from train station; Collection of bins would cause congestion along Bowring Green; Other development in the area will also impact on parking in Bowring Green; No consideration for visitor parking; Insufficient turning provisions would result in large delivery vehicles blocking Bowring Green; Insufficient footway to serve development and footpath should be provided on either side of access; Turning within site would be unacceptable and reversing onto Bowring Green would increase chances of an accident; Only one parking space per unit would be insufficient; The details within the Design and Access Statement are not a representative of the actual parking and rush hour traffic movement on Bowring Green; Existing residents have to park in the middle of the road to access wheel chair due to severe parking pressures along Bowring Green; Where will builders park their cars; Limited turning facilities will create an accident; Additional cars will impact on people accessing the woods; A full traffic assessment has not been submitted or traffic counts; Bowring Green is not atypical and cannot be compared to other assessments; Increase in traffic on a small road; Garages could be redeveloped to be able to accommodate modern cars; Additional cars and parking along Bowring Green will impact on emergency services reaching existing residents.

*Character*

Modular buildings will be out of character with brick built dwellings; Cheap development; Not in keeping with local vicinity; Over-bearing, out of scale and out of character; Proposal has an unacceptably high density and over-development of the site in terms of scale and people; Development would be prominent, out of character, overbearing and oppressive feature; Impact on street scene; Development would be contrary to Design policies; Flats crammed together with limited space; Site not appropriate for this type of development; Flats dwarf existing buildings; Impact on Oxhey Woods.

*Other*

The vulnerable people to be housed would be located in a cramped development hidden away from public view; Concerns that will not know proposed residents as they will only be there temporarily; Local infrastructure will not be able to cope with additional housing and insufficient services to serve proposed additional housing; Anti-social behaviour; Would not meet fire safety regulations; How will site be policed and monitored; Existing vulnerable residents may be affected; How many residents will reside in the properties?; Solar panels are not shown on the plans; Site is identified as high risk of flooding; No SUDs or drainage drawings have been proposed; Existing flooding affects neighbouring properties; Neighbouring properties were flooded in 2016; Development will further contribute to overdevelopment of South Oxhey; Lack of school places will increase reliance on cars; Sociology of proposed tenants would affect character of area; Temporary accommodation not suitable to provide correct environment for occupants; Will not be adequate nearby support network for proposed residents; Added pressure on already backed up sewage system; Question whether this type of housing should be so close to NATO base; Refer to Grenfel Tower and lack of access for fire engines; Units will be flooded; Council are deliberately running down garages to allow for change of use; Effect on trees; adverse effect on listed building and Conservation Area; Air pollution; Extra pollution will affect the adjacent nature reserve; Application is vague as to whether it will deliver temporary or affordable housing; High levels of bat activity; No provision for disabled residents; Do not know who will be living in the accommodation; Development will isolate vulnerable people away from amenities; Should be providing permanent accommodation for existing residents; Cramming children into small flats caused continual health problems; Permanent bungalows to house elderly shall be constructed; No allocation for play areas for the children; Existing drains cannot cope with heavy downpours providing additional housing will add to problem

5. **Reason for Delay**

5.1 Not applicable.

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

6.1 The Three Rivers Local Plan

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 PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (LDD) 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 DM1, DM4, DM6, DM8, DM9, DM10, DM11, DM12, DM13 and Appendices 2 and 5.

The Site Allocations LDD was adopted in November 2014 having been through a full public participation process and Examination in Public.

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

6.2 National Planning Policy Framework (NPPF)

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF). The application has been considered against the policies of 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 Other

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

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

7. **Planning Analysis**

7.1 *Principle of Development*

7.1.1 The proposal is to provide 6 units for temporary residential accommodation to address homelessness need in Three Rivers.

7.1.2 The application site is not identified as a housing site by the Site Allocations LDD (adopted 2014) and as such it is not currently identified as part of the District’s housing supply. The site should therefore be considered a windfall site.

7.1.3 Policy CP2 of the Core Strategy (adopted October 2011) states that applications for windfall sites will be considered on a case by case basis having regard to;

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

7.1.4 The Spatial Strategy identifies South Oxhey as the Key Centre and comments that new development will be directed towards previously developed land and appropriate infilling opportunities within the Principal Town and Key Centres as these have been identified as the most sustainable locations in the District.

