**8. 17/0643/FUL – Erection of timber framed detached outbuilding and creation of new vehicular access from St Lawrence Close at ST LAWRENCE CHURCH VICARAGE, 6 HIGH STREET, ABBOTS LANGLEY, HERTS, WD5 0AS for St Albans Diocesan Board of Finance**

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| Parish: Abbots Langley | Ward: Abbots Langley and Bedmond |
| Expiry Statutory Period: 15 June 2017 | Officer: Suzanne O’Brien |

**17/0646/LBC – Listed Building Consent: Erection of timber framed detached outbuilding and creation of new vehicular access from St Lawrence Close at ST LAWRENCE CHURCH VICARAGE, 6 HIGH STREET, ABBOTS LANGLEY, HERTS, WD5 0AS for St Albans Diocesan Board of Finance**

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| Parish: Abbots Langley | Ward: Abbots Langley and Bedmond |
| Expiry Statutory Period: 19 June 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 Abbots Langley Parish Council. | |

1. **Relevant Planning History**

1.1 No relevant planning history relating to the Vicarage.

2. **Detailed Description of Application Site**

2.1 The application site contains a large detached dwelling that is sited within the curtilage of St Lawrence Church and within the Abbots Langley Conservation Area. The dwelling is Grade II Listed and is located to the west of St Lawrence Church which is a Grade I Listed Building. The sole access to the site is via the church yard driveway off of The High Street which also serves the church, Citizens Advice Bureau and hall.

2.2 The dwelling is set back from the St Lawrence Close and the land levels of the site rise up in a south west to north east direction. The dwelling is set on higher ground to St Lawrence Close. The dwelling is served by a large open garden to the south west which predominantly consists of soft landscaping. A detached garage is sited along the north west boundary and is accessed via a drive sited along the north east aspect of the dwelling.

2.3 The flank boundary of No.34 and the rear boundaries of No’s 28 and 29 St Lawrence Close run along the north west boundary of the site. The flank boundary of No.6 runs along the south east boundary. No’s 6 and 34 sit forward of the front elevation of the application dwelling. The south west boundary of the site adjoins St Lawrence Close and consists of dense vegetation. A grass verge is sited between the boundary of the application site and the highway.

2.4 The Grade II Listed Building has the following listing:

*House. Early C18, extended mid C19, altered C20. Whitewashed brick. Tiled roof, hipped to front. Double depth plan. 5 window front. 2 storeys. Original central entrance now a window, glazing bar sashes in flush frames, gauged brick flat arched heads. Right bay has larger 20 pane sashes. Plat bands, that over ground floor broken to centre. Stone coped parapet. Extruded end stacks, both truncated. Left return has entrance in C20 glazed porch. Separately roofed C19 wing extends to rear left, a ground floor bow with railed balcony towards rear, rear gable end external stack. Triple gables to rear. Interior not inspected. (RCHM Typescript: Pevsner 1977).*

3. **Detailed Description of Proposed Development**

3.1 This application seeks planning permission and Listed Building Consent for the erection of a timber framed detached outbuilding and creation of a new vehicular access from St Lawrence Close.

3.2 The proposed outbuilding would be sited to the south east of the dwelling and would be located approximately 5m from the south east boundary and a minimum of 19m from the southern boundary with St Lawrence Close.

3.3 The timber framed building would front St Lawrence Close and would have a width of 7.4m, depth of 5m and height of 4m. The building would have a pitched roof with a catslide to the rear and gabled flank elevations.

3.4 The development would include the installation of a new vehicular access onto St Lawrence Close. The access would have a central position. The drive would have a width of 3m for a length of approximately 20m which would lead to a parking area with a width of 9m and depth of 7m. A footpath would provide access to the dwelling from the outbuilding. The access and drive would constructed of permeable resin bound shingle. The Design and Access Statement states that the existing access would be closed and the tarmacadam drive to the east of the dwelling would be removed and replaced with soft landscaping.

