

PLANNING COMMITTEE – 22 May 2025

25/0154/FUL – Demolition of the concrete shed and part demolition of the cart shed adjoining The Black Barn and construction of front/side extension including solar panels; alterations to doors and materials; alteration of front access path and courtyard; creation of drop off zone and parking area; change of use from agriculture to a mixed commercial use and community uses including indoor sport and recreation, provision of education, public hall, exhibition hall and as a public meeting place (Use Classes E(d), F.1(a), F.1(e), F.2(b)); widening of access off Denham Way at Woodoaks Farm Denham Way Maple Cross Rickmansworth Hertfordshire WD3 9XQ.

AND

25/0155/LBC - Listed Building Consent: Demolition of the concrete shed and part demolition of the cart shed adjoining The Black Barn and construction of front/side extension including solar panels; alterations to doors and materials; alteration of front access path and courtyard; creation of drop off zone and parking area; change of use from agriculture to a mixed commercial use and community uses including indoor sport and recreation, provision of education, public hall, exhibition hall and as a public meeting place (Use Classes E(d), F.1(a), F.1(e), F.2(b)); widening of access off Denham Way.

Parish: Non-Parished

Ward: Chorleywood South and Maple Cross

Expiry of Statutory Period: 01.04.25

Case Officer: Clara Loveland

Extension of Time: 27.05.25

Recommendation for 25/0154/FUL: That authority is delegated to the Head of Regulatory Services, following the completion of a S106 agreement securing the Heads of Terms set out below (and subject to any minor alterations to those terms as agreed between the Head of Regulatory Services and the Planning Committee Chairman), to grant planning permission subject to conditions.

Recommendation for 25/0155/LBC: That Listed Building Consent be granted subject to conditions.

Reason for consideration by the Committee: Three Members of the Planning Committee called the application to committee regardless of the Officer's recommendation, to discuss the impact on the Green Belt, parking, vehicular access and the impact on the heritage asset.

To view all documents forming part of these applications, please go to the following websites:

FUL:

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SQU7MNQFMTV00>

LBC:

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SQU7MOQFMTW00>

1 Relevant planning history

The application site as delineated by the red line on the site location plan forms part of the wider site known as Woodoaks Farm which has an extensive planning history. The most relevant applications are:

- 1.1 23/1154/FUL - Change of use from agriculture to a mixed community uses including indoor sport and recreation, provision of education, public hall, exhibition hall and as a public meeting place (Use Classes E(d), F.1(a), F.1(e), F.2(b)). This was approved for a temporary period of 18 months beginning on 25th October 2023 (expired on 25 April 2025).

- 1.2 17/1403/LBC - Listed Building Consent: Refurbishment of existing barn including repairs to oak frame; replacement timbers and external weatherboarding; and part removal and reinstatement of clay tile roof. Approved and implemented.

2 Site description

- 2.1 The application site forms part of a wider farm known as Woodoaks Farm situated on the northern side of Denham Way (A412) in Maple Cross. The red line of this application site contains an access track leading from the A412 toward the Black Barn, an area of hard standing, an agricultural building known as The Black Barn which is a Grade II listed building and part of an agricultural field.
- 2.2 Works have recently been undertaken at The Black Barn as part of listed building consent 17/1403/LBC. A temporary planning permission of 18 months (23/1154/FUL) has also been granted for the use of The Black Barn for a mixture of community uses.
- 2.3 The wider farm complex (within the blue line of this application) can be accessed by car from the A412 by a long driveway which runs alongside open fields before it opens onto a large area of hard standing which is utilised for parking and turning space for vehicles. The track provides access to Woodoaks Farm and the farmyard where it meets a public right of way which runs alongside the wider site.
- 2.4 The wider farm complex is located northwest of the settlement of Maple Cross and comprises a cluster of existing and former agricultural buildings including a microbrewery (currently operated by Creative Juices), two Grade II Listed buildings (building immediately North-West of Woodoaks Farmhouse and barn, approximately 100m to the north of Woodoaks Farmhouse known as The Black Barn and subject of these applications), a Locally Important Building (Woodoaks Farmhouse) and a tea shack operating from an adjacent open field.
- 2.5 In terms of policy designations, the application site falls within the Metropolitan Green Belt. Two bridleways (Rickmansworth 010 and 062) run adjacent to the western boundary of the application site.

3 Description of proposed development

- 3.1 Planning permission and listed building consent are sought for the demolition of the concrete shed and part demolition of the cart shed adjoining The Black Barn and construction of front/side extension including solar panels; alterations to doors and materials to the Barn; alteration of front access path and courtyard; creation of drop off zone and parking area; change of use from agriculture to a mixed commercial use and community uses including indoor sport and recreation, provision of education, public hall, exhibition hall and as a public meeting place (Use Classes E(d), F.1(a), F.1(e), F.2(b)).
- 3.2 Amended plans were received during the applications, altering the extent of the red line to widen this where the access road meets the highway of Denham Way. Re-consultation occurred as a result. Subsequent amended plans were provided in April 2025 to alter the fenestration details between the extension and cart shed, alter the roof to black corrugated aluminium and omit the door from The Black Barn into the cart shed. Also, to omit the outdoor area west of The Black Barn. One additional car parking space was added within the drop off zone. Due to the nature of these changes, no further re-consultation was required.
- 3.3 The submitted documents set out that the proposed uses focus on forming an education and community hub supported by commercial uses to ensure its viability and also that the proposal is put forward under the proviso of Very Special Circumstances.
- 3.4 Extensions
- 3.5 The existing 'cart shed' and 'concrete shed' as referred to on plan number BB/02, would be demolished. A front and side extension would be erected, physically adjoining The Black Barn. It would have a maximum width of 16m and a depth of 15m. It would have a mixture of roof forms with a maximum ridge height of 4.6m. The extensions would form two differing architectural styles,

identified as the 'community and education hub' and the 'cart shed'. The two parts would be physically adjoined and internally connected.

- 3.6 Part of the building referred to as 'community and education hub' on plan number BB/40/-01 (proposed south elevation) would have one higher mono-pitched roof form with a ridge height of 4.6m falling to an eaves of 3.5m towards the rear. It would have a lower mono-pitched roof form with a ridge height of 3m falling to an eaves height of 2.2m to the front. The community and education hub part of the building would be finished in a rough mid tone lime render on a brick plinth with a black aluminium corrugated roof. There would be glazed doors within the rear elevation of the building, facing towards the agricultural field behind. There would also be glazing within the western flank elevation. In the western elevation there would be a timber door which would enclose an air source heat pump. There would be glazing within the ground and upper part within the front elevation. There would be solar panels on the front roof slope of the lower roof.
- 3.7 Part of the building referred to as 'cart shed' on plan number BB/40/-01 (proposed south elevation) would have a mono-pitched roof with a ridge height of 3m falling to an eaves of 2.4m. It would be finished in cladding (retained from the existing cart shed) with new matching boards added.
- 3.8 The existing brick wall which separates these two parts of the building would be extended in height from 2.8m to 4.6m in height. The new brickwork would match the existing.
- 3.9 A doorway would provide access between the rear of the community room and the courtyard.
- 3.10 The Black Barn building would not alter physically however would be used flexibly and have market stalls.
- 3.11 Change of use of land
- 3.12 The proposal initially involved changing the use of 270 sqm of the open agricultural field which currently surrounds The Black Barn towards the west for use as an 'outdoor area'. This has since been omitted from this proposal.
- 3.13 An existing agricultural area located just east of The Black Barn and separated by a footpath would change use to a drop-off area and 8 parking spaces would be provided. The area would be re-surfaced in a permeable self-binding gravel surface.
- 3.14 The footpath fronting The Black Barn, its associated structures and court yard would be formalised to create an access between the proposed drop off zone, courtyard and buildings. It would be resurfaced in a permeable concrete pig slat surface.
- 3.15 The uses
- 3.16 The proposal seeks to introduce a mixture of different uses within the application site. It is noteworthy that limited detail has been provided on how the proposed uses would operate together e.g. whether the community uses would operate alongside commercial events and/or if there would be several events/uses occurring simultaneously. It is also important to note that limited detail has been provided on how the proposed uses would operate alongside the wider site uses such as the Tea Shack (23/1759/RSP), Microbrewery (18/2489/FUL) and other farm uses. The Technical Note (Helix Transport Consultants dated 22nd April 2025) provides some of the site uses.
- 3.17 Drawn from the submitted documents, the proposed uses are set out in the table below.