7.1.5 The Core Strategy sets out the long term Spatial Vision for Three Rivers and the strategic policy objectives required to deliver that vision. Spatial Vision priority (c) is; *‘to improve access to housing and affordable housing for communities across the whole District’.*

7.1.6 Strategic Objective S4 within the Core Strategy (adopted October 2011) seeks to balance the community’s need for future homes by providing sufficient land to meet a range of local housing needs.

7.1.7 Policy CP1 (Overarching Policy on Sustainable Development) of the Core Strategy (adopted October 2011) advisesthat all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to:

*d) Make efficient use of land by guiding development onto previously developed, brownfield land…*

7.1.8 Policy CP3 (Housing Mix and Density) requires that proposals take into account the range of housing needs in terms of size and type of dwellings. This includes provision of specialist accommodation. Policy CP4 relates to affordable housing provision.

7.1.9 It is recognised that there is a significant need for temporary residential accommodation within the District. The Council provides on average between 60-90 units of temporary accommodation for homeless households with a number of people having to be housed outside of the District. Whilst not an identified housing site, the site is previously developed and within a Key Centre and considered to be in a sustainable location. In accordance with Policy CP3, the proposal helps meet the future needs of the District’s homeless population and provides the housing type most suited to their needs. As such, there is no objection in principle to the nature of the development proposed subject to compliance with other relevant planning policies.

7.1.10 Policy CP4 of the Core Strategy (adopted October 2011) requires that all new development resulting in the net gain of one or more dwellings will be expected to contribute to the provision of affordable housing. As the development would provide housing for homelessness need it would provide 100% affordable housing. A condition on any grant of consent would require that the accommodation is only occupied by persons that are registered with the Local Authority as being homeless.

7.2 *Character/Street Scene/Design*

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.2.2 In terms of new residential development, Policy DM1 of the Development Management Policies LDD (adopted July 2013) advises that the Council will protect the character and residential amenity of existing areas of housing from forms of ‘backland’, ‘infill’ or other forms of new residential development which are inappropriate for the area. Development will be only be supported where it can be demonstrated that the proposal will not result in:

1. Tandem development;
2. Servicing by an awkward access drive which cannot easily be used by service vehicles;
3. The generation of excessive levels of traffic;
4. Loss of residential amenity;
5. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)

7.2.3 The proposed development would be sited on an existing garage site and would be surrounded by residential development. The proposal would therefore result in backland development. Policy DM1 of the Development Management Policies document details that the character of existing areas will be protected from forms of backland development that would be inappropriate for the area. Bowring Green consists of a crescent style development served by two access points along Prestwick Road. However, Bowring Green also includes Bognor Gardens which is a cul-de-sac sited within the crescent. Bowring Green does not therefore consist of a uniform building line. Furthermore, the wider area of South Oxhey does not form a linear pattern of development. It should also be noted that the site already contains built form different to that of the residential dwellings surrounding the site. The siting of the proposed development to the rear of the existing residential properties would therefore not result in any demonstrable harm to the character of the area.

7.2.4 In relation to (ii) and (iii), the Highways Authority has raised no objections subject to conditions (as discussed in more detail below). The existing access arrangements would be maintained as such the proposed development would not be served by a long or awkward access drive that would be out of character with the area. Whilst the Transport Statement identifies that there will be a total of 4 vehicular movements in the peak hours and a total of 36 two-way vehicular movements over the course of a typical day the Highways Officer did not consider that the development would result in any unacceptable volume of vehicular movements. Furthermore, taking into consideration that the site contains 33 garages the existing permitted use could generate a significant number of movements. The proposed development would therefore not generate excessive levels of traffic.

7.2.5 In relation to (iv) residential amenity is discussed at section 7.4 below.

7.2.6 The character and layout of the residential area surrounding the site is considered to be uniform in terms of the size and style of buildings consisting of two storey pitched roof gable semi-detached and terraced properties.

7.2.7 The proposed development would however introduce flats. The principle of flatted development is not out of character with the wider area and it is not considered that the introduction of flats within the site would result in any material harm to the particular character of this residential area. Furthermore, the use of the buildings as flats would not be readily apparent from public vantage points.

7.2.8 The proposed buildings would reflect the general design principles of the surrounding neighbouring buildings in that they would contain pitched roofs with gabled features. The proposed buildings with their modular design, asymmetrical roof forms, oriel windows and materials would provide design features that would appear different to that of the neighbouring properties. However, the introduction of a building which does not reflect the design existing built form does not automatically mean the proposal would result in harm to the character and appearance of the area or street scene. The design features of the proposed buildings would introduce a sense of variation within the street scene. Furthermore, due to the siting of the development the views would from public vantage points would be limited and where there would be views the proposed buildings would not appear prominent or obtrusive.