4. **Consultation**

4.1 Abbots Langley Parish Council

4.1.1 Summary: Objection.

4.1.2 *Members object to this application as the proposed timber outbuilding is not in keeping with the Grade II Listed Building and the gravel is an unsuitable surface for the drive which will be displaced onto the public footpath used by a large number of disabled residents in the vicinity and mobility scooters. If Officers are minded to approve this application then the Parish Council requests that it is referred to Three Rivers Planning Committee for consideration.*

4.2Herts Highways Authority

4.2.1 Summary: No objection subject to conditions.

4.2.2 *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:*

*Condition 1: Before being brought into use the new parking areas hereby approved shall be surfaced in tarmacadam or similar bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.*

*Reason: To avoid the carriage of extraneous material surface water from the site into the highway as to safeguard the interest of highway safety.*

*Condition 2: A 2mx2m pedestrian visibility sight splay, free from obstruction between a height of 600mm and 2.0m and relative to the back of the footway shall be provided on both sides of the vehicular access prior to the operational use and thereafter.*

*Reason: To ensure a satisfactory standard of the development in the interest of highway safety.*

*Informative: I recommend inclusion of the following advisory notes to ensure that any works within the highway are to be carried out in accordance with the provisions of the highway Act 1980.*

*AN1: The applicant is advised that storage of materials associated with the development should take place within the site and not extend into the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council highways via either the website http://www.hertsdirect.org/services/transtreets/highways/ or telephone 0300 1234047.*

*AN2:* *Where works are required within the public highway to facilitate access, the highway authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. In relation to the crossover the applicant is advised to see the attached website. Vehicle crossover guidance* [*http://www.hertsdirect.org/docs/pdf/d/vxo.pdf*](http://www.hertsdirect.org/docs/pdf/d/vxo.pdf) *and to apply for vehicle crossover*

[*http://www.hertsdirect.org/services/transtreets/highways/hhonlineservices/vxo/*](http://www.hertsdirect.org/services/transtreets/highways/hhonlineservices/vxo/)

*AN3: The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.*

*Planning Application:*

*The planning application for erection of timber framed detached outbuilding and creation of a new vehicular access from St Lawrence Close.*

*Site and surroundings:*

*The site Old Vicarage is located within the Abbots Langley Conservation Area. The existing vehicular/pedestrian access to the Old Vicarage is via the churchyard driveway which also serves the Church Hall etc. Currently there is insufficient space to turn the vehicle which can result in cars backing out to the driveway.*

*The Proposal:*

*The proposal is for a new vehicular access and driveway from St Lawrence Close to a garage/outbuilding in the grounds. The present access via Church Yard Drive would be terminated, tarmacked for parking with soft landscaping and to be reinstated as a private garden. This is to reduce the vehicle movements adjacent to the Grade I Listed Church.*

*Local Road Network:*

*The proposed access is off St Lawrence Close. This road is an unclassified local access road, a cul-de-sac and some 156m in length. The road provides access to few properties. There is on-street parking in front of the proposed location of the access which makes St Lawrence Close a one lane road.*

*Access and Parking:*

*The planning application indicates that there are 4 parking spaces on-site and the application is to retain the 4 parking spaces. St Lawrence Close is a cul-de-sac and a very low traffic road. There are no vehicular visibility issues and the on-street parking opposite to the site access is unlikely to interfere with the operation of the proposed access.*

*Conclusion:*

*The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes.*

4.3 Conservation Officer

4.3.1 Summary: No objection.

4.3.2 *Relevant law and policies:*

*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.*

*The 1990 Act also requires special attention to the desirability of preserving or enhancing the character or appearance of a conservation area and the setting.*

*St Lawrence Church Vicarage is Grade II Listed and in The Abbots Langley Conservation Area. This Conservation Area and the listed building are designated heritage assets.*

*DM3 The Historic Built Environment.*

*Within Conservation Areas development will only be permitted if the proposal:*

*i) Is of a design and scale that preserves or enhances the character or appearance of the area*

*ii) Uses building materials… that are appropriate to the local context*

*iii) Retains historically significant … elements of the area's established pattern of development, character and historic value.*

*National Planning Policy Framework:*

*NPPF para. 64 states: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

*NPPF 131: In determining planning applications local planning authorities should take account of:*

*The desirability of new developments making a positive contribution to local character and distinctiveness*

*Para 132 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 ... As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*