<p>Local community and learning</p> <p>Use Classes:</p> <p>F.1(a) Provision of Education</p> <p>F.1(e) Public halls or exhibition halls</p>	<p>Commercial Uses</p> <p>Weddings and Conferences (sui generis)</p> <p>E(d), E(d) Indoor sport, recreation or fitness (not involving motorised vehicles</p>
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F.2(b) Halls or meeting places for the principal use of the local community	or firearms or use as a swimming pool or skating rink)
<p>Use 1: Community and charitable organisations</p> <p>Associated activity: Talks, exhibitions, cultural events, local performances, youth group meetings, specialist interest activities.</p> <p>Frequency: Weekdays between 10 am-4 pm. Occasional weekends and evenings*</p> <p>Travel: Car parking on-site (and over-flow areas) including designated disabled parking. Encouragement of sustainable transport.</p> <p>Note: Reduced rate or free for community groups.</p> <p>*Limited detail on the number of attendees has been provided, although it is indicated that this could be groups of 15-32 participants.</p>	<p>Use 1: Weddings, conferences, other small-scale events.</p> <p>Frequency: 10 events per year*.</p> <p>Operational details: 120 guests (weddings), 140 guests (conferences).</p> <p>Travel: Car parking on-site (and overflow areas). Encouragement of sustainable transport.</p> <p>Note: Commercial events to generate income to maintain the facility and support its community and educational functions.</p> <p>*data related to other small-scale events have not been provided.</p>
<p>Use 2: Primary Schools / Educational facilities</p> <p>Associated activity: Class-based learning, farming workshops including food production, sustainability and the environment. Inclusive for disabilities.</p> <p>Frequency: Weekdays between 10 am-4 pm during school term time*.</p> <p>Travel: School to arrive by coach, 1 coach per day.</p> <p>Note: Activities will be free for schools.</p> <p>*Limited detail on the number of attendees has been provided, although it is indicated that this could be groups of 15-32 participants.</p>	

4 Consultee responses

- 4.1 In total, 3 formal consultations took place for the FUL and LBC. At validation of the applications, the description was updated to more accurately describe the full proposal and consultees and neighbours were consulted for the FUL on 12.02.25. A further consultation took place on 28th March 2025 for 21 days following a change in the red line which widened the access from Denham Way for the FUL and LBC.
- 4.2 Due to the extent of consultee comments, these are contained in full within **Appendix 1**.
- 4.3 Conservation Officer: Objection
- 4.4 Hertfordshire Ecology: Initial objection overcome, no objection.

4.5 Hertfordshire County Council – Highway Authority – , No objection raised, conditions added.

4.6 National Highways – No objection.

4.7 National Amenity Society – No response received.

4.8 Herts County Council Footpath Section – No response received.

4.9 National Grid – No response received.

5 Neighbour consultation

5.1 Site notice (FUL AND LBC): Posted: 12.02.25. Expired: 05.03.25.

5.2 Press notice (FUL AND LBC): Published: 10.02.25. Expired: 07.03.25.

5.3 No. consulted: 90

5.4 No. of responses: 77 in support, 1 objection

5.5 Summary of support responses of material planning considerations (key themes):

- Creation of a community hub which supports education, inclusion and well-being and mental health for all ages and diverse groups of people within a safe environment.
- Educational facility for children and provision of opportunities for children to be involved in outdoor learning and provision of learning opportunities outside the classroom.
- Wheelchair accessible spaces are supported through a collaborative design.
- A facility that would support connection with nature and build awareness on farming and sustainability.
- Preservation of local farming, legal, wildlife and environmental activities.
- Beneficial to the local community.
- The development will enable the activities to run in the colder months of the year and provide a warm space with facilities, e.g. toilets.
- The widening of the access will allow tractors to turn into the site.
- Enhancement of biodiversity opportunities.
- Required bat surveys of the listed barn need to be undertaken to enable the development to progress lawfully.

6 Legislation and Relevant Local and National Planning Policies

6.1 Legislation

6.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

- 6.1.2 S16(2) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 6.1.3 S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 6.1.4 The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- 6.1.5 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.
- 6.1.6 The Environment Act 2021.

6.2 National Planning Policy Framework and National Planning Practice Guidance

- 6.2.1 In December 2024 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.
- 6.2.2 The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

6.3 Three Rivers Local Development Plan

- 6.3.1 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP3, CP1, CP2, CP3, CP6, CP8, CP9, CP10 and CP12.
- 6.3.2 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, DM4, DM6, DM8, DM9, DM10, DM11, DM12, DM13 and Appendix 5.

6.4 Other

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

7 **Analysis**

7.1 Green Belt

- 7.1.1 The National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence.

The NPPF identifies the five purposes of including land in Green Belts as:

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

- 7.1.2 In respect of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF states that when

considering proposals, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

7.1.3 Paragraph 154 of the NPPF sets out that ‘development in the Green Belt is inappropriate unless one of the following exceptions applies’. The following are considered most relevant to the proposed development:

- 154(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- 154h)(iv) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- 154h)(v) material changes in the use of the land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).

7.1.4 In addition, if none of the above are met, paragraph 155 of the NPPF is also relevant as the development, in part, involves commercial development. Paragraph 155 states that development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.*

7.1.5 Before considering if the proposal would meet the requirements of paragraph 155 it is first important to consider if the proposal would constitute grey belt land. The NPPF defines Grey Belt as:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

In terms of footnote 7, the application site contains a designated heritage asset. As set out in more detail in the heritage section below, concerns are raised in respect of the impact of the proposal on the heritage impact which, whilst resulting in a reason for refusing, would not result in a strong reason for refusing or restricting development. However, in order to comply with NPPF Para 155 there would need to be “a demonstrable unmet need for the type of development proposed”. Officers do not consider there is a demonstrable unmet need and therefore the proposal would not comply with NPPF155.

7.1.6 The NPPF defines Previously developed land (PDL) as:

*“Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. **Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape**”*

- 7.1.7 In terms of PDL, when considering this definition, the LPA are of the view that the site does not constitute PDL due to the land being and last occupied by agricultural buildings. This is highlighted in bold above for reference. It is noteworthy that The Black Barn gained temporary planning permission via application 23/1154/FUL for 18 months from 25th October 2023, which has since expired. Condition 1 pursuant to the temporary permission (23/1154/FUL) requires that the temporary uses permanently cease and therefore, the use of the building is considered to have resumed its lawful agricultural use. In this sense, the site is occupied by agricultural buildings. In any instance, the nature of temporary planning permission does not negate the fact that the buildings on the land were last occupied as agricultural buildings. For these reasons, the site does not fall within the scope of being previously developed land.
- 7.1.8 At a local level, Policy CP11 sets out 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. Whilst Policy CP11 pre-dated the NPPF (2012), it reflects the wording of both NPPF 2012 and 2024 and thus can be afforded weight as part of the decision-making process.
- 7.1.9 Policy DM2 of the Development Management Policies LDD (adopted July 2013) relates to development within the Green Belt and within (b) refers to extensions to buildings. DM2(b) states:
- Extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The building's proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account.*
- 7.1.10 Policy DM2 (f) refers to re-use of buildings. DM2(f) states:
- The Council will only support applications for the re-use/conversion of buildings in the Green Belt where:*
- i) the form, bulk and general design of the building is in keeping with the surroundings*
 - ii) any proposal by way of alterations/extensions, parking/turning areas, modifications to access or landscaping does not have a significant adverse effect on the openness of the Green Belt and does not appear excessively prominent*
 - iii) the scale of the proposed use is not likely to have a detrimental effect on the locality (e.g. by noise, smell or bringing heavy traffic into narrow lanes or involving uses not appropriate to the Green Belt or areas of open land)*
 - iv) the building is suitable for reuse/conversion without extensive alteration, rebuilding and or extension*
 - v) proposals do not include open or agricultural land to provide new gardens/amenity space or include doors giving access from buildings directly onto such land.*
- 7.1.11 Policy DM2 was adopted after the publication of the 2012 NPPF, and the Green Belt chapter of the NPPF has not materially changed since the publication of the NPPF, and on that basis DM2 is considered reflective of national Green Belt policy and thus can be given weight.
- 7.1.12 The proposal involves a mixture of works across the application site. These are categorised into sections below.
- 7.1.13 **Extensions:** The extensions consist of the demolition of the concrete shed and replacement with a front and side extension as well as the increase in height of the courtyard wall. When applying paragraph 154(c) of the NPPF, the test in this case is whether the building does not result in disproportionate additions over and above the size of the original building.
- 7.1.14 The existing footprint of the building on the land includes the main barn of the building known as The Black Barn, a courtyard area enclosed by a wall, cart shed and old barn, as well as a concrete

structure. These are all shown on the existing floor plan (drawing number BB/02). These have all appeared to have been in situ for an established period, although it is not clear when these structures were first erected. On review of historical maps, it appears that the cart shed and old barn were removed and replaced during the 1950s. This is drawn from mapping whereby maps labelled as '1950s' do not show the cart sheds; however, these appear to be shown in a map dated 1956. Added to this, the submitted Heritage Statement (Statement of Heritage Significance (HESPR December 2024 and January 2025) refers to the alterations made to the building over time, including the removal and replacement of the cart shed.