7.2.9 The height of the proposed buildings would not appear disproportionate in scale to that of the surrounding built form. Whilst the development would increase the level of built form within the site the overall size and scale of the scheme would not appear cramped and would not have an adverse impact on the character of the area. Sufficient spacing (a minimum of 8.8m) would be maintained between the proposed buildings and neighbouring buildings as to prevent a cramped feature and the overall size, scale and footprint of the buildings would not result in overdevelopment or appear out of character. In terms of plot size the proposed buildings would occupy the majority of the plot however sufficient spacing would be maintained between the proposed development and boundaries of the site and neighbouring buildings as to protect the spacious qualities of the surrounding area.

7.2.10 Guidance in Appendix 2 of the Development Management Policies LDD (adopted July 2013) advises that development should be set in from flank boundaries at first floor level by 1.2 metres to ensure appropriate spacing and prevent a terracing effect. A distance of 1.2 metres would separate the proposed buildings which would not meet the 2.4m metres required separation between buildings. However the proposed buildings would not directly face a road frontage and would not result in a terracing effect or result in cramped feature as viewed from public vantage points. The western elevation of the building would be sited 1 metre from the western boundary of the site. As the built form would not front a highway and would not be sited directly adjacent to the neighbouring built form the proximity of the proposed development to the boundary would not result in a cramped or unacceptable form of development.

7.2.11 The proposed development would also introduce a staggered footprint with the buildings being set back from one another. Due to the fact that the proposed would not directly front a highway the siting of the development would prevent the proposed layout from appearing contrived. The staggered building line would also serve to break up the massing of the built form and adds interest.

7.2.12 There would be limited views of the proposed development from public vantage points along Prestwick Road, Bognor Gardens and Bowring Green through gaps between the existing built form and along the access road. Due to the siting of the buildings and their set back from the surrounding highways they would not result in an unduly prominent feature. The variation in design of the development and introduction of flatted development would not result in demonstrable harm to the established built form considering that the wider area of South Oxhey which is varied both in design and types of housing.

7.2.13 Overall it is considered that the proposed construction of flatted development would result in an appropriate re-use of an existing garage site. The design, siting, scale and layout of the proposed development would introduce additional built form however the proposal would maintain sufficient spacing between the development and neighbouring properties and would not result in a contrived or unduly prominent feature as viewed from public vantage points. The proposed development would introduce flatted development where the immediate properties are of single dwellinghouses. However, the overall size, scale and massing would not result in a prominent or incongruous feature that would not result in any demonstrable harm to the visual amenities of the street scene or character and appearance of the area.

7.2.14 Materials proposed include red bricks (ground floor) and grey tile hanging (first floor) to the elevations with grey tiles to the roof which would match the tile hanging at first floor level. Samples and details of all external materials would be required to be submitted by condition.

7.2.15 Subject to conditions, the proposal would not therefore appear significantly out of character with the area in the vicinity of the application site. It would not appear unduly prominent in the street scene or result in adverse impacts on the character or appearance of the area. The proposal would therefore be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.3 *Residential Amenity*

7.3.1 One of the core planning principles listed in the NPPF (paragraph 17) is that planning should;

*“Always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings”.*

7.3.2 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to;

*c) Protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.*

7.3.3 Design guidelines for residential development are set out in Appendix 2 of the Development Management Policies LDD (adopted July 2013). New development should take into consideration impacts on neighbouring properties, both within and surrounding the development. Distances between buildings should be sufficient so as to prevent overlooking, particularly from upper floors. As an indicative figure, 28 metres should be achieved between the faces of single or two storey buildings backing onto each other. Mitigating circumstances such as careful layout and orientation, screening and window positions may allow a reduction of distances between elevations.

*Amenity of Neighbouring Occupiers:*

7.3.4 The southern elevation of one of the blocks would directly face the rear elevations of the neighbouring properties to the south. A distance of 20m would separate the rear elevation of No.14 and the southern elevation of the application dwelling increasing to 32m beyond the rear elevations of No’s 18 and 20. No.16 has been extended at ground floor level to the rear which reduces the separation between the buildings. Although the proposed development would be readily visible from the rear elevations and gardens of the neighbouring properties to the south west the separation between the buildings, including beyond the rear elevation of No’s 14 and18, would be of an acceptable distance to prevent the proposal from resulting in a dominant or oppressive relationship. The pitched roof forms would also serve to reduce the bulk and massing of the development above first floor level. The siting of the proposed development in relation to the neighbouring properties to the south (minimum separation of 6m) would also prevent the built form from appearing dominant on the neighbouring gardens.