*NPPF 137: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve these elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.*

*The NPPF core principles firstly are to always seek to secure high quality design and second, conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.*

*Discussion:*

*I consider that this proposal will cause no harm to either the setting of the Listed Building or the Conservation Area.*

*I applaud the level of detail contained with this proposal.*

*The detailed analysis of the Conservation Area in the D&A Statement is excellent. And highlights that this is a green and open area which will not be damaged by this proposal. Indeed views from St Lawrence Close towards The Old Vicarage are currently unavailable and these will be opened up which is positive.*

*The lawn in front of The Old Vicarage will be slightly reduced in size with new hardstanding, although this will be shingle and on balance acceptable in my view.*

*Conclusion:*

*It is therefore my opinion that the proposed works are acceptable as they do not harm these designated heritage assets (the Conservation Area and the Listed Building) and accord with the provisions set out in DM3 and other conservation policy and legislation.*

4.4 Landscape Officer

4.4.1 Summary: Initially objected to the proposed development however following review of the Arboricultural Impact Appraisal and Method Statement no objections are raised subject to conditions.

4.4.2 *Further to my comments of 19th May I have been able to review an Arboricultural Impact Appraisal and Method Statement (SAL/KMA/18475) prepared by S.A. Lanigan. This document includes a method statement for tree protection measures which will exclude all construction activity from most of the root protection areas (R.P.A.) of the significant trees within the site. Also included is a method statement for the construction methods used for the small parts of the driveway and footpath which pass through the R.P.A. of the retained trees.*

*The group of small trees and shrubs which are to be removed to facilitate the new access are clearly identified in the supporting tree survey. The loss of this vegetation will have a minimal impact on the character of the Abbots Langley Conservation Area. The Arboricultural Report indicates that replacement planting need not be necessary, however the applicant has indicated on site plan 1799-03 that some replacement planting will be carried out.*

*Recommend consent subject to the following conditions:*

*Tree protection scheme- Details*

*No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with SAL/KMA/18475 prepared by S.A. Lanigan dated 16th April 2017.*

*The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.*

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

*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 the trees and hedgerows which are to be retained.*

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

*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).*

4.5 Herts Archaeology

4.5.1 Summary: No objection.

4.5.2 *In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.*

4.6 National Grid

4.6.1 Summary: Advisory note.

*4.6.2 An assessment has been carried out with respect to Cadent Gas Ltd, National Grid Electricity Transmission plc's and National Grid Gas plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.*

*For details of Network areas please see the Cadent website (*[*http://cadentgas.com/Digging-safely/Dial-beforeyou-*](http://cadentgas.com/Digging-safely/Dial-beforeyou-) *dig) or the enclosed documentation.*

*Are My Works Affected?*

*Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.*

*Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.*

5. **Neighbour Consultation**

5.1 No. consulted: 19

No. responses: 11 comments received.

A petition with 17 signatures objecting to the proposed development has also been received.

5.2 Site Notices: Posted 10 May 2017 and expired 31 May 2017

Press Notices: Published 5 May 2017 and Expired 26 May 2017.

5.3 Summary of responses:

Objections/concerns (2 and petition with 17 signatures):

* Safety concerns for the elderly and disabled in an already hazardous narrow Close abused by illegal parking, another access road to manoeuvre with wheelchairs and walking aids will add further worries.
* Concerned about parking on the left side of the road would make it difficult to turn in and out of the new drives and there is a blind corner at the bottom of the road. Access would result in yellow lines being sited along the close.
* The ‘rustic’ barn would not be in keeping with the character of the Listed Building or Conservation Area. Building should be brick built.
* The new garage would present challenges with neighbouring buildings;
* The new access would break the row of trees, additional planting would minimise impact.
* Hope scheme will not reduce the space available for parking in the area.
* The site could impact on a site of archaeological and historic interest

Support (9):

* Dwelling is to be sold as a separate private residence. The alternative access will be crucial as the existing access is very busy serving the church functions, pre-school, CAB offices, used as a drop off point for Abbots Primary School, evening events and fetes.
* The existing access is heavily used.
* Access would enhance the Old Vicarage.
* Alternative access would provide a less dangerous access.
* Would improve privacy for occupants of building.

