**7. 17/1364/FUL – Conversion of Hayloft from a mixed use of residential and commercial to independent residential dwelling with associated parking and curtilage at THE HAYLOFT, BULLSLAND FARM, BULLSLAND LANE, CHORLEYWOOD, HERTS, WD3 5BG for Mr S Hayes**

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| Parish: Chorleywood | Ward: Chorleywood South and Maple Cross |
| Expiry Statutory Period: 19 September 2017 | Officer: Suzanne O’Brien |

**17/1365/LBC – Listed Building Consent: Conversion of Hayloft from a mixed use of residential and commercial to independent residential dwelling with associated parking and curtilage at THE HAYLOFT, BULLSLAND FARM, BULLSLAND LANE, CHORLEYWOOD, HERTS, WD3 5BG for Mr S Hayes**

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| Parish: Chorleywood | Ward: Chorleywood South and Maple Cross |
| Expiry Statutory Period: 19 September 2017 | Officer: Suzanne O’Brien |
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| **Recommendation:** That Planning Permission and Listed Building Consent be Granted. | |
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| Reason for consideration by the Committee: Application has been called in by Chorleywood Parish Council. | |

1 **Relevant Planning History**

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

1.2 W/351/50 - Stables - 30.05.1950.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

An Appeal of the above was withdrawn in July 2010.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1.27 16/0203/FUL - New/replacement dwelling through conversion and extension of existing barns on the site, alterations to and refurbishment of curtilage Listed buildings, demolition of 20th Century agricultural buildings on the south of the site and associated landscaping. Permitted 04.04.2016, not yet implemented.

1.28 16/0204/LBC - Listed Building Consent: New/replacement dwelling through conversion and extension of existing barns on the site, alterations to and refurbishment of curtilage Listed buildings, demolition of 20th Century agricultural buildings on the south of the site and associated landscaping. Permitted 04.04.2016, not yet implemented.

1.29 16/2516/FUL - Part conversion, part demolition and construction of new buildings to create four dwellings with associated access, parking and landscaping. Permitted 24.03.2017, not yet implemented.

1.30 16/2517/LBC - Listed Building Consent: Part conversion, part demolition and construction of new buildings to create four dwellings with associated access, parking and landscaping. Permitted 24.03.2017, not yet implemented.

2. **Detailed Description of Application Site**

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

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

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

2.4 A mobile home is currently positioned within the open styled barn sited to the west and is used for ancillary residential purposes.

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

3. **Detailed Description of Proposed Development**

3.1 The Hayloft (marked as Building E on the submitted plans) would be converted into an independent residential use comprising a mostly open plan ground floor including lounge, kitchen, dining area and snug/study. At first floor would be four bedrooms and en-suites. The internal layout would include two internal sets of stairs, each serving two of the bedrooms.

3.2 The development would include the demolition of the existing timber boarded extension to the Hayloft which would be replaced with a small patio area directly to the rear of the dwelling and garden. The external alterations to the building to accommodate the development would include the addition of conservation roof windows and installation of full length windows within the southern elevation.

3.3 The garden to the Hayloft would be provided to the south and west of the proposed building replacing the existing hardstanding and extension to the building. The garden would have a maximum depth of 13.6m beyond the south elevation of the proposed dwelling and a maximum width of 29m. The garden would be defined by a Haha gabion with further landscaped land beyond.

3.4 The proposed plans make reference to the removal of a number of buildings and the redevelopment of the site approved under application 16/2516/FUL. As this planning permission is still extant and closely related to the proposed development the redevelopment of the site is a consideration.

4. **Consultation**

4.1 Chorleywood Parish Council

4.1.1 Summary: Object.

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

* Detrimental impact on the Grade II Listed farm C9. DM3
* The farmyard is pertinent to the dwelling
* The loss of the hayloft will be detrimental to the farmyard.