7.3.5 The neighbouring properties to the east are set on lower ground to the application site. The proposed development would be set in 10.4m from the eastern boundary and a minimum of 32m would separate the eastern aspect of the development and the neighbouring properties. The distance separating the proposed development and neighbouring properties to the east would be sufficient to prevent the proposal from resulting in any unacceptable loss of light or harm to their visual amenities. The set in of the development from the eastern boundary would also be sufficient to prevent the proposal from resulting in an unacceptably dominant feature.

7.3.6 The proposed buildings would not directly face the rear elevations of the neighbouring properties to the north of the site and a minimum separation of 19.4m would be achieved between the corner of the proposed development and the closest neighbouring property to the north east and a minimum distance of 2.8m would be achieved between the corner of the development and neighbouring gardens. The staggered footprint of the proposed development along the north eastern boundary would serve to reduce the apparent bulk and massing of the development as viewed from the neighbouring properties. The buildings would be sited to the south of these neighbouring properties however the siting of the buildings and staggered building line would prevent unacceptable overshadowing of the neighbouring gardens.

7.3.7 The proposed development would be set in a minimum of 1m from the western boundary this distance would increase due to the layout of the proposed development. The proposed development would be constructed to the side of No.2 and No.3 Bognor Gardens with a distance of 8.8m separating No.3 and the proposed development at its closest point and 12.6m separating No.2 and the proposed development. The siting of the buildings to the side of these neighbouring properties and separation would prevent the proposed development from resulting in any unacceptable loss of light or harm to their visual amenities or impact on the neighbouring gardens.

7.3.8 Thus, it is noted that the proposed development would change the views from the surrounding neighbouring properties which currently have an outlook onto single storey structures. However, due to the separation of the buildings, staggered footprint and siting of the proposed buildings from the surrounding boundaries the proposal would not result in any unacceptable loss of light or demonstrable harm to the visual amenities of the neighbouring properties.

7.3.9 In terms of overlooking the ground floor windows would not result in any overlooking of the surrounding neighbouring properties. Any planning permission would include a condition requiring details of boundary treatment to be erected to ensure that sufficient screening to protect the privacy of the neighbouring properties is erected following the demolition of the existing garages.

7.3.10 The proposed development would not achieve the 28m back to back separation where the proposed building would directly face the rear elevations of No.14 and No.16. However, the proposed development would introduce oriel windows at first floor level where the clear glazed windows would be orientated in a south east direction preventing the windows from directly facing the gardens and rear elevations of the neighbouring properties to the south. As the 28m separation relates to overlooking and mitigation measures would be implemented the siting of the proposed buildings relative to the neighbouring properties to the south in terms of overlooking would be acceptable. The proposed first floor windows in the eastern block would be sited at an angle facing the garden of No.12 the orientation and location of the building relative to No.12 would be sufficient to prevent overlooking into the dwelling of No.12 and unacceptable levels of perceived or actual overlooking into the neighbouring gardens to the south east. The other first floor oriel windows within the southern elevation would have the clear glazed windows orientated to allow an outlook onto the proposed development and would not permit overlooking into the surrounding neighbouring properties.

7.3.11 The first floor oriel windows along the north, east and western elevations would have the main windows facing into the site and onto the proposed built form. The orientation of these windows would prevent unacceptable overlooking into the surrounding neighbouring properties. The other first floor windows that would be flush are secondary windows and would be conditioned to be obscure glazed and top level opening only as to prevent any actual overlooking into the neighbouring properties. The number, size and scale of these windows would not result in any unacceptable perceived overlooking into the neighbouring properties. The aspects of the oriel windows that would face the neighbouring properties would be conditioned to be obscure glazed and top level opening only.

7.3.12 The plans have been amended and now show a screen to be erected along the flanks of the proposed stair wells to prevent overlooking from the stair wells into the neighbouring properties. Concerns have been raised that the siting of the stair wells would permit direct overlooking into the neighbouring dwellings to the south. A distance of 25m would separate the highest point of the stair well and the original rear elevation of No.16. This stair well would provide access to one unit and the stairs would not be of a size and scale that would encourage communal activity. As the stair wells will provide access only it is not considered they would permit unacceptable overlooking into the neighbouring properties. A condition would be attached to any planning permission ensuring that a privacy screen would be provided to the northern elevation screening the views from the proposed first floor access into the neighbouring properties to the north.

