**12. 17/1743/FUL – Construction of single storey education building and landscaping works to Country Park including creation of a heritage trail with sculptures, remembrance garden and works to boundary treatment including installation of brick pier and railings along College Road at LEAVESDEN COUNTRY PARK, COLLEGE ROAD, ABBOTS LANGLEY, HERTFORDSHIRE for Mr Simon Green**

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| Parish: Abbots Langley Parish Council | Ward: Leavesden |
| Expiry Statutory Period: 27.10.2017 | Officer: Scott Volker |
| Recommendation: That Planning Permission be Granted subject to conditions. | |
|  | |
| Reason for consideration by the Committee: This application is brought before the Committee as the land is owned by Three Rivers District Council. | |

1 **Relevant Planning History**

* 1. 14/2232/CLPD - Certificate of Lawfulness Proposed Development: Replacement of hardsurfacing and re-lining of two existing tennis courts for additional sports use and replacement of existing perimeter fencing – Withdrawn January 2015.
  2. 15/0555/PDND - Prior Notification of Demolition: Demolition of an existing single storey – Permitted April 2015.

2. **Detailed Description of Application Site**

2.1 Leavesden Country Park is an allocated Open Space and designated Green Corridor. There are various buildings located within the Country Park and it is surrounded by residential and other uses.

2.2 Leavesden Country Park covers an area of 39 hectares over three connected sites, North Side, South Side and East Lane Cemetery and consists of walking/biking paths, a football pitch, wildlife areas, tennis courts, a children’s play area and an outdoor gym for adults. Public footpaths surround the park and connect it to the communities of Abbots Langley, Bedmond, Garston and Kings Langley. There is seating and other furniture within the country park that is associated with its use.

2.2 The area is covered with a blanket TPO, it is also located within the Metropolitan Green Belt.

3. **Detailed Description of Proposed Development**

3.1 This application seeks planning permission for the construction of a single storey education building and landscaping works to the Country Park including creation of a heritage trail with sculptures, remembrance garden and works to boundary treatment including installation of brick pier and railings along College Road.

3.2 Heritage Wildlife Centre

3.3 The proposed new Heritage Wildlife education building would be located to the south-east of the existing YMCA building. The education building would have width of 12.5 metre; depth of 5.7 metres and would have a flat roof form measuring 2.6 metres in height. A set of bi-folding doors are proposed within the south-east elevation. Additional glazing is proposed within the south-west elevation and a single door is proposed within both flank elevations. Abutting the south-west elevation an open-sided canopy is proposed which would have a maximum height of 2.6 metres, sloping down to an eaves height of 2 metres. The building would have a timber clad exterior and aluminium window frames. An area of hardstanding would wrap around the south-east and south-west elevations of the building.

3.3 Heritage Trail & Sculptures

3.4 Works are propose to the existing heritage trail located within the Country Park which includes a new rolled gravel path located within the northern part of the Park providing additional connections/routes to the existing path.

3.5 The proposal includes the installation of nine sculptures along the heritage trail split into three themes Minds, Machines and Movies. The majority of the sculptures would be located within the southern part of the Country Park with the exception of Movie Area 1 which would be located in the northern part of the Park. For the purposes of reading this report and, more particularly, identifying the location of the sculptures referred to herein, it will be necessary to refer in particular to plan 955\_120 REV-A, attached at **Appendix A**, accompanying this application. The sculptures would consist of the following:

*Movies Area 1 – ‘A trick of the light’ (Marked as ‘A’ on plan 955/201)*

This sculpture would consist of a Zoetrope which would have a maximum height of 1.2 metres and width of 1.3 metres.

*Movies Area 2 – ‘A charged setting’ (Marked as ‘B’ on plan 955/202)*

This sculpture would replicate a film-set light and tripod and would have a maximum height of 4.3 metres on a circular concrete base measuring 3.6 metres in diameter.

*Movies Area 3 – ‘The screen of God’ (Marked as ‘C’ on plan 955/202)*

This sculpture would have a maximum height of 3.4 metres, constructed on a granite plinth measuring 2 metres in width and 1.5 metres in depth.