7.1.15 The submitted Planning Policy Statement (Wreyland January 2025) refers to the Barn being originally constructed in the 16th century and relocated to its current position in the late 1800s. However, it does not provide a commentary as to which parts of The Black Barn and its associated structures are original in planning terms (existing on 1 July 1948). The Policy statement also concludes that there would be a 5.66% increase in footprint, seemingly considering The Black Barn, cart shed and old barn to all have existed on 1 July 1948. However, when considering the removal and replacement of the cart shed, old barn and the later addition of the concrete barn well after 1948 (added in the late 20th Century) as well as all the available mapping data, on a balance of probabilities, it appears as though the cart shed and old barn were replaced in the 1950s and only The Black Barn can be said to have conclusively existed on 1 July 1948, rendering this part of the building, the only part original in planning terms.

7.1.16 When accounting for this, the following calculations can be applied:

- Original as of 1 July 1948, Black Barn = 148 sqm.
 - 1950s replaced cart shed = 83 sqm
 - 1950s replaced old barn = 60 sqm
 - Late 20th Century concrete shed = 106 sqm
- (Total existing building footprint = 397 sqm, 168% increase)*
- Demolished concrete = - 106 sqm
 - Demolished cart shed = - 83 sqm
 - Proposed extensions = 212 sqm
- (Total proposed building footprint = 420 sqm).*
- **Total cumulative percentage increase over the original building: $420 - 148 = 272$ sqm, equivalent to 184 %.**

7.1.17 In summary, despite these structures having been in situ for an established period, the proposed extensions would add additional built form to an already extended building. When considering the cumulative increase, the proposed development at 184% would result in disproportionate additions over and above the size of the original building, contrary to paragraph 154(c) of the NPPF. Therefore, in principle, it can be contended that the proposed development results in inappropriate development and is, by definition, harmful.

Green Belt – Openness

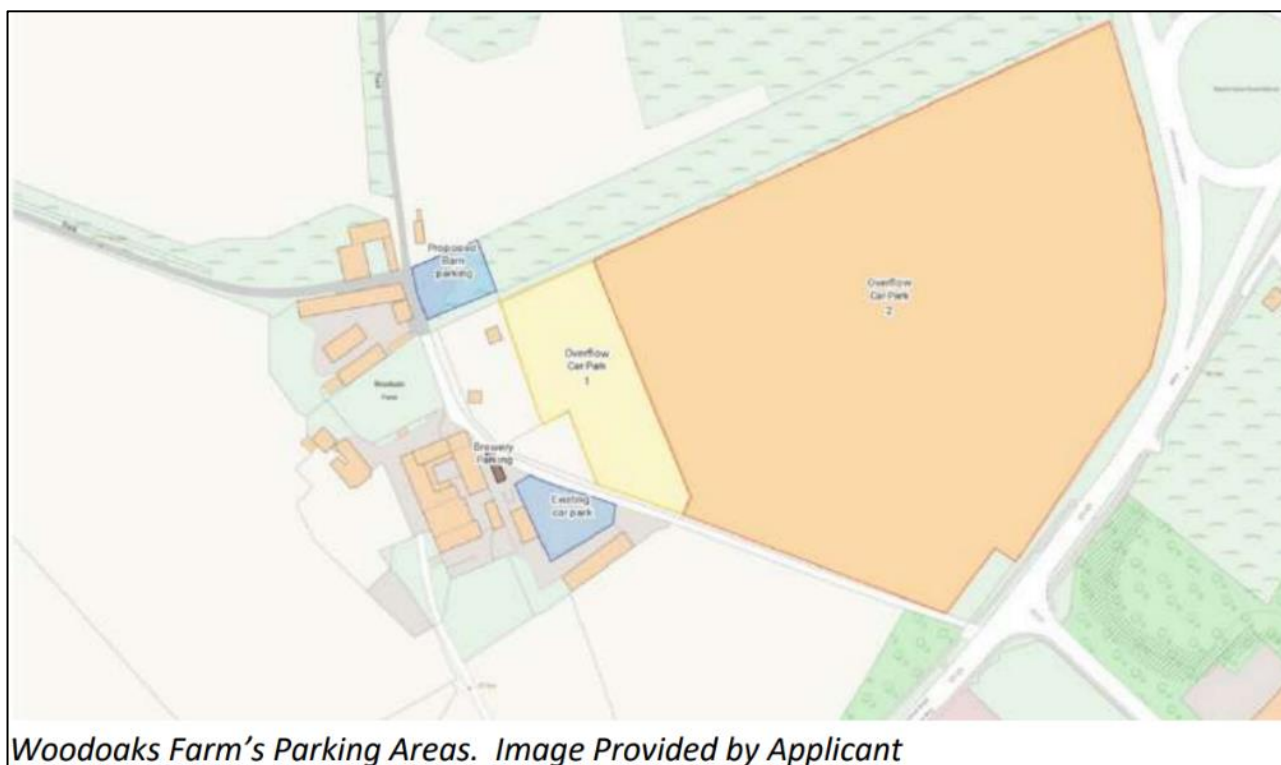
7.1.18 It is also recognised that floor space is not the only indicator and other factors such as volume, design and scale should be considered when determining whether the new extensions would, by virtue of their cumulative impact result in disproportionate additions.

7.1.19 When considering the harm to openness, the Planning Practice Guidance (PPG) sets out that the assessment of a proposal on the openness of the Green Belt requires a judgement based on the circumstances of the case. It states that the courts have identified several matters which may need

to be considered in making this assessment, which include, but are not limited to the spatial and visual aspects of a development and the degree of activity.

- 7.1.20 In terms of spatial assessment, the proposed development would result in a 6% increase in footprint compared with the existing building, which would contribute to the spread of urbanising development. Whilst this would contribute to some spread of built form, this would be closely related to the existing building being only some 3m wider than the existing flank wall of the concrete shed. When considering these factors, the spatial impact of the extensions would be relatively low.
- 7.1.21 In terms of a visual assessment, the proposed extensions would result in an increase in built form, which is higher and wider than the existing concrete and cart sheds. The extension would also expand the built form towards the west, some 3m beyond that of the existing flank wall of the concrete shed and as a result, increase the appearance of horizontal mass. The extensions would also introduce a mixture of different roof formations at varying heights, with the highest being at the eaves level of the main part of the barn. The roof form combination would add interest to the extension, however, it would likely result in this being more noticeable. The design of the extension would also have contemporary features such as the corrugated roof, large extent of glazing to the front and rear and large windows placed within the western elevation. These elements would appear distinctly different to the appearance of the traditional historic barn and as a result, would add to the prominence of the extension. Moreover, the barn and proposed extension would be positioned within a prominent position of the site where the western and northern parts of the site are open and lack visual containment with public footpaths through it. Therefore, the development would have high public visibility. Added to this, by nature of the formalisation and re-surfacing of the footpath, drop-off zone and courtyard, this would increase the noticeability and prominence of the building within its immediate setting. When considering the overall size, extent and design features of the extension, these would exacerbate the perceived mass and prominence of the development, which would make the development appear more visually harmful to the Green Belt. As a result, the proposed extensions cannot be said to preserve the openness of the Green Belt.
- 7.1.22 For these reasons and those raised above, the proposed extensions would result in disproportionate additions over and above the existing building, which would constitute inappropriate development in the Green Belt that would result in actual harm to the openness of the Green Belt. This would be contrary to paragraph 154(c), 154(h)(iv) and 154(h)(v) of the NPPF and Policy DM2 of the Development Management Policies LDD. Any harm to the Green Belt, including harm to openness, is afforded substantial weight.
- 7.1.23 **Uses:** In the case of paragraph 154h)(iv) of the NPPF relating to the re-use of buildings and 154h)(v) referring to the material change in use, the test is the same so far as if the development would preserve openness and do not conflict with the purposes of including land within it (para 7.1.1 above). The proposal seeks to introduce a mixture of different uses, including community, educational and commercial uses. The Black Barn has benefited from an 18-month temporary planning permission (23/1154/FUL) beginning 25th October 2023, which permitted the existing building to be used for mixed community uses. This permission has since expired, with Condition 1 of that permission requiring the temporary uses to have ceased by 25th April 2025. This application seeks to gain full planning permission for the previous temporary uses in addition to new uses such as weddings and conferences. The uses would also intensify above those of the previous temporary permission, owing to the proposed extension, which would increase the availability for additional uses.
- 7.1.24 It is important to note that whilst outside of the red line and not included within this application, there are other existing and established mixed uses across the wider site, all contained within the main hub area of Woodoaks Farm. The proposed uses would therefore intensify the current use of the barn over and above the uses that were given under temporary planning permission and would add to the existing uses across the wider site. This would have a cumulative impact on the Woodoaks wider site. There would be visible signs of intensification of use, though the likely increase of visitors coming to the site, including parked vehicles on the land. These elements relate to the requirements of Policy DM2(f) iii), iv) and v).