7.3.13 Concerns have been raised that the proposed development through increased activity and opening and shutting of gates would result in unacceptable noise and disturbance. The proposal would introduce a residential development consisting of 6 flats. Policy DM9 of the Development Management Policies document details that the Council will ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in background noise level of near-by existing noise-sensitive property such as dwellings. The use of the site for residential purposes would be compatible to that of the neighbouring properties and it is not considered that the change of use from 33 garages to residential for 6 flats would result in any unacceptable noise and disturbance to neighbouring properties. Considering the that existing site contains 33 garages the proposal is unlikely to result in any increase in traffic noise from that of which could be generated by the potential current permitted use. The use of the amenity space provision provided would be compatible to the residential gardens that surround the site, thus would not generate unacceptable levels of noise and disturbance.

7.3.14 Concerns have been raised that the use of the site for temporary accommodation would lead to noise and anti-social behaviour. The proposed development is required to provide safe and secure accommodation for families in need of housing. The residential use of the site would be considered to be compatible with the area.

*Future Occupants*

7.3.15 It is considered that sufficient privacy and natural light would be achieved to serve the proposed development. Each unit would be served by a separate access with the upper floors being accessed via external stair wells and the ground floor units be accessed via openings underneath the external stair wells. Pedestrian access into residential units would be restricted and secured by the provision of full height screens with lockable gates.

*Amenity Space:*

7.3.16 Amenity space standards are set out in Appendix 2 of the Development Management Policies LDD (adopted July 2013). There are no specified standards for accommodation of the nature proposed, however, the requirements for dwelling houses and flats are:

2 bed flat – 31 square metres

7.3.17 Small areas of soft landscaped areas would be provided around the building with the largest area of amenity space provision sited along the west and southern aspects of the site having an area of approximately 186sq.m. The overall amenity space provision provided would therefore exceed the amenity space provision requirements as set out in the Local Plan. Furthermore, the site is located opposite the woods which would provide further open public space available to the occupants.

7.4 *Highways & Access*

7.4.1 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.

7.4.2 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.

7.4.3 The Highway Authority has been consulted and has raised no objection on highways grounds subject to conditions. The Highway Officer noted that the visibility from the access would be acceptable. However, concerns have been raised that the visibility for vehicles exiting the site are obstructed from view by cars parked on either side of the access. These cars do serve to obstruct the view when cars are parked by the access. However, the permitted use of the site is a material consideration when assessing impact on highway safety. The site currently contains 33 garages as such would generate a significant level of vehicular movements if occupied at full capacity. Considering that the garages may not be occupied by people of Bowring Green and residents usually wish to park close to their homes the use of the garages would not prevent kerb side parking close to the junction. The visibility of the site would therefore continue to be restricted. Considering that the proposed development would not result in any material intensification of use of the site in comparison to the permitted use the proposal would not result in any greater harm to highway safety or traffic movements along Bowring Green.

7.4.4 Concerns have been raised that a conflict would arise between the pedestrian and vehicular traffic along the access road due to the limited width of the footpath accessing the site. No alterations to the access arrangements of the site are proposed under the application and considering that the proposal would provide six parking spaces the proposed development would not generate a significant number of vehicular movements and it is not considered that there would be a conflict between pedestrians and vehicles accessing the site. The scheme proposes to include a shared space between pedestrians and vehicles which the Highways Authority has not raised any objections to.

7.4.5 The Highways Authority note that there is limited turning facilities within the site for larger vehicles if all of the parking spaces were occupied. However the Highways Authority did note that due to the limitations of the site greater turning facilities could not be achieved. However, no objections to the proposed development on highways grounds have been raised. A Construction Management Plan would be required by condition.

7.4.6 A Traffic Report was submitted by residents which has been forwarded to the Highways Authority for comment. The Highways Officer considered the content of the report and noted the following:

*‘4. Street Mobility & 9. Safety Issues*

*HCC as Highway Authority acknowledges that the level of proposed parking is lower than those outlined in car parking standards in Appendix 5 of Development Management Policies: Local Development Document. However it is unlikely that any effects from parking would be significant enough to recommend refusal from a highway perspective. Additional details have previously been requested in relation to a turning area and the provision of extra parking could be explored as part of this process although it is acknowledges that this is limited due to the size of the site.*

*The existing footway into the site is narrow. However the level of pedestrian and vehicular traffic at any one time along the access road into the site would be low. It is not a through route. The addition of a second footway is not deemed to be necessary when taking into consideration the size of the proposals.*

*7. Emergency Services*

*Based on the current proposals, emergency access is considered to be acceptable.*

*In relation to the other sections, the issues raised are not significant enough to raise any additional comments or specific concerns when taking in consideration the size of the proposals and status of the road.*’

7.4.7 The Highways Authority considers that there is sufficient space for emergency vehicles to access the site without conflicting with highway safety.