*Mind Area 1 – ‘Inmate, Patient, Resident, Guard, Nurse, Staff’ (Marked as ‘D’ on plan 955/202)*

This is a collection of six standalone sculptures, each measuring 3.1 metres from ground level. At the top of each sculpture would be a box feature measuring between 0.6-0.7 metres at its highest point.

*Minds Area 2 – ‘Remembrance Garden Artwork’ (Marked as ‘E’ on plan 955/202)*

This sculpture would have a maximum height of 3 metres from ground level and would have a stainless steel/aluminium or fibre glass rings spanning a width of 3.1 metres at its highest point.

*Minds Area 3 – ‘Wall Artwork’ (Marked as ‘F’ on plan 955/202)*

This sculpture would have a maximum width of 15 metres and height of 2.5 metres consisting of 10 movable panels.

*Machines Area 1 – ‘Pilot & Engineer’ (Marked as ‘G’ on plan 955/202)*

This sculpture would have a maximum height of 3.4 metres and would have a base measuring 0.8 metres in width and 1.6 metres in depth.

*Machines Area 2 – ‘Gypsy & Ghoul’ (Marked as ‘H’ on plan 955/202)*

This sculpture would have a maximum height of 2 metres, width of 2.7 metres in width and 1.5 metres in depth.

*Machines Area 3 – ‘Mosquito Plane’ (Marked as ‘I’ on plan 955/202)*

This sculpture would be a life-size replica of a Mosquito B Mk IV plane which would have a maximum width of 8.2 metres, depth of 6.3 metres and maximum height of 2 metres.

3.6 A new set of metal boundary railings to match the existing railings would be constructed along College Road, close to the entrance into the southern part of the Country Park. The new railings would extend 18 metres in length and would have a height of 1.7 metres set between pillars which would have a height of 2.7 metres to match the existing railings located along College Road.

3.7 Additional works are proposed within the Country Park which including repair and restoration works to the following:

* Repairs to the Lynchgate.
* Gravestones to be uncovered and resetting.
* Hospital Font repaired and surrounding paved area resurfaced.
* Orphanage Edwardian Garden restored including restoration of steps and replanting trees.
* Remembrance Garden developed within the existing memorial garden within the southern part of the Country Park which includes new seating area and landscaping.
* Various tree works including an orchard within the Orphanage grounds.

4. **Consultation**

4.1 **Statutory Consultation**

4.2 Abbots Langley Parish Council

4.2.1 Members fully support this application.

4.3 Highways Officer

4.3.1 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:**

Visibility

Prior to commencement of the development hereby permitted, a visibility splay measuring 2.4m x 43m shall be provided to the south-east side of the southern access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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).

Construction Management Plan

The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period 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/Statement and the approved details are to be implemented throughout the construction program.

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:

Hertfordshire County Council (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-pavements/highways-roads-and-pavements.aspx or by telephoning 0300 1234047.*

Comments/Analysis:

The application comprises of the installation of boundary railing adjacent to the entrance in addition to a wall along the orphanage side of College Road, remembrance garden, creation of heritage trail and new wildlife centre at Leavesden Country Park.

There is no new or altered vehicular or pedestrian access from the public highway. There are two existing entrances to the site from College Road, which is designated as a classified ‘C’ secondary distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense. The location of the proposed railings are shown on submitted plan number FH955/003 and include the erection of 18m long railings at the back hedge of the highway footway to the south-east of the entrance on the south side of College Road.

Following consideration of the speed of traffic and road classification of College Road, the provision of a vehicle to vehicle visibility splay of 2.4m metres by 43 metres would be required on the right hand side when egressing the southern access. This is in the interests of highway safety and to ensure that visibility is in accordance with *Manual for Streets (MfS)* and *Roads in Hertfordshire: A Design Guide*. The new railings may need to be set back slightly to ensure that this visibility level can be achieved.

Construction Management:

The applicant would need to submit a construction management plan/statement as detailed in the included condition to ensure that any inconvenience to users of the adjacent highway is minimised. Particular consideration should be given to the timing of any vehicle movements, which should avoid morning and evening rush hours.

Conclusion:

HCC as Highway Authority has considered that the proposals would not have an unreasonable impact on the safety and operation of the nearest highway. HCC has no objections or further comments, subject to the inclusion of the above highway informative.