4.2Conservation Officer

4.2.1 Summary: Objection.

4.2.2 *The Hayloft is included in the listing for Bullsland Farm and is therefore as noted as a grade II Listed Building.*

*The Planning (Listed Buildings and Conservation Areas) Act 1990, in terms of works, s.16(2) the Act requires, in considering whether to grant listed building consent, 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. S.66(1) of the Act takes a similar approach to development which affects a listed building, or its setting.*

*Where new development harms the setting, and thereby the significance, of a listed building, clear and convincing justification is required, and substantial harm is strongly resisted.*

*Para 132 of the NPPF says 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 ... Significance can be harmed or lost through alteration or destruction of the heritage asset ...*

*DM3 (Development Management Policies Local Development Document Adopted July 2013)*

*b) Listed Buildings*

*The Council will preserve the District’s Listed Buildings and will only support applications where:*

*i) The extension/alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or it’s wider setting*

*Discussion:*

*A more intensive residential use of this building is fundamentally in conflict with the established agricultural character of this farm.*

*Therefore, any further expansion of this residential use is fundamentally against the agricultural character of these heritage assets.*

*I would therefore not support this proposal.*

4.3 Landscape Officer

4.3.1 Summary: No objection.

4.4 Herts Highways

4.4.1 Summary: No comments received.

4.5Herts Ecology

4.5.1 Summary: No objection.

4.5.2 *Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:*

*1. The application is not supported by any bat assessment of the Hayloft or impact of the proposals. However, I note that pre-application advice – based on a HMWT response - suggested a precautionary approach. Herts Ecology did not appear to have made or been consulted on any pre-application.*

*2. The current proposals planning statement states that:*

*6.18 The site has been the subject of ecological assessments undertaken since 2006, with the latest assessment submitted in support of application 16/2516/FUL. The assessment, together with the fact the building has already been converted means that the impact on protected species and local ecology is negligible.*

*3. The various bat surveys have looked at a range of buildings depending on the nature of proposals. As such, whilst it is clear that the Threshing Barn (Bldg. B) does support a bat roost, and the Farmhouse (Bldg. A) has some low potential, all other buildings on site are considered to have no evidence and negligible potential. However in the previous surveys that HE has on record there is no record of any specific assessment of Hayloft (Bldg. E) which is only specifically mentioned in the 2012 letter update as not being affected by the proposals of the time.*

*4. We do have a copy of a further letter report of bat and barn owl surveys undertaken in March 2016 for 16/2516/FUL, although this is not on the TRDC website. This includes ‘4.2 With the exception of the Threshing Barn and the Farmhouse, all buildings on site were considered to have negligible potential for roosting bats’. It also states 1.4 ‘The Farmhouse, Threshing Barn and Hayloft (Buildings A, B and E) are to remain unaffected by the proposed development’ – which means that bats would not be an issue anyway. However this contrasts with 4.3 ‘As the Threshing Barn (Building B) and the Farmhouse (Building A) are to remain unaffected by the development proposals’. Despite the lack of specific information on the Hayloft, there is an implication that the Hayloft has been assessed considered to offer little or no potential for bats – and I have no evidence to demonstrate otherwise.*

*5. Consequently, despite this rather confused picture, I have no reason to consider that there are any bats present and likely to be affected in the Hayloft. In this application there is little information other than its construction in the 1830s although it has been more fully described within the Heritage Statement for the previous application 16/2516/FUL. From photographs in this document the building appears to be in good condition with no evidence of damage to roof tiles etc. suggesting it is reasonably well sealed in respect to bat access opportunities.*

*6. Consequently I believe that the LPA has sufficient information to determine the application having taken bats reasonably into account. I advise the LPA that if approved, an Informative should be attached to the effect that:*

*• If bats, or evidence for them, are discovered during the course of any works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.*

4.6 Herts and Middlesex Wildlife Trust

4.6.1 Summary: No comments received.

4.7 Herts Footpath Section

4.7.1 Summary: No comments received.

4.8 Thames Water

4.8.1 Summary: No comments received.

4.9 National Grid

4.9.1 No comments received.

5. **Neighbour Consultation**

5.1 No. consulted: 18

No. responses: 0

5.2 Site Notices: Posted 2 August 2017 and expired 23 August 2017

Press Notices: Published 4 August 2017 and Expired 25 August 2017.