7.5 *Parking*

7.5.1 The NPPF (paragraph 39) advises that, if setting local parking standards for residential and non-residential development, local planning authorities should take into account:

* *The accessibility of the development;*
* *The type, mix and use of development;*
* *The availability of and opportunities for public transport;*
* *Local car ownership levels; and*
* *An overall need to reduce the use of high-emission vehicles.*

7.5.2 The proposal relates to the provision of 6 units to provide temporary residential accommodation. Each unit would be self-contained with its own kitchen/dining/sleeping/bathroom facilities. The submitted layout plans indicate that the development would provide 6 x 2 bed flats.

7.5.3 The application proposes 6 parking spaces. Due to the layout and type of units proposed the parking requirements would be considered under Class C3 residential.

7.5.4 Parking standards are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013). Appendix 5 also advises that the standards for car parking (except C3 Residential) may be adjusted according to which zone the proposed development is located in. For two bedroom flats Appendix 5 of the Development Management Policies LDD stipulates that 2 spaces should be provided per unit. The scheme would however provide only one space per unit.

7.5.5 The high level of road side parking and existing parking problems within Bowring Green are noted and that existing parking pressures lead to cars parked on the kerb blocking access. However, evidence has been submitted demonstrating that out of the 62 households currently in temporary accommodation only 55% (34) of the households have the use of a car. Only 4 of the 34 households have access to two cars. Parking allocation and management will be undertaken by the housing officer responsible for managing the scheme. The long term management of the parking areas and allocation details would be secured by condition. Taking into consideration the identified lower levels of car ownership of the residents who would occupy the buildings the provision of 6 parking spaces would be considered acceptable. As the provision of parking would be on-site it is not considered that the proposed development would result in any greater impact on the existing parking pressures within the surrounding road networks.

7.5.6 The Highways Officer raised concerns regarding the parking spaces to the north of the site and the whether these would be able to turn with the site. The Highways Officer requested that a revised parking layout be submitted by condition. Due to the limitations of the size of the site this would not be achievable. Turning diagrams have been submitted detailing that, although tight, the cars parking to the north of the site could turn within the site if all of the other parking spaces are occupied. As such, it is considered that sufficient evidence has been submitted demonstrating that the site could accommodate 6 parking spaces and allow cars to enter and exit in forward gear. This condition would therefore not be added to any permission.

7.5.7 The proposed development would result in the removal of the existing garages and parking provisions. Considering that the use of the garages could be ceased at any time and the comments received suggest that the garages are not used to their full capacity and could not accommodate modern cars the loss of the garages would not result in any significant parking implications for the wider area.

7.5.8 Cycle parking standards are also set out in Appendix 5 and require (for Class C1) 1 space per 3 units. Parking for 4 cycles is proposed.

7.5.9 The proposed development would not include any disabled access. The Design and Access Statement details that any residents on the homeless list with special requirements would be allocated suitable accommodation elsewhere in the District that would best serve their needs. Thus, due to the type of housing being provided the lack of disabled provisions would not justify refusal of the scheme.

7.6 *Trees & Landscape*

7.6.1 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.*

7.6.2 The Landscape Officer has been consulted in relation to the proposed development and no comments had been received at the time of writing this report. The Members will be verbally updated of any comments received however there are no protected trees within the site or neighbouring sites. As such, no protected trees would be adversely affected by the proposed development.

7.7 *Flood Risk & Drainage*

7.7.1 The site is located within Flood Zone 1 as such a Flood Risk Assessment is not required to be submitted in support of the application. However, the site is in an area of high risk of flooding and the poor surface water drainage was evident in a video submitted. Residents have also raised concerns that the site and neighbouring properties recently flooded in 2016. Policy DM8 of the Development Management Policies document stipulates that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate risk of flooding elsewhere. Where practicable existing flood risks should be reduced.