4.3.2 Landscape Officer [No objection, subject to conditions]

4.3.3 Three Rivers District Council Trees and Landscape Department have been involved in the pre-application preparation work for this project. Most of the mature trees within the grounds of Leavesden Country Park are protected by three different Tree Preservation Orders (TPO284,TPO285 and TPO286) which were made in 1992 before the Leavesden Hospitals were redeveloped. The trees, shrubs, grassland and meadows within the grounds of Leavesden Country Park are actively managed for public amenity and to promote biodiversity. The positions of the proposed sculptures have been chosen to minimise impacts on the established landscape and trees.

In reviewing the submitted location plans for the sculptures an error has been found on the location of one of the ‘Minds’ sculptures. The ‘Hospital Wall’ Sculpture is shown some 30m north of its correct location on Plans HT\_955\_263 and HT/955/001, these plans will need to be corrected. Plan HT\_955\_263 does include a small aerial photograph which is annotated in red with the correct location for this sculpture.

Some parts of this combined application will require construction operations in close proximity to trees. In order to ensure that no indirect damage is caused to these trees any planning permission should be subject to a condition requiring method statements for any operations which need to be carried out close to trees.

This application includes some proposed arboricultural works. Most of the works are appropriate however I have concerns over the proposed thinning works of the woodland belt adjacent to Leavesden Court. The purpose of these works is to open up views of Leavesden Court, one of the hospital buildings which was retained during redevelopment. Leavesden Court was redeveloped into apartments and the woodland belt provides a valuable screen between these apartments and the public open space. A balance will need to struck between the privacy of residents and a wish to open up views of the building from within Leavesden Country Park.

If the necessary corrections can be made to plans HT\_955\_263 and HT/955/001 then I would be happy to recommend approval subject to the following conditions:

Landscaping – Details

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 which are to be retained.

All hard and soft 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 maintained, including the replacement of any trees or plants which die, are removed or become seriously damaged or diseased for a period for five years from the date the approved scheme was completed. Replacements should be planted during the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: 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).

Method statement- Details

No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of tree protection measures, timetables of works, method of demolition, removal of material from the site, importation and storage of building materials on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: To protect the visual amenities of the trees, area and to meet the requirements of Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

4.4 Local Plans

4.4.1 The proposal is within the 'Key Centre' of Abbots Langley. Policy PSP2 of the adopted Core Strategy (2011) states that within Key Centres development will focus predominantly on sites within the urban area, on previously developed land. The site is not considered to be on previously developed land as per the definition within the National Planning Policy Framework (NPPF), and as such does not meet this requirement. Policy PSP2 goes on to highlight the need to improve facilities at Leavesden Country Park. This is supported by policy CP1 which sets out the need to protect and enhance existing community, leisure and cultural facilities. The proposed works are for the improvement of the facilities at Leavesden Country Park.

Policy DM12 requires proposals submitted for improved community, leisure or cultural facilities, to be accessible by sustainable modes of transport. The site is close to local bus routes and is approximately 30 minutes' walk to Kings Langley station, and as such meets this requirement.

4.5 Herts Ecology

4.5.1 No comments received.

4.6 Herts & Middlesex Wildlife Trust

4.6.1 No comments received.

4.7 National Grid

4.8 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.

5. **Neighbour Consultation**

* 1. Site Notice: Site notice posted 14.09.2017 and expired 05.10.2017

Press Notice: Published 15.09.2017 and expired 06.10.2017

5.1.2 Neighbours consulted: 108

5.1.3 Number of responses: 2

5.1.4 Summary of Responses:

* Additional traffic
* Attraction of "undesirables" to the area around the Heritage Centre

6. **Reason for Delay**

6.1 None.

7. **Relevant Local Planning Policies:**

7.1 The Three Rivers Local Plan

The Core Strategy was adopted on the 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP6, CP9, CP10, CP11 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 DM2, DM3, DM6, DM7, DM9, DM11, DM12, DM13 and Appendix 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and following Examination in Public. Policy SA5 is relevant.

7.2 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) and 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.

7.3 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.