5.3 Summary of responses:

6. **Reason for Delay**

6.1 Committee Cycle.

7. **Relevant Local Planning Policies:**

7.1 National Planning Policy Framework (NPPF)

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

7.2 The Three Rivers Local Plan Core Strategy:

7.2.1 The Core Strategy was adopted by the Council on 17 October 2011. Relevant Policies include: CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12.

7.3 Development Management Policies LDD:

7.3.1 The Development Management Policies LDD was adopted on 26 July 2013 having been through a full public participation process and Examination in Public. Relevant policies include: DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM10 and DM13 and Appendices 2 and 5.

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

Supplementary Planning Document 'Affordable Housing' (approved June 2011 following a full public consultation) is relevant to this application.

7.4 Other

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

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

8. **Analysis**

8.1 Principle of Development

8.1.1 Core Strategy Policy CP2 advises that in assessing applications for development not identified as part of the District’s housing land supply including windfall sites, applications will be considered on a case by case basis having regard to:

i. The location of the proposed development, taking into account the Spatial Strategy.

ii. The sustainability of the development and its contribution to meeting local housing needs.

iii. Infrastructure requirements and the impact on the delivery of allocated housing sites.

iv. Monitoring information relating to housing supply and the Three Rivers housing targets.

8.1.2 The application site is not positioned within a sustainable location, outside of the urban areas identified within the Spatial Strategy of the Core Strategy and relatively isolated from Chorleywood and local transport services. However, it is acknowledged that planning permission was recently granted under application ref: 16/2516/FUL for the partial redevelopment of Bullsland Farm to include the creation of four new independent residential dwellings to the west. Furthermore, the existing building subject of this application is in residential use in connection with the existing on-site dwelling, Bullsland House.

8.1.3 Taking into consideration the recent planning history of the site and that the existing building contains an office and residential use there is no in principle objection to residential development on the application site subject to compliance with the policies set out in the Core Strategy (adopted October 2011) and the Development Management Policies LDD (adopted July 2013) and subject to assessment against all other material considerations as discussed below.

8.2 Green Belt

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

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

• To check the unrestricted sprawl of large built-up areas;

• To prevent neighbouring towns merging into one another;

• To assist in safeguarding the countryside from encroachment;

• To preserve the setting and special character of historic towns; and

• To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

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

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

*• Buildings for agriculture and forestry;*

*• Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*

*• The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

*• The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

*• Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*

*• Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*’

8.2.4 Annex 2 of the NPPF defines previously developed land as:

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

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

8.2.6 With specific regard to this exception, Policy DM2 of the DMP LDD states:

‘*The Council will only support applications for the re-use / conversion of buildings in the Green Belt where:*

*i. the form, bulk and general design of the building is in keeping with the surroundings*

*ii. any proposal by way of alterations / extensions, parking / turning areas, modifications to access or landscaping does not have a significant adverse effect on the openness of the Green Belt and does not appear excessively prominent*

*iii. the scale of the proposed use is not likely to have a detrimental effect on the locality (e.g. by noise, smell or bringing heavy traffic into narrow lanes or involving uses not appropriate to the Green Belt or areas of open land)*

*iv. the building is suitable for re-use / conversion without extensive alteration, rebuilding and / or extension*

*v. proposals do not include open or agricultural land to provide new gardens / amenity space or include doors giving access from buildings directly onto such land.’.*

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

8.2.8 The current hayloft contains residential and office accommodation at ground floor level and a second residential unit at first floor level. The building is separate from the main dwellinghouse however the use is ancillary to the main dwellinghouse. The re-use of ancillary residential buildings/dwellings are generally considered to constitute inappropriate development within the Green Belt through the intensification of use of the site.

8.2.9 The site circumstances are however a material consideration in the assessment of any subsequent applications for the farm. Planning permission 16/2516/FUL granted the permission of the re-development of part of the site for the creation of four residential units. This permission proposes the removal of a number of buildings thus making a material positive contribution to the openness of the Green Belt. The removal of these structures are shown on the proposed plans The improvements to the openness of the Green Belt would be significant and it is considered that the improvements would outweigh the limited harm the re-use of the building would have on the Green Belt.