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, CP9, CP10 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, DM3, DM6, DM9, DM13 and Appendices 2 and 5.

The Abbots Langley Conservation Area Appraisal (July 2014) is also 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 Impact on the Conservation Area and Listed Building

8.1.1 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. Appendix 2 of the Development Management Policies document sets out design criteria for residential development that aim to ensure that development does not lead to a gradual deterioration in the quality of the built environment.

8.1.2 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.

8.1.3 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.’

8.1.4 Policy DM3 also relates to development within Conservation Areas stating:

Within Conservation Areas development will only be permitted if the proposal:

i) Is of a design and scale that preserves or enhances the character or appearance of the area

ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context

iii) Retains historically significant boundaries, important open spaces and other elements of the area’s established pattern of development, character and historic value, including gardens, roadside banks and verges

iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention

v) Does not harm important views into, out of or within the Conservation Area

vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area

vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

8.1.5 The proposed development would not result in any alterations to the Listed Building thus would not result in any harm to the architectural merits of the existing building. The proposed outbuilding would be of generous proportions. However, it would be of a timber construction and would be set on lower ground to the dwelling. As such, the proposed outbuilding would have the appearance of an ancillary building subordinate in scale to the main building. The siting, design and scale of the proposed outbuilding would not affect the character or setting of the Grade II Listed Building. The materials of the proposed outbuilding with a timber framed structure would also add to the ancillary nature of the proposed development. The siting and scale of the proposed outbuilding would also not affect the setting of the Grade I Listed Church.

8.1.6 The proposed outbuilding would be visible from St Lawrence Close. The proposed outbuilding would be located on a large plot thus would not result in a cramped feature or overdevelopment of the site. Furthermore, the proposed outbuilding would be set back from the boundary with St Lawrence Close and would be of a size and design that would not appear unduly prominent or contrived within the street scene or Conservation Area.

8.1.7 The proposed development would introduce a new access via St Lawrence Close and would remove the access via the Church. This would serve to change the context of the site in relation to the existing situation. However, an existing close boarded fence demarcates the site with the buildings to the east and a low level brick wall is sited along part of the existing south eastern boundary with the church. The existing boundary treatment therefore provides a sense of separation between the residential curtilage of the dwelling and rest of the church complex. The relationship with the neighbouring buildings, especially the Grade I Listed Building, would therefore not be affected by the proposed re-siting of the access and blocking up of the existing access. The supporting information details that the existing parking area to the east of the dwelling would be soft landscaped and reinstated as private garden which would not have a negative impact on the setting of the building or neighbouring buildings. As such, the proposed removal of the vehicular access via the Church would not result in any demonstrable harm to the setting of the Listed Buildings or character and appearance of the Conservation Area.

8.1.8 The proposed access along St Lawrence Close would be sited on an existing grass verge and would result in the loss of vegetation along part of the southern boundary fronting the highway. The southern boundary consists of a dense vegetation screen and the land between the site and footpath consists of a grass verge both of which contribute to the visual amenities of the street scene and character and appearance of the Conservation Area.

8.1.9 The extent of hardstanding proposed within the existing grass verge would have an area of approximately 18sq.m. The access would therefore result in a minimal incursion of hardstanding on the existing grass verge and significant areas of soft landscaping would be retained. As such, the proposed hardstanding along the existing verge would not result in any significant demonstrable harm to the visual amenities of the street scene or Conservation Area.

8.1.10 The vegetation along the southern boundary is substantial and is a notable feature within the road. However, the loss of vegetation would be minimal and a substantial amount of it would be retained it would continue to make a positive contribution to the street scene and wider Conservation Area. The Conservation Officer raised no objections to the proposed access arrangements and confirmed that the opening up of the views of the Grade II Listed Building from St Lawrence Close which are currently unavailable would make a positive contribution.

8.1.11 The proposed development would also introduce hardsurfacing within the garden which is currently undeveloped. The drive and parking area would be of a reasonable scale reflective of the scale of the existing detached dwelling and the resin bound shingle would be an appropriate material. The existing degraded tarmacadam along the eastern aspect of the dwelling which does not contribute to the visual amenities of the Listed Building would be replaced with soft landscaping which would make a positive contribution to the amenities of the building. Extensive areas of soft landscaping would also be retained. The proposed access and hardstanding would therefore not result in any demonstrable harm to the setting of the Listed Building, character and appearance of the Conservation Area or visual amenities of the street scene.