8. **Analysis**

8.1 Principle of Development

8.1.1 Leavesden Country Park is located within the ‘Key Centre’ of Abbots Langley and is designated as open space by the Site Allocations document. Policy PSP2 of the adopted Core Strategy (2011) states that within Key Centres development will focus predominantly on sites within the urban area, on previously developed land. Policy PSP2 also advises that development in Key Centres will improve provision of, and access to, services and facilities, to meet future demands, which includes improving facilities and accessibility at Leavesden Country Park.

8.1.2 Policy CP1 of the Core Strategy sets out the need to protect and enhance existing community, leisure and cultural facilities. In addition, Core Strategy Strategic Objective 11 seeks to provide accessible and varied opportunities for leisure, arts, sport and recreational activities in order to promote healthy lifestyles. Policy DM11 of the Development Management Policies document seeks to protect open spaces, sport and recreation facilities.

8.1.3 Local Plans have commented that the site is not considered to be on previously developed land as per the definition within the National Planning Policy Framework (NPPF), and as such does not meet this requirement of Policy PSP2. However, the proposed development would improve and enhance an existing facility and would result in the improvement of the facilities at Leavesden Country Park which would accord with the Policies PSP2 and CP1 of Core Strategy. Therefore, whilst it is not considered the land constitutes previously developed land, given that the proposal would result in improvement of the facilities at Leavesden Country Park there is no in principle objection to the development, subject to other material planning considerations as assessed below.

8.2 Green Belt

8.2.1 The application site is within the Metropolitan Green Belt. The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence.

8.2.2 The Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

8.2.3 The purposes of including land within the Green Belt as set out in the National Planning Policy Framework are:

* 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.

8.2.4 The Framework further advises that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

8.2.5 The construction of new buildings in the Green Belt is considered inappropriate however Paragraph 89 sets out six exceptions to inappropriate development which include.

* 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.

8.2.6 Core Strategy Policy CP11 sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it and Policy DM2 of the Development Management Policies document sets out that within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance.

8.2.7 The proposed development seeks to improve the recreational facilities within Leavesden Country Park which would include a fully accessible Heritage Trail though the park to celebrate the local history of Leavesden Hospital, Aviation manufacturing at Leavesden Aerodrome and Warner Bros. Studios Leavesden. It is therefore considered that the proposed development would constitute an 'appropriate facility for outdoor sport or recreation' and may therefore be an exception to inappropriate development in the Green Belt as long as it would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

8.2.8 The proposed new Heritage Wildlife Centre would be located beside the existing two storey YMCA building and would be sited within an existing cluster of buildings located within the North Side of the Country Park. Whilst it would introduce additional built form within the Green Belt, the proposed building would be single storey with a modest height of 2.6 metres which is not considered excessive. In addition, the building would be read against the existing two storey YMCA building particularly when viewed from the south and east of this part of the Country Park and would be constructed using sympathetic materials. Therefore the proposed Wildlife Centre would not become a prominent feature within the landscape in the context of the existing built form within this part of the Park. It is therefore not considered that the proposed building would result in significant impact on the openness of the Green Belt.

8.2.9 The proposal includes the introduction of nine sculptures as well as various repair and restoration works to existing features within the Country Park. Whilst the proposed sculptures would spread development across the Country Park and within the Green Belt, it is not considered that they would result in demonstrable harm to the openness of the Green Belt. In addition, the proposed repair and restoration works to existing features within the Country Park are relatively small scale works that would not result in harm to the Green Belt.

8.2.10 The proposed new railings would be located along College Road and would match the existing metal railings and pillars along College Road. This an urban part of the site within the Green Belt and the proposed railings and pillars would reflect the existing boundary treatments along this part of the site and therefore are not considered to result in any significant impact on the openness of the Green Belt.

8.2.11 In relation to the purposes of including land within the Green Belt, the proposal would not facilitate the unrestricted sprawl of large built up areas, allow neighbouring towns to merge into one another, affect the setting or special character of a historic town or prejudice urban regeneration or the recycling of derelict or other urban land. It would constitute an appropriate facility for outdoor recreation within an existing recreational site and would therefore assist in safeguarding the countryside from encroachment. The proposal would not therefore conflict with the purposes of including land within the Green Belt.