- 7.1.25 Whilst some details have been provided on the split between community and commercial uses, the operational detail for each use lacks clarity. It is recognised that as the development is proposed and the uses are evolving, some of the operational details may not yet be fully known. Whilst this is recognised, it is not clear how many people would attend each event/use, and of particular importance, how the proposed uses would operate alongside the wider site uses and cumulatively impact the application site. Therefore, the full extent of the impact of the uses on the Green Belt and whether these would preserve its openness or conflict with its purposes cannot be fully determined. To mitigate this concern, it is suggested that planning conditions be used to place controls over the hours of operation, number of attendees and simultaneous uses. Should the applicant require the operation of uses outside of those conditioned, it would be expected that a full justification comes forward for this within a subsequent application.
- 7.1.26 Notwithstanding this, the Technical Note (Helix Transport Consultants dated 22nd April 2025) submitted during this application sets out that the proposed uses (along with the wider site uses) would be facilitated using an adjacent agricultural field as an overflow parking area for a combined total of 28 days per calendar year (utilising existing permitted development rights for the temporary use of land). The overflow parking areas fall outside of the red line application site and fall within the blue line of the applicant's ownership. These areas would be relied upon to serve the proposed uses and could facilitate parking for more than 300 cars. The overflow spaces are proposed to be used in addition to the existing areas of hard standing, which, according to the Technical Note, would facilitate 48 spaces. The parking spaces across the site would be informal and used on an ad-hoc basis.



- 7.1.27 The overflow car parks shown in the image above would make use of a currently open agricultural parcel of land, which is prominently located towards the east, where there is a lack of visual containment because it comprises an open field. As a result, any level of cars stationed on this land, along with their use and associated activity would be noticeable and would have an impact on the Green Belt through visual intrusion. This would arise from the stationing of vehicles on the land, which is otherwise open and in agricultural use. Added to this, when considering the proposed potential number of vehicles which could utilise this space (more than 300, or up to 600 during certain events as set out within the Technical Note), the level of visual intrusion from the stationed vehicles would be significant. This level of intrusion is not considered to preserve openness and would therefore be considered inappropriate development within the Green Belt and would conflict with the purpose of including land in the Green Belt through failing to safeguard the countryside from

encroachment. It is noted that the level of harm would be mitigated to some extent through the temporary use of the land and pre-existing controls.

- 7.1.28 It is however recognised that this parcel of land would benefit from “permitted development rights” afforded by Schedule 2, Part 4, Class B of the GPDO which permits the temporary use of land for any purpose for not more than 28 days in total in any calendar year (excluding a market and motor car/cycle activities which are restricted to 14 days). Therefore, the proposed number of cars could utilise the land for car parking up to a total of 28 days per calendar year. Moreover, some ad-hoc parking spaces could be facilitated within the red line area of this application site (48 cars). However, these spaces would be required to be shared with the proposed uses as well as the existing uses on the site. Limited detail has been provided on how the proposed uses, which would intensify the use of the site, would be facilitated alongside these uses. Thus, the cumulative and resultant impact on the Green Belt cannot fully be determined. This raises some concerns that there could be a heavy reliance to use overflow parking areas and, resultantly, a more harmful visual impact on the Green Belt. Added to this, the submitted documents allude to the use of other fields across the wider site to facilitate visitors, to which no details have been provided on which fields, frequency of use or how many further vehicles these areas could accommodate. This raises concern that multiple parcels of land may be sought to facilitate visitors, which could further exacerbate the visual intrusion to the Green Belt from stationed vehicles on the land.
- 7.1.29 When considering the likely significant intensification of use of the site brought about by the proposed uses and the reliance on overflow car parking to facilitate these uses, it would be reasonable and necessary to secure that the whole site (blue line) is restricted to a use for car parking to a total of 28 days per calendar year via a planning obligation to ensure that the impact of the development would be acceptable in planning terms (see Heads of Terms at the end of this report). This would mitigate the visual intrusion on the Green Belt by limiting the frequency of occurrence. A condition is also suggested to ensure that on each use the applicant monitors and logs this. Through monitoring of the proposed uses, along with wider site uses, should the applicant require an increased reliance on overflow parking, it would be expected that a full justification comes forward for this within a subsequent application to vary the planning obligation prior to any increased use taking place.
- 7.1.30 The proposed development would constitute disproportionate additions within the Green Belt and would not meet any of the exceptions listed within paragraphs 154 or 155 of the NPPF, thereby constituting inappropriate development in the Green Belt, which by definition, is harmful. The proposal would also result in actual harm to the openness of the Green Belt therefore failing to preserve the openness and would conflict with the purposes of the Green Belt and would be contrary to Policy CP11 of the Core Strategy, Policy DM2 of the DMP LDD and the NPPF.
- 7.1.31 The harm to the Green Belt is afforded substantial weight. Paragraph 153 of the NPPF states that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”. Very special circumstances are considered at the end of this report.
- 7.2 Design of the proposal and impact on the character of the area and the significance of the heritage assets
- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should ‘have regard to the local context and conserve or enhance the character, amenities and quality of an area’ and ‘conserve and enhance natural and heritage assets’.
- 7.2.2 Policy CP6 of the Core Strategy advises that the Council will support development proposals that sustains parts of the District as attractive areas for business location. It also comments that the sustainable growth of the Three Rivers economy will be supported by continuing to focus employment use within key employment areas. Furthermore, the Council will support development that provides a range of small, medium and large business premises.

7.2.3 Policy CP12 of the Core Strategy sets out that development should have 'regard to local context and conserve or enhance the character, amenities and quality of an area'.

7.2.4 The application building is Grade II Listed and known as The Black Barn. Policy DM3 of the Development Management Policies LDD (adopted July 2013) states when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets and to putting heritage assets to viable and appropriate uses to secure their future protection. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment. Also, that the Council will preserve the Districts Listed Buildings and will only support applications where:

- i) The extension/alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting*
- ii) Any change of use would preserve its character as a building of special architectural or historic interest and ensure its continued use/viability.*

7.2.5 Chapter 16 of the NPPF refers to the conserving and enhancing the historic environment. Paragraph 210 states: *"In determining applications, local planning authorities should take account of*

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c. the desirability of new development making a positive contribution to local character and distinctiveness.*

7.2.6 When considering the impact of a proposed development on the significance of a designated heritage asset the NPPF sets out that great weight should be given to the assets conservation. The NPPF additionally supports a prosperous rural economy in paragraphs 88 and 89 which sets out that planning decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship*

7.2.7 Paragraph 212 of the NPPF states:

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

7.2.8 The wider complex contains two Grade II Listed buildings (building immediately North-West of Woodoaks Farmhouse entry 1100877 and barn, approximately 100m to the north of Woodoaks Farmhouse known as The Black Barn entry 1100878). The Black Barn is within the application site and its listing reads as follows:

Barn. Probably C16. Timber frame on brick base. Weatherboarded. Tiled roof. 5 bays. Double doors to centre bay on both sides. Interior: large arched braces from lightly jowled posts to straight tie

beams. Lower king strut roof: triple struts from tie beams to collars to lower purlins clasped by principals. Curved angled queen struts from collars to upper purlins, similarly clasped. Double rows of curved wind braces. Sheds attached to S are not of special interest.

- 7.2.9 No objection is held to the removal of the existing concrete structure. However, the proposed extension would adopt a contrasting appearance and form to that of the existing barn and would appear more contemporary in terms of its style and finish (including glazing). By virtue of this design, the extension would adopt a bulky and convoluted appearance. Due to this, as well as its scale and prominent positioning, it would be readily visible and interrupt views of the existing heritage asset.
- 7.2.10 A Conservation Officer was consulted during this application and raised some key areas of concern, such as the scale and design of the proposal whereby the extensions, given its scale, would compete with The Black Barn and diminish its degree of significance. The Conservation Officer attributes this level of harm to be within the lower half of less than substantial. In qualifying this level of harm, the Conservation Officer describes the existing concrete structure to be “relatively narrow with a dual-pitched roof” and “...is relatively unobtrusive” and raises concern that the width of the proposal would be “incongruous with the existing on-site structures and compared to the existing concrete structure would not appear ancillary to the listed barn”.
- 7.2.11 Officers also express concern that, due to its contrasting appearance coupled with the proposed scale, the extension would not relate well to the host building and would appear somewhat disconnected from the traditional appearance of the barn and surrounding farm-style buildings. Therefore, the extension could look out of place within its immediate setting. From a conservation perspective, the extension would introduce an architecturally competing and distracting element within the immediate setting of the listed barn, inappropriate in scale, form and appearance. As a result, the proposed extension would not preserve or enhance the listed building or its setting. As such, the development in its current form would not comply with Policy DM3, or the NPPF (2024). In accordance with paragraph 212 of the NPPF, great weight is afforded to the level of harm identified. During the application, Officers sought amendments to the scale and design of the extension and whilst some alterations were received, these did not address all the concerns raised.
- 7.2.12 Furthermore, the Conservation Officer has commented that the proposal would include new openings through the historical wall of the cart shed, which would harm the historic fabric. This view has also been taken by the Heritage Consultant, where, in discussing the new openings between the western cart shed and new building on page 53 of the Statement of Heritage Significance (HESPR December 2024 and January 2025) it is stated that “there would be a loss of historic fabric...”. The statement goes on to describe these openings as “necessary”. From a Conservation perspective, the new openings are considered to result in a harmful loss of historic fabric and this harm would be categorised as a lower level of less than substantial harm. It is noted that there may also be further impacts on the heritage asset and its setting from the proposed use, including from the level of activity at the building and in the surrounding fields, as well as from the car parking. However, it is acknowledged that any harm would to some extent be mitigated by the conditions controlling the frequency and nature of the use.
- 7.2.13 When considering the proposed uses, it is recognised that the intensification of use could bring more visitors and secure public benefits which may assist in achieving a prosperous rural economy as outlined in paragraph 88 of the NPPF. As set out within paragraph 215 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The public benefits are explored at the end of this report.