8.1.12 The proposed design, scale and siting of the outbuilding would not detract from the character or setting of the Grade II Listed Building and would not result in an unduly prominent or harmful feature within the street scene or Abbots Langley Conservation Area. The re-siting of the access would not serve to impact on the relationship of the existing Grade II Listed Building with the Grade I Listed Building and the drive and access would not result in any demonstrable harm to the visual amenities of the street scene or character and appearance of the Conservation Area. The proposed development would therefore be in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM3 and Appendix 2 of the Development Management Policies document.

8.2 Impact on Neighbours

8.2.1 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 Development Management Policies document 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.

8.2.2 The proposed outbuilding would be located to the east of the site and set in a significant distance from the western boundary. The proposed development would therefore not result in any harm to the residential amenities of the neighbouring properties to the west in terms of loss of light or harm to their visual amenities.

8.2.3 The proposed outbuilding would be sited beyond the rear elevation of No.6 St Lawrence Close; the rear elevation of No.6 angles slightly towards the application site. The proposed building would be set in approximately 5m from the boundary with No.6 and a distance of 9m would separate the proposed building and No.6 at its closest point. The set in of the proposed outbuilding and scale of the building would not result in any unacceptable loss of light or harm to the visual amenities of this neighbouring dwelling. The proposed outbuilding would also not result in an overbearing feature on the neighbouring garden.

8.2.4 It is therefore considered that the proposed development would not result in any material adverse impacts on the residential amenity of any neighbouring dwellings so as to justify refusal of the development which would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies document.

8.3 Amenity Space

8.3.1 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. Section 3 (Amenity Space) of Appendix 2 of the Development Management Policies document sets out indicative amenity space standards.

8.3.2 The site has a garden with an area in excess of 1,000sq.m. The amenity space provision is of sufficient size to be able to comfortably accommodate the proposed development and provide private amenity space provision to serve the dwelling. It is noted that the proposal would open up views of the site from St Lawrence Close however there would be sufficient screening from the highway to maintain the privacy of the occupants of the site in accordance with Policy DM1 and Appendix 2 of the Development Management Policies document.

8.4 Highways, Parking and Access

8.4.1 Core Strategy Policy CP10 requires development to demonstrate that it will provide a safe and adequate means of access. The Highways Officer has not raised an objection to the proposal subject to further details of parking arrangements and a construction management plan which would ensure that the development would not result in an unacceptable impact on highway safety or flows.

8.4.2 Concerns have been raised in relation to the impact of the development on highway safety along St Lawrence Close and that the proposal would have an impact on the cars that park on the opposite side of the highway. The plans have been amended so that the access, drive and parking area consist of resin bonded gravel as such no loose shingle will be deposited onto the highway. The Highways Officer commented on the application and raised no objections to the scheme subject to conditions. The Highways Officer noted that there are cars parked on the opposite side of the highway to where the access would be installed noting that this part of the highway becomes a one lane road. However, the Highways Officer raised no objections to the proposed development noting that St Lawrence Close is a cul-de-sac and a low traffic road, that there would be no visibility issues and the on-street parking opposite to the site access is unlikely to interfere with the operation of the access.

8.4.3 The development would provide in excess of three parking spaces which would meet the requirements of Policy DM13 and Appendix 5 of the Development Management Policies document. The parking area would also allow for cars to enter and exit in forward gear.

8.4.4 The proposed development would therefore provide sufficient parking to serve the dwelling and would not result in any highway safety implications on the users of the highway. The scheme would therefore be in accordance with Policy CP10 of the Core Strategy and Policies DM9, DM13 and Appendix 5 of the Development Management Policies document.

8.5 Trees and Landscaping

8.5.1 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.