8.2.10 The hardstanding within the courtyard would be used for parking to serve the proposed unit. The proposed parking would be siting in a similar location to the existing large buildings which would be demolished. As such, the use of the courtyard for parking would not result any greater harm to the openness than in comparison to the existing situation. Furthermore, the proposal would result in an overall reduction to hardstanding through the loss of hardstanding to the south of the building and introduction of a residential garden and the wildflower buffer zone. It is also noted that the existing hardstanding is used for parking of vehicles due to the residential nature of the site. Although the office and residential use of the existing building is ancillary to the main dwelling it would generate some parking and vehicular movements. Thus, taking into consideration the existing use of the building it is not considered that the proposed re-use would result in any material increase in the levels of parking within the site.

8.2.11 Although the proposed re-use of the building as an independent unit would result in some intensification of use this intensification would not be significant and the removal of the existing buildings and opening up of the complex would serve to overcome the harm arising from the re-use of the building as an independent unit. The proposed re-use of the building would not require any extensions and the proposed curtilage would not extend deeper than the existing residential buildings that are proposed to be demolished. The proposed development would therefore not result in encroachment of development within the countryside.

8.2.12 It is also prudent to consider the cumulative impact of the proposed development in conjunction with the permitted scheme. Taking into account that the proposed re-use of the Hayloft would not result in any significant intensification of use in comparison to the existing situation, that the building would not be extended and there would be no additional incursion into the Green Belt in comparison to the existing situation it is not considered that the overall provision of five additional dwellings within Bullsland Farm complex would result in any material greater impact to the Green Belt than in comparison to the previously approved scheme.

8.2.13 Overall, the re-use of existing building, due to the removal of existing structures, would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. While the proposal would introduce an independent dwelling, the significant reduction in footprint and volume of built form within the site, the re-introduction of openness to the south and the appropriate scale and design of the proposed development would outweigh any harm caused to the Green Belt by the new residential development. The development would therefore accord with Policy CP11 of the Core Strategy, Policy DM2 of the DMP LDD and the NPPF.

8.2.14 Due to the limitations of the site and to protect the openness of the Green Belt permitted development rights would be removed.

8.3 Impact on Heritage Assets

8.3.1 Policy CP12 of the Core Strategy relates to the ‘Design of Development’ and states that the Council will expect all development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area and to conserve and enhance natural and heritage assets.

8.3.2 In relation to Listed Buildings, Policy DM3 of the Development Management Policies LDD (adopted July 2013) advises that the Council will preserve the District’s Listed Buildings and will only support applications where the alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting.

8.3.3 Paragraph 132 of the National Planning Policy Framework (NPPF) requires that the Local Planning Authority have regard to the special architectural interest of a building stating 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets area irreplaceable, any harm or loss should require clear and convincing justification.*’

8.3.4 Bullsland House originally dates from the late 16th Century or early 17th Century and is a two storey house consisting of timber frames, red brick, part roughcast and tile hung with a tiled roof. The Threshing Barn to the west of Bullsland House by approximately 10m is a large attractive listed barn dated from around the 17th Century which has a weather boarded exterior with a tiled roof; the Threshing Barn was included for its group value with the adjacent house. The buildings front a large expanse of hardstanding which forms a courtyard.

8.3.5 The Hayloft is also included in the listing for Bullsland Farm and is therefore a Grade II Listed Building.

8.3.6 The Conservation Officer has advised that:

‘*A more intensive residential use of this building is fundamentally in conflict with the established agricultural character of this farm.*

*Therefore, any further expansion of this residential use is fundamentally against the agricultural character of these heritage assets*.’

8.3.7 Whilst the Conservation Officer’s comments are noted, any harm through the expansion of residential use within the site must be weighed up against the existing use of the building. The supporting information stipulates that the existing building contains an office and a residential unit. Both are used ancillary to the main building. However, the principle use of the building is residential and the proposed development would not result in any physical separation of the building from the main dwelling or complex. The re-use of the building as an independent residential unit would materially change the context of the site. It is therefore not considered that the proposed use of the building as an independent dwelling would conflict with the agricultural character of the farm or heritage assets.