7.3 Impact on Neighbours

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

- 7.3.2 With regards to amenity and pollution, Policy DM9 of the Development Management Policies LDD states that the council will refuse planning permission for development, including changes of uses, which would or could give rise to polluting emissions to land, air and/or water by reason of disturbance, noise, light smell, fumes, vibration liquids, solids or others (Including smoke, soot, ash, dust and grit) unless appropriate mitigation measures can be put in place and be permanently maintained.
- 7.3.3 Policy DM9 states that development will not be permitted where it would have an adverse impact on the acoustic environment of existing or planned development; would have an unacceptable impact on countryside areas of tranquillity; or would be subject to unacceptable noise levels or disturbance from existing noise sources whether irregular or not. Reference is made to Appendix 4 of the Development Management Policies LDD which sets out noise exposure categories for residential development.
- 7.3.4 Paragraph 198 of the NPPF sets out that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
 - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
 - c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- 7.3.5 Overview
- 7.3.6 Given the nature of the proposal, there would be an intensification of use of the site and an increase of visitors which would result in an increased level of noise and disturbance. It is recognised that the lawful use of the building is agricultural, but a number of non-agricultural uses have taken place at the site and within the wider complex for several years. Moreover, the wider site is located immediately opposite other commercial sites, a nearby school and has residential neighbours to the south. It is acknowledged that there is an existing residential building on the wider site known as The Farmhouse. Although located immediately adjacent to a working farm, there would likely be increased disturbance to the occupiers of The Farmhouse as a result of the proposed uses. This disturbance could also be amplified depending on the number of people attending each use and the frequency of each event. Whilst some indication has been provided on the number of people attending each event, some of this is unknown at this stage of the development, and some data lacks detail and consistency.
- 7.3.7 Whilst there would likely be an increase in noise and disturbance, identifying if this would be harmful would be dependent on the operational details of the uses, such as the frequency of use and hours of operation. Notwithstanding this, it is acknowledged that the wider farm complex is large and does lend itself to the absorption of noise and disturbance, such that an increase of activity may not adversely impact surrounding neighbours and other sites.
- 7.3.8 It is noteworthy to add that this planning application seeks to go beyond that of the temporary permission, whereby the extension to the building would enable a greater number of uses to occur and likely an increase in visitor numbers. Furthermore, drawn from the Technical Note (Helix Transport 22 April 2025), it is important to consider that the application site sits within a wider site of established uses, and the uses proposed within this application would be in addition and in combination with those established uses. This would likely significantly intensify the overall use of the wider site, which could result in disturbance to the residential occupiers of the site and those nearby. Whilst there is no known residential disturbance arising from the current uses, as shown within the Technical Note, the use of the overflow parking area indicates the number of visitors which

could occur on the site, that are shown to range from 10 to 1500. Furthermore, as the site is publicly accessible via several footpaths, this number may also increase.

7.3.9 Given the concern raised that there could be an immediate impact on the occupiers of The Farmhouse resulting from increased activity, it is also considered necessary to secure the operational hours for the uses which may mitigate any impact. Should the applicant require the operation of uses outside of conditioned hours, it would be expected that a full justification comes forward for this within a subsequent application to vary the terms of the proposed condition. Furthermore, it would be reasonable and necessary to secure the use of the overflow parking areas to a restricted number of days per year via a Section 106 legal agreement, which would mitigate any harmful impact of large-scale events and associated activity on the immediate occupiers of The Farmhouse and any surrounding nearby neighbours.

7.3.10 Community and Educational Uses

7.3.11 Regarding the proposed community and education uses, these are proposed to be between 10 am – 4 pm on weekdays, with the occasional weekend and evening use. It is not clear how frequent the weekend or evening use would be or for which hours the building would be in use. Group visits would be between 15-32 participants.

7.3.12 Using the building from 10am to 4pm across the weekdays and weekends would generally be considered acceptable, given the nature of the site. However, later into the evenings, which is currently unclear, raises concern that there could be disturbance to the occupiers of The Farmhouse as well as nearby neighbours. Whilst the number of attendees is suggested as up to 32, the Black Barn and the proposed extension would combine to provide a large area, likely to facilitate well in excess of this number. As highlighted above, it is also not clear how the proposed uses could operate alongside or independently of the wider site uses. To ensure the associated activity with community and educational uses is appropriate, it is considered reasonable and necessary to secure the operational hours of use as well as a maximum number of attendees to some larger events/uses. This would mitigate any potential disturbance arising from the associated activity with the uses. A condition is also suggested to restrict some uses occurring simultaneously on the site to prevent cumulative impacts of the proposed development alongside other existing uses.

7.3.13 Commercial Uses

7.3.14 Regarding the proposed commercial uses, these are proposed to be a mixture of weddings and conferences as well as other occasion uses, in addition to some smaller scale uses. A lack of detail has been provided on the nature of each of these uses and how they would operate. Whilst little is known about the smaller-scale commercial uses, the weddings and conferences are proposed to total 10 per year and would have up to 140 guests. It is not clear if these would run on weekdays or weekends. It is also not clear if the weddings and conferences would operate simultaneously as other proposed uses or, other uses across the wider site. This raises some concerns related to the cumulative impact of the development which could arise in noise and disturbance. It is, however, recognised that the site does lend itself to adsorption of noise and activity and that some uses have been established for some time. Whilst this is the existing circumstances, the proposal would likely significantly intensify the use, and some ambiguity remains as to its cumulative operation. Given this ambiguity, it is considered reasonable and necessary to secure the operational hours of use as well as the maximum number of attendees to each event/use. This would mitigate any potential disturbance arising from the associated activity with the uses. A condition is also suggested to restrict some larger scale events/ uses occurring simultaneously on the site to prevent cumulative impacts of the proposed development alongside other existing uses.

7.4 Highways and parking provision

7.4.1 Core Strategy Policy CP10 (adopted October 2011) requires development to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document (adopted July 2013) states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.