7.7.2 The existing site contains large areas of hardstanding and single storey structures where a number of the units directly adjoin the gardens of neighbouring properties. Considering that the proposed building would have proper drainage provisions they would not serve to increase surface water drainage in comparison to the existing situation. The current proposal would also result in the removal of buildings along the boundaries and replace areas of hardstanding with soft landscaping. The introduction of soft landscape features would serve to improve the drainage within the site. Also the existing tarmacked drive would be replaced and any permission would include details to be submitted to reduce surface water runoff within the proposed shared surface and along the access. These provisions would therefore not result in any greater risk of flooding within the site or neighbouring properties.

7.8 *Wildlife & Biodiversity*

7.8.1 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.

7.8.2 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 Development Management Policies Local Development Document (adopted July 2013). 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.

7.8.3 The application has been submitted with a Biodiversity Checklist and accompanying Ecological Appraisal. The report concludes that the site is considered to be of negligible ecological value.

7.8.4 The submitted details have been reviewed by Hertfordshire Ecology. They note that the site is located close to Nascot Wood which is part of Oxhey Woods Local Nature Reserve and Local Wildlife Site. Herts Ecology raised no objections to the demolition of the existing garages and replacement scheme subject to an informative regarding lighting.

7.8.5 Hertfordshire Ecology note that the submitted report also refers to biodiversity enhancements including landscaping. They recommend the native trees and shrubs are encouraged.

7.9 *Sustainability*

7.9.1 Paragraph 93 of the NPPF states that:

*“Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure”.*

7.9.2 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.

7.9.3 Policy DM4 of the Development Management Policies 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. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

7.9.4 The submitted Energy Report identifies that the proposed development would be compliant with Policy DM4 and would provide 5% less carbon emissions than Building Regulations through the provision of solar panels along the building. Any permission would include a condition requiring the siting of the solar panels to be submitted.

7.10 *Refuse & Re-cycling*

7.10.1 Policy DM10 (Waste Management) of the Development Management Policies LDD (adopted July 2013) 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 site lines*

7.10.2 The submitted plans indicate a communal refuse area adjacent to the proposed parking area, measuring 1.6 metres by 3.5 metres in area. The Highways Officer makes reference to the store being located an acceptable distance from the highway to allow for collection. It is noted that the refuse vehicle would block the highway during collection however no highways objections have been raised in relation to this matter and it is not considered that as refuse collection occurs once a week that this would not lead to unacceptable obstructions.

7.10.3 Concerns have been raised that the siting of the proposed bin store would lead to smells and noise experienced by the neighbouring property. The proposed bin store would be of a sufficient size to serve the 6 units. It would be sited close to the boundary with No.12 and the plans indicate that the store would be open at its closest point adjacent to the boundary of the neighbouring property. Notwithstanding the details submitted any planning permission would include a condition requesting details of the bin store to be submitted to allow an acceptable relationship to be provided in relation to No.12.

7.11 *Safety & Security*

7.11.1 Policy CP1 of the Core Strategy (adopted October 2011) advises that all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to, for example, promote buildings and public spaces that reduce opportunities for crime and anti-social behaviour. Policy CP12 also requires that development proposals design out opportunities for crime and anti-social behaviour through the incorporation of appropriate measures to minimise the risk of crime and create safe and attractive places.

7.11.2 It is suggested that a management plan providing details of the long term management and maintenance of the building be provided by condition.

7.11.3 Any planning permission would include an informative to ensure that the development is built to Secured by Design part 2, the police approved minimum security standard. This would ensure, for example, that exterior doors and windows are of appropriate standard.

7.12 *Infrastructure Provision*

7.12.1 Policies CP8 and CP10 of the Core Strategy (adopted October 2011) require development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy Charging Schedule is applicable to this scheme and is the mechanism by which contributions would be sought towards infrastructure including education, libraries and sustainable transport.

7.12.2 Concerns have been raised that the proposed development would lead to extra pressure on existing infrastructure provision such as schools, doctors etc. The provision of temporary accommodation to serve homeless residents of Three Rivers would allow the homeless residents to maintain the use of the existing services. As such, the provision of temporary accommodation within the District will help to allow children to go to their existing schools and families to continue to attend their current doctors as an example.

7.13 *Other Matters*

7.13.1 The development would be required to comply with relevant Building Regulations including in relation to the provision of fire hydrants.

7.14 *Conclusion*

7.14.1 Whilst some individual elements of the proposal, taken in isolation, may not fully accord with TRDC policy or standards, the proposal requires assessment as a whole. Any shortfalls must be viewed in this context and with regard to the specific circumstances of the application site. It is considered that the proposed development would not result in any demonstrable harm to the character of the area and an acceptable relationship would be maintained between the proposed development and existing residential properties. There is an identified need for affordable housing for the homeless within the District and the proposal will help meet this need.