8.2.12 In summary, the proposal would constitute an 'appropriate facility for outdoor sport or recreation' and would not result in significant harm to the openness or visual amenities of the Green Belt or conflict with the purposes of including land within the Green Belt. It would therefore be an exception to inappropriate development in the Green Belt and would be acceptable in accordance with Core Strategy Policy CP11, Policy DM2 of the Development Management Policies document and the National Planning Policy Framework.

8.3 Design and Impact on Street Scene

8.3.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

8.3.2 The proposed Heritage Wildlife Centre would sited amongst an existing cluster of buildings. There would be limited opportunities for views of this proposed building from outside of Leavesden Country Park. The proposed building would be positioned beside an existing two storey building and would have a flat roof form with a maximum height of 2.6 metres and the materials proposed would result in a low profile appearance which is not considered to result in a prominent feature when viewed from areas within the North Side of the Country Park. Given the relatively small scale of the development when viewed in the context of the wider Leavesden Country Park site, it is not considered that the proposal would result in significant harm to the character or appearance of the Country Park or area.

8.3.3 As part of the development, there would be a variety of works including the erection of nine sculptures; repair and restoration works to existing features and small areas of hardstanding. All of these works would result in improvements to the Country Park and the various structures, some of which would be small scale low level structures, would be ancillary to the outdoor recreation use of the Country Park and would not be readily visible from outside the Park.

8.3.4 The proposed new railings and pillars along College Road would match the existing boundary treatment located along College Road and enclosing the Country Park. As such, it is not considered that they would result in any harm to the character and appearance of the street scene or wider area.

8.4 Impact on Residential Amenity

8.4.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.

8.4.2 The separation of the development from neighbouring occupiers would ensure that the development would not result in demonstrable harm to the residential amenities of any neighbouring occupiers.

8.5 Parking/Access/Highways

8.5.1 Core Strategy Policy CP10 requires development to demonstrate that it will provide a safe and adequate means of access and to be integrated with the wider network of transport routes including public rights of way and cycle paths where appropriate.

8.5.2 The proposed development would not affect vehicular or pedestrian access into Leavesden Country Park from the public highway. The Highways Officer was consulted on the application and raised no objection to the proposed development subject to conditions requiring the submission of a construction management plan and details of visibility splays in relation to the proposed new railings beside the entrance into the south side of the Country Park from College Road.

8.5.3 Core Strategy Policy CP10 also sets out that development should make adequate provision for car and other vehicle parking and Policy DM13 and Appendix 5 of the Development Management Policies document set out requirements for parking provision. However these do not specify particular standards which would be applicable to development of the nature proposed.

8.5.4 Visitors of Leavesden Country park currently use the four existing public car parks within the Park, all of which are located with the north side of the Country Park with the closest being within 100 metres of the proposed new building. The proposed development would not result in the loss of any of the existing parking provision within the site. The proposed Heritage Wildlife Centre is small scale and the submitted application form states that one full-time worker would be employed and therefore it is not considered that there would be a significant increase in demand for parking and the existing public car park facilities would continue to provide adequate parking to serve the new development and the Country Park.

8.5.5 Policy CP12 of the Core Strategy sets out that development should ensure that places, spaces and buildings are accessible to all potential users, including those with mobility difficulties. The proposed development would include works to extend the existing pathways with create greater access throughout the Country Park to all potential users.

8.6 Wildlife & Biodiversity

8.6.1 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.

8.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and a Preliminary Ecological Assessment prepared by MKA Ecology was also submitted.

8.6.3 Leavesden Country Park supports a mosaic of habitats, from woodland to mature trees to scrub and amenity and rough grassland; typical of a country park. Both Herts Ecology and Herts & Middlesex Wildlife Trust were consulted on the application however no responses were received. The Preliminary Ecological Assessment concluded that the site has medium to high potential to support protected species and that necessary bat and reptile surveys should be undertaken. Conditions are suggested requiring further surveys to be undertaken to minimise any impact from the proposed development on protected species.

8.7 Trees

8.7.1 Policy CP12 of the Core Strategy expects development proposals to ‘have regard to the character, amenities and quality of an area’, to ‘conserve and enhance natural and heritage assets’ and to ‘ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features’ and Core Strategy Policy CP9 seeks a net gain in the quality and quantity of Green Infrastructure through the protection and enhancement of assets and the provision of new green spaces.