- 7.4.2 Paragraph 116 of the NPPF states: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”*
- 7.4.3 Paragraph 118 of the NPPF states: *“All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.”*
- 7.4.4 The site is currently accessed by a single-track road of Denham Way. The red line in this application was amended to widen the front access to enable agricultural vehicles to sufficiently turn into the site. This followed discussions related to the ongoing road works along Denham Way which are outside the scope of this application but are fundamentally changing Denham Way in this location to a dual carriageway road with traffic light controlled junction. No objection is held to widening the access to facilitate the existing site use.
- 7.4.5 In relation to highway safety, the building would be accessed by the existing access track from Denham Way, a classified distributor road with a speed limit of 40 mph. Noting the established mixed uses on the site which utilise this access, it is considered likely acceptable that it could facilitate an increase in trip generation to and from the site generated by the proposed uses. The application is supported by a Transport Statement (Helix January 2025) which has been considered by a Highway Officer who has not objected to the proposal on highway safety grounds. This is largely based on the expected trip generation for the size of the Black Barn and associated structures, equating to a floor space of some 414 sqm. The LPA have no evidence to the contrary and in this regard, the Highway Safety aspect of the proposal is considered acceptable. It is noteworthy that the Transport Plan does not provide significant commentary on the overflow parking or additional trip generation arising from larger-scale events at the site. It is recognised that some larger-scale events would not be wholly facilitated by this application however, there is a lack of clarity and consistency throughout the application to confirm which of the larger-scale events would utilise the black barn and proposed extension. Based on the available information, it is considered likely that the uses may be combined to some degree and these events could generate significant amounts of car movements. As such, it would be reasonable and necessary to ensure that the traffic is managed via a travel plan to monitor any likely highway impacts.
- 7.4.6 In terms of parking, as highlighted above, the submitted Technical Note Site Parking (Helix Transport Consultants dated 22 April 2025) provides an expected reliance on overflow parking area to facilitate the proposed uses, in addition to the wider site uses. Additionally, as uses are evolving and the current level of detail is not clear on the expected number of visitors/uses/events, the level of parking that would be required for each use cannot fully be determined.
- 7.4.7 Appendix 5 of the Development Management Policies LDD states that there should be 1 space per 9 sqm or 1 space per 3 fixed seats plus 3 spaces per 4 staff members for a public hall/paace of assembly. According to the submitted proposed floor plan (BB/30/-02), when measured there would be approximately 262 sqm of useable floor space across the Black Barn, proposed cart shed, proposed extension and old barn (excludes kitchen, walkways, WCs and cupboards). The submitted Planning Policy Statement (Wreyland January 2025) also indicates that there would be 2 full-time staff and an additional 2 full time staff for events and educational programmes (total of 4). This would require 29 spaces plus 3 staff spaces, totalling 32 parking spaces. This number excludes larger scale events such as weddings and conferences. It also excludes the number of parking spaces required for the wider site uses which also utilise the existing car park. When accounting for other uses across the wider site, the cumulative number is considered to likely be significantly higher than this. It is also noteworthy that the numbers are likely to be seasonal with a greater number across the spring and summer months. Given that there is an overall lack of consistency and clarity regarding the number of attendees to the site, it is not possible to accurately determine how the parking would facilitate the existing uses across the wider site, as well as the proposed uses and intensification of use as facilitated by this application.

- 7.4.8 The proposal indicates that 8 new parking spaces would be provided within the drop-off zone with 2 of these spaces being accessible spaces. The submitted Technical Note Site Parking (Helix Transport Consultants, dated 22 April 2025) also indicates that the existing car park, which is located some 100m south of the Black Barn, provides 48 parking spaces (although later within the Technical Note, the capacity is said to be 40 spaces). Based on this, the application site would provide a total of 56 parking spaces (or 48 spaces using the lower figure). Whilst this would provide more than the requirement for a public hall, this excludes the larger-scale events and the cumulative impact of the wider site uses, which also utilise the existing parking areas. An example of this concern is set out within the Technical Note where by a table of activities and number of cars is provided. Using this information, it is evident that the number of cars would exceed the existing parking arrangements on several occasions. Added to this when the existing parking arrangements are exceeded there is a reliance on overflow parking (located on the open agricultural field to the east of the site) to facilitate the uses. Officers expressed concern related to the reliance of overflow parking to accommodate the proposed uses within this application alongside the existing wider site uses, because of the impacts of the overflow parking and because the overflow areas can only be used for up to 28 days in any calendar year.
- 7.4.9 In terms of cycle parking, there would be sufficient space across the site to facilitate a cycle parking area. It is also taken into account that the site has a good degree of connectivity, where it is publicly accessible via footpaths and nearby public transport routes. Notwithstanding, for larger events such as weddings, it is likely that there would be a heavy car reliance.
- 7.4.10 The Highway Officer has provided some commentary on the proposed car parking with acknowledgement of the temporary use of land via permitted development (Sch 2, Part 4, Class B) and raised no objections. Notwithstanding this, the Highway Officer provides cautionary advice in reference to more permanent and additional car parking, which may have the potential for significantly greater levels of traffic and could require more mitigation at the access.
- 7.4.11 Overall it is acknowledged that the site can accommodate parking for the majority of cars visiting on average events, however for larger events there is a reliance on the use of overflow car parking, and this can only lawfully be used for up to 28 days in a calendar year. To ensure that the 28 total calendar days per year are not exceeded given the evolving uses and site intensification, this could be monitored through conditions and secured via a planning obligation. It is further acknowledged that should there be insufficient space on-site for car parking to be accommodated, there are limited opportunities for car parking in the immediate vicinity, such that it is not clear that any demonstrable harm would result. Given the lack of alternative car parking areas outside the site, and the controls to be imposed, it is considered that the lack of car parking would on balance be acceptable.
- 7.5 Mandatory Biodiversity Net Gain
- 7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions.
- 7.5.2 In this case, the applicant has confirmed that the biodiversity gain condition would apply and has provided a BNG assessment and metric on how this would be achieved. The BNG assessment and metric were updated following the red line change to include the widening of the front access. These details set out that there would be a 12.12% increase in on-set habitat units. An Ecology Officer was consulted during this application and concluded that the scheme would meet the required 10% net gain and would be acceptable in this regard. Notwithstanding this, as advised by the Ecology Officer, it is considered necessary and reasonable to secure the BNG net gain by condition through the provision of a Habitat Management and Monitoring Plan, along with a Section 106 monitoring fee with any grant of planning permission.
- 7.6 Wildlife considerations
- 7.6.1 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.

- 7.6.2 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.
- 7.6.3 This application is accommodated by a Ecological Assessment. An Ecology Officer was consulted during this application and initially raised concerns related to the high potential for roosting bats in the Black Barn and requested that three dusk emergence surveys be carried out prior to determination. The applicant's appointed Ecologist subsequently provided the Ecology Officer with further documentation to confirm that the proposed development would not cause disturbance to the Black Barn. Following this, the Ecology Officer provided an updated comment which suggests an informative be added to caution the applicant accordingly. Furthermore, the Ecology Officer has suggested that a Landscape and Ecological Management Plan be submitted by condition. Subject to the inclusion of this condition and informative, no objections are raised.

7.7 S106 Agreement and Heads of Terms

- 7.7.1 Any grant of planning permission would be subject to the completion of a Section 106 Agreement to secure the uses, parking arrangements and a commitment to provide 10% biodiversity net gain.
- 7.7.2 Whilst the biodiversity net gains detailed above would be secured by planning condition, the gains that would be achieved would be significant and the LPA considers it reasonable and necessary that the gains, which are to be achieved on site, be monitored. The LPA is able to secure a fee to cover the costs of monitoring the BNG, and the fee in this instance would be £5546.30. This monitoring fee would be secured by S106.
- 7.7.3 The following Heads of Terms have been drafted in relation to the uses and parking arrangements:
- 7.7.4 Definitions:

The Black Barn means the use of The Black Barn and its associated structures being the Community and Education Hub, Cart Shed and Old Barn in addition to the accessible courtyard catering use for mixed commercial use and community uses indoor sport and recreation, provision of education, public hall, exhibition hall and as a public meeting place (Use Classes E(d), F.1(a), F.1(e), F.2(b)).

Community Use(s) means a use falling within the categories of indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink, provision of education, public hall, exhibition hall and as a public meeting place (Use Classes E(d), F.1(a), F.1(e), F.2(b)) and no other who's use of the Black Barn has been approved in writing by the Local Planning Authority.

Commercial Use(s) means a use falling within the categories of profit-making business purposes within the Black Barn and that has been approved in writing by the Local Planning Authority.

Function means an activity, party, special meal, ceremony, social event, or conference, inclusive of weddings and corporate events, where a formal agreement of commercial or community letting of any part of the Land has been entered into to hold a function of more than 30 persons (including guests/participants/visitors and any persons who organise/host/facilitate and any suppliers who attend or participate in the Function).

Wider site facility means any community, commercial or other use or event taking place outside of the red line but within the blue line of this application as shown on the site location plan.

Overflow parking means any parking on the land identified within the areas identified as 'Overflow Car Park 1' and 'Overflow Car Park 2' in addition to any other land that is used to facilitate any Use(s) or Function(s) on the Land identified within the Blue line.

Current proposed Heads of Terms:

1. Not to use or permit the use of The Black Barn for any purpose other than as:
 - (a) Community Use(s)
 - (b) Commercial Use(s)
2. Not to use or permit the use of the Black Barn after 22.00 hours on any day other than the 10 occasions per calendar year when The Black Barn may be used for a Function.
3. Not to use or permit the use of The Black Barn at any time for dances or discotheques other than the 10 occasions per calendar year when The Black Barn may be used for a Function.
4. Not to use or permit the use of The Black Barn for Functions other than the 10 occasions per year when The Black Barn may be used for a Function.

Function:

1. Not to operate any Function before 06:00 or after 23.30 hours and to require all persons attending a Function to leave the Site by 24:00 hours on the day of the Function.
2. Not to permit more than 160 persons to attend any Function (including any persons who organise/host/facilitate and any suppliers who attend or part take in the Function)
3. Not to permit more than 10 Functions to take place each calendar year
4. Not to operate any Function at the same time as any other Community or Commercial Use on the Land associated with the Black Line (shown within the red line pursuant to this application_.
5. Not to operate, hold or permit any Function at the same time as any other Community Use(s) or Commercial Use(s) on the Land associated with the Black Line (shown within the blue line pursuant to this application_.