8.3.8 The southern elevation would contain full length glazing that would be visible from the open landscape to the south. The proposed alterations to the southern elevation would introduce a residential feature but it is not considered that this feature would materially detract from the agricultural character of the complex or result in any demonstrable harm to the setting of the Grade II Listed Building. The alterations to the building through the introduction of secondary glazing and conservation grade rooflights would not result in any harm to the character of the building or site.

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

8.4 Design & Street Scene

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

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

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

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

*i. Tandem development*

*ii. Servicing by an awkward access drive which cannot easily be used by service vehicles*

*iii. The generation of excessive levels of traffic*

*iv. Loss of residential amenity*

*v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)’*

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

8.4.5 The development would result in the re-use of an existing building that is currently in residential use. The use of the building, parking and amenity space provision would be in keeping with the approved layout and would be appropriate to the rural character of the area.

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

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

8.5 Impact on Residential Amenity

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

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

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

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

8.6 Amenity Space

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

8.6.2 The proposed dwelling would be served by a rear garden measuring a approximately 300sq.m in area which would exceed the indicative requirement for a four bedroom dwelling. The garden and residential curtilage would be identified through a Haha gabion which would be planted with grass to help integrate the change in land levels into the landscape. As viewed from the open landscape around the site the change in land levels would appear as a natural slope of the land and would avoid the need for additional urbanising boundary treatment to the rear gardens.

8.7 Highways, Parking & Access

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

8.7.2 The Highway Authority did not comment on the current application however they raised no objections to the construction of four dwellings on the site approved under application 16/2516/FUL. For planning application 16/2516/FUL in relation to impact on highways the committee report stated the following: ‘*the site is located on a section of Bullsland Lane that is not maintained as a highway by Hertfordshire County Council and noted that this section of the route is not suitable for any significant traffic volumes. However, the Highway Authority does not consider that the proposed development would generate any major increase in traffic movements on the surrounding roads and it is therefore not expected to result in any significant detrimental impact to the safety and operation of the surrounding highway network’.* The proposed development would result in the addition of one unit in conjunction with the four previously approved units. Considering the existing use of the building as an ancillary office and residential unit, the re-use as an independent residential dwelling is not considered to result in any greater material increase in vehicular movements than in comparison to the existing situation or in conjunction with the permitted use.

8.7.3 Policy DM13 of the DMP LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the same document. Appendix 5 sets the parking requirement for a four bedroom dwelling as 3 spaces per dwelling.

8.7.4 The parking for the dwelling has not been included on the submitted plans however the Planning Statement details that the parking would be provided within the existing courtyard. There is sufficient space to park three cars to the front of the existing building; any planning permission would include a condition requiring details of the proposed parking arrangements to be submitted for approval.

8.8 Housing Mix

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

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

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

8.9 Landscaping & Trees

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

8.9.2 The Landscape Officer raised no objections to the proposal and there are no trees of particular amenity value within the site which would be impacted by the development. However, the proposal would require full details of hard and soft landscaping to ensure the garden and buffer zone are appropriately landscaped and managed.

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

8.10 Sustainability

8.10.1 For building conversions, development proposals must still demonstrate that there would be an overall improvement in the energy performance of the building. The Energy Statement submitted with the application details that through alterations to the fabric of the building there would be an improvement to the energy efficiency of the building in accordance with Policy CP1 of the Core Strategy and Policy DM4 of the Development Management Policies LDD.

8.11 Affordable Housing & Infrastructure Contributions

8.11.1 In view of the identified pressing need for affordable housing in the District, Policy CP4 of the Core Strategy seeks provision of around 45% of all new housing as affordable housing and requires development resulting in a net gain of one or more dwellings to contribute to the provision of affordable housing. Developments resulting in a net gain of between one and nine dwellings may meet the requirement to provide affordable housing through a financial contribution. Details of the calculation of financial contributions in lieu of on-site provision of affordable housing are set out in the Affordable Housing Supplementary Planning Document.

8.11.2 However, an appeal decision overturning the previous High Court judgement giving legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 by Brandon Lewis; the NPPG has been updated at paragraph 31 to advise that contributions should not be sought from developments of 10 units or fewer with a maximum combined gross floor space of no more than 1,000sqm. As a result, the change in national policy means that the Council does not currently seek contributions for affordable housing as part of applications proposing 10 dwellings or fewer that have a maximum floor space of 1,000sqm on applications that were validated prior to the 4 September 2017.