8.7.2 Policy DM6 of the Development Management Policies document sets out requirements in relation to trees, woodlands and landscaping and sets out that:

i) Proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.

ii) Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the Hedgerow Regulations 1997.

iii) Development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant standards

iv) Development should be designed in such a way as to allow trees and hedgerows to grow to maturity without causing undue problems of visibility, shading or damage. Development likely to result in future requests for significant topping, lopping or felling will be refused

v) Planning permission will be refused for any development resulting in the loss of deterioration to protected woodland (including ancient woodland), protected trees (including aged or veteran trees) and hedgerows.

8.7.3 Most of the mature trees within the grounds of Leavesden Country Park are protected by three different Tree Preservation Orders (TPO284, TPO285 and TPO286) which were made in 1992 before the Leavesden Hospitals were redeveloped. The trees, shrubs, grassland and meadows within the grounds of Leavesden Country Park are actively managed for public amenity and to promote biodiversity.

8.7.4 The Landscape Officer was consulted on the application and commented that the positions of the proposed sculptures have been chosen to minimise impacts on the established landscape and trees. The Landscape Officer added that some parts of this combined application will require construction operations in close proximity to trees and in order to ensure that no indirect damage is caused to these trees suggested a condition requiring method statements for any operations which need to be carried out close to trees.

8.7.5 The application proposes some Arboricultural works. The Landscape Officer considered that most of the works are appropriate however raised concerns over the proposed thinning works of the woodland belt adjacent to Leavesden Court. The purpose of the works is to open up views of Leavesden Court, one of the hospital buildings which was retained during redevelopment. Leavesden Court was redeveloped into apartments and the woodland belt provides a valuable screen between these apartments and the public open space.

9. **Recommendation**

9.1 That PLANNING PERMISSION BE GRANTEDsubject to the following conditions: -

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

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

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

955\_120 REV-A

955\_132

955\_133

HT\_955\_001 REV-A

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Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the Green Belt and area in accordance with Policies PSP2, CP1, CP6, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM6, DM7, DM9, DM11, DM12, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA5 of the Site Allocations LDD (adopted November 2014).

C3 Prior to the commencement of the single storey education building, details and samples of the external materials to be used in the elevations and roof of the building and hard surfacing areas shall be submitted to and approved in writing by the Local Planning Authority. No external materials shall be used other than those approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is a pre commencement condition to ensure a satisfactory appearance of the development and in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

C4 The proposed new sculptures shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as stated on the approved plans as set out in Condition 2.

Reason: To ensure that the external appearance of the building(s) is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C5 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period have been submitted to and approved in writing by the Local Planning Authority in the form of a Construction Management Plan. The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: This is a pre commencement condition 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)

C6 Prior to the installation of the brick piers and railings along College Road, a visibility splay measuring 2.4m x 43m shall be provided to the south-east side of the southern access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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).

C7 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 which are to be retained.

All hard and soft 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 maintained, including the replacement of any trees or plants which die, are removed or become seriously damaged or diseased for a period for five years from the date the approved scheme was completed. Replacements should be planted during the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation.

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).

C7 No development or other operation shall commence on site until a method statement has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of tree protection measures, timetables of works, method of demolition, removal of material from the site, importation and storage of building materials on the site, details and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees. The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: This is a pre commencement condition to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C8 No removal of trees, hedges or scrub shall take place between 1 March and 31 August inclusive unless searched immediately beforehand and certified free of nesting birds by a qualified ecologist.

Reason: To protect the amenities of wildlife during the primary nesting season and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C9 Prior to commencement of the development hereby permitted, the site shall be assessed by a professional, licensed bat consultant to determine whether bats are present or not, whether they will be affected by the development and any mitigation and/or compensation measures required, details of which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: This condition is a pre commencement condition to ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C10 Prior to commencement of any gravestone restoration hereby permitted, the relevant part of the site shall be assessed by a professional, licensed consultant to determine whether protected amphibians and reptiles are present or not, whether they will be affected by the development and any mitigation and/or compensation measures required, details of which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: This condition is a pre commencement condition to ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C11 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

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. 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 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 development maintains/improves the economic, social and environmental conditions of the District.

I4 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.