8. **Recommendation**

8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 Plans

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

PL 011

PL 020 Rev B

PL 100 Rev A

PL 101 Rev B

PL 102 Rev B

PL 110 Rev B

PL 200 Rev B

PL 201 Rev B

PL 210 Rev A

PL 211 Rev A

2017/3809/007

Reason: For the avoidance of doubt, in the proper interests of planning and to safeguard the character and appearance of the Conservation Area and amenity of neighbouring occupiers; in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4, DM6, DM8, DM9, DM10, DM11, DM12, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Materials

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

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 201

C4 Construction Management

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

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

C5 Landscaping – Details

Prior to commencement of the development hereby permitted, a scheme of hard and soft landscaping shall be implemented in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

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

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

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

C6 Drainage Details

Prior to the commencement of works details of the provision to direct run-off water from the hard surface to a permeable or porous area or surface within the application site shall be submitted to and approved in writing by the Local Planning Authority. The drainage provisions shall be implemented in accordance with the approved details prior to first occupation.

Reason: To ensure that adequate off-street parking is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C7 Sustainability – Details

Prior to the commencement of development hereby permitted, plans and details of the solar panels shall be submitted to and approved in writing by the Local Planning Authority. The approved details and energy saving measures detailed within the submitted Energy Statement shall be implemented prior to occupation of the development and permanently maintained thereafter.

Reason: This condition is a pre commencement condition to ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

C8 Management & Maintenance Plan – Details

Prior to occupation of the development hereby permitted, an Operational Management Plan including details of how the development would be effectively managed shall be submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan should include details of the operation and management of the refuse storage area and general site maintenance. The development shall be operated and managed in accordance with the approved Operational Management Plan.

Reason: In the interests of the local environment and residential amenity in accordance with Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM6, DM9, DM10 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C9 CCTV & Lighting – Details & Management

Prior to first occupation of the development hereby permitted, details of security measures including CCTV and external lighting shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be installed in accordance with the approved details prior to occupation of the development.

Reason: In the interests of designing out opportunities for crime and anti-social behaviour and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C10 Cycle Storage - Details

Prior to occupation of the development hereby permitted, details of provision for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided prior to occupation of the building(s), in accordance with the approved details and shall be permanently retained as such thereafter.

Reason: To ensure that secure and appropriate bicycle storage facilities are provided to encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C11 Housing Details

The accommodation hereby permitted shall only be occupied by persons that have an open homeless application with the Local Authority.

Reason: To meet local housing need within the Three Rivers district and to comply with Policies CP1, CP2, CP3 and CP4 of the Core Strategy (adopted October 2011).

C12 Refuse & Recycling – Details

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

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

C13 Details of Boundary Treatment

Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C14 Parking Management Plan

A parking management plan, including details of the allocation and management of vehicle parking spaces and cycle storage spaces within the development; and long term management responsibilities and maintenance schedules for the parking area, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The parking management plan shall be carried out in accordance with the approved details.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C15 Screening

Prior to occupation of the development hereby permitted, details of screening to a height of 1.8m as measured from the surface of the north elevation of the stairwells serving the first floor flat be erected to the north elevation of the stairwells shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be erected prior to occupation in accordance with the approved details, and maintained as such thereafter.

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

C16 Obscure Glazing

Before the first occupation of the building/extension hereby permitted the window(s) as shown on plans Pl 210 Rev A and PL 211 Rev A as being translucent windows, including the oriel windows, shall be fitted with purpose made obscured glazing to a height of 1.7m above the floor level of the room of the in which the window is installed and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

C17 Fire Hydrant Provision

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

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

8.2 **Informatives**

I1 General Advice:

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £97 per request (or £28 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

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

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

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

I2 Construction Hours:

The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 Positive & Proactive:

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

I4 Highways – Advisory Note:

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 website

https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047.

I5 Thames Water – Advisory Note:

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Should the proposed building work fall within 3 metres of pipes that are within Thames Water's ownership you are advised to contact developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

I6 Ecology Informative:

Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the nearby woodlands and potential roosting / nesting sites.

I7 Secured By Design:

The applicant encouraged to construct the development to the standards of Secured by Design part 2, which is the police approved minimum security standard and also achieves ADQ (Building Regulation regarding security).