8.5.2 The trees within the site are protected by virtue of the Conservation Area status of the site. The proposed development would result in the removal of a number of trees along the southern boundary. The Landscape Officer originally objected to the proposed development however following a review of the submitted Arboricultural Impact Appraisal and Method Statement removed these objections. The Landscape Officer also confirmed that the group of small trees and shrubs to be removed would have a minimal impact on the character of the Abbots Langley Conservation Area. Furthermore, additional replacement planting will be carried out to mitigate the loss of the vegetation along the boundary with St Lawrence Close.

8.5.3 The proposed removal of the trees to facilitate the access would therefore not result in any demonstrable harm to the character and appearance of the Conservation Area in accordance with Policies CP9 and CP12 of the Core Strategy and Policies DM3 and DM6 of the Development Management Policies document. No objections are therefore raised in relation to the scheme subject to conditions.

8.6 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 states that no protected species or biodiversity interests will be affected as a result of the application.

8.7 Archaeology

8.7.1 Policy DM3 of the Development Management Policies document sets out that where a site includes or is considered to have the potential to include heritage assets with archaeological interest, there must be appropriate assessment into the interest.

8.7.2 The application site is located within an area of known archaeological importance. The Herts Archaeological Officer confirmed that the proposed development is unlikely to have a significant impact on any heritage assets of archaeological interest.

9. **Recommendation**

That Planning Permission for application 17/0643/FUL BE GRANTED subject to the following conditions:

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: 1799.01A, 1799-02, 1799-03/B1799-04, 1799-05.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the Grade II Listed Building, visual amenities of the Abbots Langley Conservation Area and residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM9, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Abbots Langley Draft Conservation Area Appraisal (July 2014).

C3 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 the trees and hedgerows which are to be retained.

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

Reason: In the interests of visual amenity 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).

C4 The building shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Numbers 1799-03/B and 1799-04 and no external materials shall be used other than those approved.

Reason: To ensure a satisfactory appearance of the development and to maintain the character and appearance of the area and Grade II Listed Building 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 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with SAL/KMA/18475 prepared by S.A. Lanigan dated 16th April 2017.

The protective measures, including fencing, shall be undertaken in accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

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

C6 The drive and parking areas shall be constructed of permeable resin bound shingle as shown on approved Drawing Number 1799-03/B. Prior to the first use of the drive and parking area arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C7 A 2mx2m pedestrian visibility sight splay, free from obstruction between a height of 600mm and 2.0m relative to the back of the footway shall be provided on both sides of vehicular access prior to the first use of the access and shall be permanently retained as such thereafter.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C8 The existing vehicular access to the site not incorporated in the development hereby permitted shall be closed and the soft landscaping works to be implemented in accordance with the hard and soft landscaping scheme agreed under Condition 3 within 3 months of the first use of the new access hereby permitted.

In the interests of visual amenity in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013).

**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. Information and application forms are available at www.hertfordshirebc.co.uk. Alternatively the Council's Building Control section can be contacted on telephone number 01923 727130 or email building.control@hertfordshirebc.gov.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. 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 stipulates that construction activity (where work is audible at the site boundary) 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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 The applicant is advised that storage of materials associated with the development should take place within the site and not extend into the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council highways via either the website http://www.hertsdirect.org/services/transtreets/highways/ or telephone 0300 1234047.

I5 Where works are required within the public highway to facilitate access, the highway authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. In relation to the crossover the applicant is advised to see the attached website. Vehicle crossover guidance http://www.hertsdirect.org/docs/pdf/d/vxo.pdf and to apply for vehicle crossover http://www.hertsdirect.org/services/transtreets/highways/hhonlineservices/vxo/

I6 The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

10. **Recommendation**

That Listed Building Consent 17/0646/LBC 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: Drawing Numbers: 1799.01A, 1799-02, 1799-03/B1799-04, 1799-05.

Reason: For the avoidance of doubt and in the proper interests of planning and to safeguard the character and appearance of the Listed Building 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).

C3 The building(s) shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Numbers 1799-03/B and 1799-04 and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the development does not impact on the character or setting of the Grade II Listed Building and 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).

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. Information and application forms are available at www.hertfordshirebc.co.uk. Alternatively the Council's Building Control section can be contacted on telephone number 01923 727130 or email building.control@hertfordshirebc.gov.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. 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.

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