8.11.3 The current application would result in a gain of one dwelling on the site and the floorspace would not exceed 1,000sqm. The application was validated prior to 4 September 2017 as such Core Strategy Policy CP4 and a Section 106 requirement would not be applicable to this application.

8.11.4 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 April 2015. CIL is therefore applicable to this scheme. The Charging Schedule sets out that the application site is within ‘Area A’ within which the charge per sq.m of residential development is £180.

8.12 Wildlife

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

8.12.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the DMP LDD. Herts Ecology have commented on the application and note that the application is not supported by any bat assessment. However, based on previous assessments of the site Herts Ecology advised that there is no reason to consider that there are any bats present and likely to be affected in the Hayloft. Herts Ecology has therefore suggested than an informative regarding bats be attached to any planning permission.

8.13 Refuse & Recycling

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

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

**9. Recommendation**

**9.1 17/1364/FUL**

9.1.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions: -

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

TRDC001 (Location Plan), S/2951-110, S/2951-111, S/2951-112, S/2951-113, S/2951-114, S/2951-115, S/2951-116, S/2951-320, S/2951-321, S/2951-322, S/2951-323, S/2951-324, S/2951-325, S/2951-326.

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

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

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

C4 The development shall not commence until details of the parking spaces serving the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be implemented in accordance with the approved plans prior to the first occupation of any part of the development hereby permitted and shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: This is a pre-commencement condition to minimise danger, obstruction and inconvenience to highway users in the interests of safety 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).

C5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development.

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

Reason: This is a pre commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

C6 Prior to commencement of the development hereby permitted, a plan clearly defining the residential curtilage of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. For any land not included within the residential curtilage, a management plan (including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. The development shall be carried out in accordance with the approved details and the management plan shall be carried out as approved thereafter.

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

C7 Prior to commencement of the development hereby permitted, samples and details of the proposed external materials of any of the external alterations to the building 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: This is a pre-commencement condition to prevent the development being constructed in inappropriate materials in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C8 Prior to the first occupation of the dwellings hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected in accordance with the approved details prior to first occupation of the dwellings hereby approved.

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

C9 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

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

C10 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).

C11 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

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

Class B – addition or alteration to the roof

Class C – any other alteration to the roof

Class D – erection or construction of a porch

Class E – buildings incidental to the enjoyment of a dwellinghouse

Class F – hardsurfaces incidental to the enjoyment of a dwellinghouse

Class G – chimneys, flues etc. on a dwellinghouse

Part 2

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

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

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

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

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

9.1.2 Informatives

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

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

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

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

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

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

I2 The applicant is reminded that the Control of Pollution Act 1974 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 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 applicant and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 It is the responsibility of a developer to make provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

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

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

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

I8 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

I9 If bats are found all works must stop immediately and advice sought as to how to proceed from either of the following organisations:

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

Herts & Middlesex Bat Group: www.hmbg.org.uk

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present. A list of bat consultants can be obtained from Hertfordshire Ecology on 01992 555220).

**9.2 17/1365/LBC**

9.2.1 That LISTED BUILDING CONSENT BE GRANTED subject to the following conditions: -

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

TRDC001 (Location Plan), S/2951-110, S/2951-111, S/2951-112, S/2951-113, S/2951-114, S/2951-115, S/2951-116, S/2951-320, S/2951-321, S/2951-322, S/2951-323, S/2951-324, S/2951-325, S/2951-326.

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

C3 Prior to commencement of the development hereby permitted, samples and details of the proposed external materials of any of the external alterations to the building 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: This is a pre-commencement condition to prevent the development being constructed in inappropriate materials in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

9.2.2 Informatives

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

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

There may be a requirement for the approved development to comply with the Building Regulations. The Council's Building Control section can be contacted on telephone number 01923 727132 or at the website above for more information and application forms.

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

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

Where possible, energy saving and water harvesting measures should be incorporated. Information on this is also available from the Council's Building Control section. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

I2 The applicant is reminded that the Control of Pollution Act 1974 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.