Overflow parking

1. Not to operate any parking of any kind on the land shown on plan number XYZ other than the 28 days per calendar year when the Land may be used as overflow parking for uses and functions at The Black Barn and the Wider Site Facility with the exception of agricultural machinery and vehicles associated only with the agricultural use of the wider site facility.
2. The overflow parking areas 1 and 2 as shown on plan number XYZ shall be locked and/or restricted from vehicle access at all times other than for 28 days per calendar year as detailed at 1 above.

Notice Provisions

- 1) Not to hold or permit a Function to be held unless the Council has been given 10 Working Days prior notice of it.
- 2) There shall be no more than one Function on any day.
- 3) To monitor and log every Function, inclusive of date held, hours of operation, number of persons attending, number of any persons who organise/host/facilitate and any suppliers who attend or participate in the Function, parking arrangements inclusive of number of vehicles associated with the Function and location of parking. All Function monitoring and logging will be reported in writing to the Council once per annum, being provided by the calendar year's end (31st December).
- 4) In accordance with Notice Provision 3), the monitoring and logging of every Function shall be made available for inspection by the Local Planning Authority at 2 workings days notice (where working days refers to Mondays-Fridays inclusive and excludes weekends and Bank Holidays).

- 5) To monitor and log every Overflow parking, inclusive of date of use, hours of operation and, parking arrangements, including of number of vehicles. In addition to which uses and/or function that the parking is associated with associated with. All parking monitoring and logging will be reported in writing to the Council once per annum, being provided by the calendar year's end (31st December).
- 6) In accordance with Notice Provision 5), the monitoring and logging of every overflow parking shall be made available for inspection by the Local Planning Authority at 2 workings days notice (where working days refers to Mondays-Fridays inclusive and excludes weekends and Bank Holidays).

7.8 Very Special Circumstances and Public Benefits

- 7.8.1 This report has identified that the proposal would cause adverse impacts, with these being a) inappropriate development within the Green Belt which is harmful by definition, b) less than substantial harm to the heritage asset (at the lower end of the scale) and c) inadequate parking. These adverse impacts must be weighed against other materials considerations within the planning balance to come to an overall conclusion of the proposal's planning acceptability.
- 7.8.2 In accordance with paragraph 153 of the NPPF (2024), any identified harm within the Green Belt is afforded substantial weight and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.8.3 In accordance with paragraph 215 of the NPPF (2024), where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. As set out in paragraph 212 of the NPPF (2024), great weight is given to the assets conservation.
- 7.8.4 Material considerations have been put forward by the applicant within section 7.1 of the Planning Policy Statement (Wreyland January 2025). These include: 1. Substantial public benefits 2. Education Benefits 3. Social and Cultural Contributions 4. Health and Wellbeing 5. Preservation and Enhancement of a Heritage Asset 6. Environmental and Sustainability Credentials 7. Limited Harm to Green Belt Purposes 8. Lack of Alternative sites. When considering the requirements of the NPPF, these considerations are assessed against the identified harms set out within this report. To do so, weight is applied to each of the material considerations within the planning balance is categorised in the following levels:
 1. Limited weight.
 2. Moderate weight.
 3. Significant weight
- 7.8.5 In this case, the material considerations are the following:
- 7.8.6 **Education Benefits:** The applicant sets out that the proposal would create a dedicated space for year-round education activities, enabling schools, disability groups and community organisations to engage with nature, food and farming. **Social and Cultural Benefits:** The applicant sets out that the development would address a lack of community infrastructure in Maple Cross, providing spaces for cultural activities, events and outreach. Also, inclusive of accessibility focused provisions for disadvantaged groups. **Health and Wellbeing:** The applicant sets out that there would be an integration of sustainable farming practices with public engagement to address national challenges and contribute to wider public health objectives. In addition to creating opportunities for people to access the countryside, which supports mental health and physical well-being.
- 7.8.7 Paragraph 88 of NPPF states: Planning policies and decisions should enable:
 - a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;

- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

7.8.8 Policy DM12 relates to community leisure and cultural facilities:

a) Protection

Proposals for the redevelopment or change of use of any premises resulting in the loss of facilities or services that support the local community will only be permitted where the Council is satisfied that:

- i) The existing facility can be satisfactorily relocated within the development; or*
- ii) The use concerned is not economically viable, could be provided by some other means, or it can be demonstrated that there is no longer a demand for the use; or*
- iii) The premises or site cannot readily be used for, or converted to, any other community facility and:*
- iv) The facility or service which will be lost will be adequately supplied or met by an easily accessible existing or new facility in an appropriate alternative location, served by sustainable modes of transport.*

b) Where a use is no longer economically viable, the Council will require supporting information setting out reasons as to why the use is no longer viable and cannot be made viable in the foreseeable future. This may include details of previous use, accounts and marketing information demonstrating that the premises has been marketed for use as a community facility for a reasonable length of time and that no suitable user has been/or is likely to be found.

c) New provision and enhancement

Where development proposals are submitted for new or improved community, leisure or cultural facilities, they should be accessible by sustainable modes of transport.

7.8.9 Paragraph 96 of the NPPF also sets to achieve healthy, inclusive and safe places which promote social interaction and learning opportunities.

7.8.10 The applicant contends that there is a lack of infrastructure for the proposed type of development, although no evidence has been provided to support this. Furthermore, the LPA are not aware of any identified need within the district for a facilitate of this type or size. It is recognised that the proposal would bring about a variety of different commercial and community uses which would be to the benefit of the public when considered as a whole. Added to this, whilst The Black Barn has benefited from temporary planning permission, this has since expired and in accordance with the conditions of the temporary permission, the uses should now have ceased. As such, this planning application would bring about new uses and an identification of uses that do not currently lawfully exist. When considering the proposed range of different uses, which would allow the site to expand and diversify for the benefit of the public, **significant weight** can be afforded to this.

7.8.11 **Environmental and Sustainability:** The applicant sets out that there would be a use of low-carbon materials and renewable energy technologies which align with net-zero carbon objectives. It is recognised that NPPF seeks to take account of the contributions made to low carbon and renewable energy sources. When considering the emphasis on sustainability, and that the use of low carbon measures could be secured by condition, **moderate weight** can be applied to this.

7.8.12 **Lack of Alternative Sites:** The applicant sets out that the site is uniquely suitable for the proposal, and relocating this elsewhere would undermine its purpose. Whilst the special circumstances of this site are recognised, no alternative sites assessment has been provided. However the proposal is assessed on its merits. As such, **limited weight** is afforded to a lack of alternative sites.

7.8.13 The applicant's other categories, including the significance of the heritage asset, harm to the green belt have been addressed within the relevant sections of this report.

7.8.14 **Biodiversity:** Officers express that the proposal would also provide an uplift in biodiversity net gain by 12.2% which would exceed the mandatory 10% requirements. This uplift could also be secured

by condition. Given the emphasis placed on biodiversity within the NPPF as well as Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document in addition to Schedule 7A of the TCPA, **moderate weight** is afforded to this.

- 7.8.15 It is considered that the benefits arising by the scheme would clearly outweigh the identified harms. This would meet the requirements of paragraphs 153 and 215 of the NPPF which requires the harms to be weighed against public benefits and other considerations.
- 7.8.16 In summary, when considering the weight afforded to educational, social, cultural, health and well-being along with biodiversity gains, these provisions would combine to constitute very special circumstances which outweigh the harm to the Green Belt by reason of its inappropriateness and impact on openness. These provisions would also combine to provide public benefits that weigh against the identified heritage harm caused to the setting and fabric of the building. Added to this, the inadequate level of parking by virtue of the intensification of use of the wider site arising from the cumulative impact of the proposed uses in this application along with the existing wider site uses could be managed and mitigated by a legal agreement. As a result, the development, subject to conditions and a legal agreement would be acceptable.

8 Recommendation

- 8.1 That authority is delegated to the Head of Regulatory Services, following the completion of a S106 agreement securing the Heads of Terms set out below (and subject to any minor alterations to those terms as agreed between the Head of Regulatory Services and the Planning Committee Chairman), to grant planning application 25/0154/FUL subject to conditions:

Time

- 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.

Plans

- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: BB/01/03; BB/02; BB/03; BB/04; BB/05; BB/06; BB/07; BB/08; BB/09; BB/10; BB/15; BB/16; BB/17; BB/18; BB/19; BB/20; BB/21; BB/22; BB/30/-02; BB/31/-03; BB/32/-03; BB/40/-01; BB/41; BB/42; BB/43; BB/44/-01; BB/45; BB/46/-01.

Reason: For the avoidance of doubt, and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM3, DM6, DM9 and DM12, DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and the NPPF (2024).

External Materials

- C3 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials (as well as any low carbon and renewable energy measures) shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

Uses

- C4 The Black Barn (and its associated structures, being the Community and Education Hub, Cart Shed and Old Barn in addition to the accessible courtyard as shown on plan numbers BB/40/-01 and BB/32/-03) shall be used only for:

- a) **Community Use(s):** meaning a use falling within the categories of indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink, provision of education, public hall, exhibition hall and as a public meeting place (Use Classes E(d), F.1(a), F.1(e), F.2(b)) and no other who's use of the Black Barn has been approved in writing by the Local Planning Authority.

AND

- b) **Commercial Use(s):** meaning a use falling within the categories of profit-making business purposes within the Black Barn and that has been approved in writing by the Local Planning Authority.

and no other purposes whatsoever (including any other purpose in the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM2 and DM3 Development Management Policies (adopted July 2013).

Hours of operation

- C5 The use of Black Barn (and its associated structures, being the Community and Education Hub, Cart Shed and Old Barn in addition to the accessible courtyard as shown on plan numbers BB/40/-01 and BB/32/-03) and land hereby permitted shall not operate other than between the hours of 06:00 and 22:00.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

Number of Functions per year

- C6 No more than 10 Functions shall be held or permitted to be held within a calendar year at The Black Barn (and its associated structures, being the Community and Education Hub, Cart Shed and Old Barn in addition to the accessible courtyard as shown on plan numbers BB/40/-01 and BB/32/-03) and land hereby permitted where a Function has a number of persons attending exceeding 50 (including any persons who organise/host/facilitate and any suppliers who attend or participate in the Function).

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM2, DM3, DM9 of the Development Management Policies (adopted July 2013) and the NPPF (2024).

Number of attendees to Functions

- C7 No more than 160 persons shall attend any Function (including any persons who organise/host/facilitate and any suppliers who attend or participate in the Function) at The Black Barn (and its associated structures, being the Community and Education Hub, Cart Shed and Old Barn in addition to the accessible courtyard as shown on plan numbers BB/40/-01 and BB/32/-03) and land hereby permitted.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM2, DM3, DM9 of the Development Management Policies (adopted July 2013) and the NPPF (2024).

Hours of operation of Functions

- C8 Notwithstanding the provisions Condition 5 The use of Black Barn (and its associated structures, being the Community and Education Hub, Cart Shed and Old Barn in addition to the accessible courtyard as

shown on plan numbers BB/40/-01 and BB/32/-03) and land hereby permitted shall not operate other than between the hours of 06:00 and 23:30 and all persons attending the Function are required to leave the site by 24:00 on the day of the Function.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2024).

One function per day

- C9 There shall be no more than one Function per day where the number of persons attending the Function (including any persons who organise/host/facilitate and any suppliers who attend or participate in the Function) exceeds 50.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM2, DM3, DM9 of the Development Management Policies (adopted July 2013) and the NPPF (2024).

No simultaneous functions

- C10 Any Function occurring within the application site shall not take place or be permitted to take place simultaneously on the same day as any other event, function or activity taking place (with the exception of agricultural activities) on the wider site (as identified within the blue line on plan number xxx) where the number of persons (including any persons who organise/host/facilitate and any suppliers who attend or participate in the Function) attending is more than 50.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM2, DM3, DM9 of the Development Management Policies (adopted July 2013) and the NPPF (2024).

Temporary structures

- C11 Notwithstanding the provisions of the Section 55(1) of the Town and Country Planning (1990), no structures / hard surfacing or storage of any kind shall be erected / constructed / placed / stored within the application site at any time inclusive of the Outdoor Area as shown on plan number BB/30/-02.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site and neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2, DM3, DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2024).

Outdoor area

- C12 The Outdoor Area, as shown on plan number BB/30/-02 shall only be used for purposes ancillary to the approved uses set out within Conditions 2, 4 and 6, and no other use whatsoever.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM2, DM3, DM9 of the Development Management Policies (adopted July 2013) and the NPPF (2024).

Monitoring and Logging

- C13 In accordance with Conditions 2, 4 and 6, every Function shall be monitored and logged through the keeping of records. Function records shall include of date held, hours of operation, number of persons attending, number of any persons who organise/host/facilitate and any suppliers who attend or

participate in the Function, parking arrangements inclusive of number of vehicles associated with the Function and location of parking. All Function monitoring and logging shall be available for inspection by the Local Planning Authority at 2 workings days' notice.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM2, DM3, DM9 of the Development Management Policies (adopted July 2013) and the NPPF (2024).

C14 Habitat Management and Monitoring Plan

No development shall take place (except demolition and site clearance) until a Habitat Management and Monitoring Plan ("the HMMP"), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) A non-technical summary;
- b) The roles and responsibilities of the people or organisation(s) delivering the soft landscaping scheme;
- c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The management and maintenance of the habitat shall take place in accordance with the approved details.

Reason: This is a pre-commencement condition to ensure the development delivers a Biodiversity Net Gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, Policy DM6 of the Development Management Policies LDD (adopted July 2013) and the Environment Act 2021.

C15 The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Gain Plan report Woodoaks_BNG_001 dated March 2025 Net Gain Report.

Reason: This is to ensure that the biodiversity and ecological information submitted with the planning application is realised through the Biodiversity Gain Plan, in the interests of local biodiversity and to ensure biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C16 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

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 before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on

the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area 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).

C17 Vehicular Access

The development hereby permitted shall not be first brought into use until the vehicular access point from the A412 has been laid out and constructed in accordance with details to be firstly submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority as indicated on drawing Link Engineering Plan Drawing name: Proposed Access Arrangement Rev P09 Project LM3049 and Plan number BB/01/03. The access shall be thereafter maintained in accordance with approved details and specifications.

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

C18 Travel Plan Statement

Prior to the first occupation of the development hereby permitted a 'Green Travel Plan' with the objectives of reducing journeys to and from the site by private car shall be submitted to and approved by the Local Planning Authority. This approved Green Travel Plan shall be implemented on first occupation of the building. An updated Green Travel Plan shall be submitted to the Local Planning Authority for written approval on the anniversary of the 1st year of occupation. The updated Green Travel Plan shall be implemented following its written approval.

Reason: To promote sustainable modes of transport and to meet the requirements of Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C19 – Cycle Parking

Prior to the first use of the development hereby permitted, details including plans and specifications of cycle parking facilities (including location, number and appearance) shall be submitted to and approved in writing by the local planning authority. The facilities shall thereafter be installed in accordance with the approved details prior to the first use of the development hereby permitted and permanently maintained as such thereafter.

Reason: To promote sustainable modes of transport and to meet the requirements of Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

8.2 25/0154/FUL 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 and be accompanied by a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 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) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable,

even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{b (a)} Making a Non-Material Amendment

{b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

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. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 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.
- 13 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 and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and

- b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun (Phase Plans).

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>. Add informative for highway safety advisory group for traffic management.

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

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

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

or an appropriately qualified and experienced ecologist.

(As an alternative to proceeding with caution, the applicant may wish to commission an ecological consultant before works start to determine whether or not bats are present).

- 16 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer->

information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

- 17 Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx
- 18 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047
- 19 Large events: For those large events occurring under permitted development rights i.e. facilitated through uplift of (temporary) car parking and beyond levels accepted within this application, the applicant are directed to liaise with the areas Safety Advisory Group. The aim of the Safety Advisory Group is to look at any events happening in the Three Rivers area, and provide advice and guidance to enable those responsible for organising events to run them safely and successfully. This may include requirements for Traffic Management to facilitate the large numbers of potential vehicles attending. The Watford and Three Rivers Safety Advisory Group (SAG) is made up of a cross-section of agencies, particularly Watford Borough Council and Three Rivers District Council, Hertfordshire Constabulary, Hertfordshire Fire and Rescue Service, East of England Ambulance Service and Hertfordshire Highways. Details in respect of Safety Advisory Group may be found here <https://www.threerivers.gov.uk/services/community-and-living/watford-three-rivers-safety-advisory-group>
- 110 To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped. In order to protect breeding birds, their nests, eggs and young, demolition or vegetation clearance should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed

8.2 That **LISTED BUILDING CONSENT APPLICATION 25/0155/LBC BE GRANTED** subject to the following conditions:

Time

- 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.

External Materials

- C2 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 25/0155/LBC Informatives

11 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 which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 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) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

Making a Non-Material Amendment

Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

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. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- 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 Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent 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 reminded that the development subject of this grant of listed building consent must be carried out in accordance with the submitted documents including BB/01/03; BB/02; BB/03; BB/04; BB/05; BB/06; BB/07; BB/08; BB/09; BB/10; BB/15; BB/16; BB/17; BB/18; BB/19; BB/20; BB/21; BB/22; BB/30/-02; BB/31/-03; BB/32/-03; BB/40/-01; BB/41; BB/42; BB/43; BB/44/-01; BB/45; BB/46/-01