

PART I - DELEGATED

8. **22/1329/FUL - Demolition of existing garage building and construction of activity hub building, alterations to communal accommodation including alterations to existing conservatory and internal alterations and associated landscaping at CLUBHOUSE, CEDARS VILLAGE, DOG KENNEL LANE, CHORLEYWOOD, HERTFORDSHIRE**

22/1311/LBC - Listed Building Consent: Demolition of existing garage building and construction of activity hub building, alterations to communal accommodation including alterations to existing conservatory and internal alterations and associated landscaping at CLUBHOUSE, CEDARS VILLAGE, DOG KENNEL LANE, CHORLEYWOOD, HERTFORDSHIRE (DCES)

Parish: Chorleywood Parish Council Ward: Chorleywood North & Sarratt
Expiry of Statutory Period: 19.09.2022 Case Officer: Tom Norris
(Extension of time agreed to 30.03.2023)

Recommendation: That Planning Permission and Listed Building Consent be GRANTED

Reason for consideration by the Committee: Called to Committee by Chorleywood Parish Council unless Officers are minded to refuse for the reasons set out at 4.1.1 below.

1 Relevant Planning History

- 1.1 22/1323/FUL - Demolition of existing garages and construction of 7no. new retirement village units (use class C2) in the form of bungalows with roof accommodation in addition to a new building to provide a laundry and maintenance store and conversion of an existing garage to serve as a maintenance store and associated parking – Refused – 26.01.2023
- 1.2 10/2237/FUL - Erection of 2 elderly persons dwellings and associated site works - 12.01.2011 – Withdrawn
- 1.3 09/1828/FUL - Site 1 - Erection of two elderly persons dwellings and associated site works - 07.06.2010 – Permitted (not implemented)
- 1.4 09/1843/FUL - Site 2 - Erection of three elderly persons dwellings and associated site works - 26.02.2010 - Refused, Appeal allowed (implemented) 3 Dwellings
- 1.5 06/1284/FUL - Internal alterations to allow conversion of 2 flats into a single residential unit - 20.10.2006 – Permitted
- 1.6 98/0095 - Erection of 3 bungalows - 10.03.1998 – Withdrawn
- 1.7 94/135/8LB - Retirement development - comprising residential units alterations to Listed Building and ancillary work - 04.07.1994 – Permitted 152 Dwellings
- 1.8 8/557/90 - Health Care Development comprising 124 residential units with alterations and renovations to the listed building alongside ancillary work and staff accommodation 124 Dwellings
- 1.9 8/498/90LB - Demolition of part and conversion to 13 No. elderly persons apartments and communal facilities - 24.06.1991 – Permitted 13 Dwellings
- 1.10 8/600/74 - 3 Staff Flats - 05.01.1975 – Withdrawn
- 1.11 8/105/74 - Six staff flats to be formed in a new two storey building - 23.04.1974 – Withdrawn

2 Description of Application Site

- 2.1 Cedars Village is located within Chorleywood, off Dog Kennel Lane and in close proximity to the M25 motorway. The site is located to the west of Chorleywood Common which consists of an expanse of common land with grass and wooded areas. The site is situated within the Chorleywood Common Conservation Area and the grounds of the site contains a Grade II Listed Mansion House known as The Cedars, formerly Chorleywood College, constructed in 1865 for J.S. Gilliatt (list entry no. 1100860). The “village” is a gated residential complex which is approximately 22 acres in area and comprises residential uses including apartments and detached bungalows set within the grounds.

3 Description of Proposed Development

- 3.1 Planning permission and Listed Building Consent is sought for demolition of existing building and construction of replacement activity hub building, alterations to communal accommodation including alterations to existing conservatory and internal alterations and associated landscaping.
- 3.2 An existing building forward of the mansion is proposed to be demolished and a replacement building constructed in place which would be used as a resident activity hub. This building would assume the same position and a similar scale to that of the building to be demolished. The building would have a width of 17.6m, a depth of 7.8m and would have a gabled roof form with an eaves height of 3.3m and an overall height of 5.4m. The building would contain three sets of doors within its front and rear elevations and rooflights within its rear elevation. The original proposal included a “glazed link” building, linking the proposed building to the mansion. During the application, following discussions with the applicant, the “glazed link” building was omitted from the proposal and the plans and application descriptions were amended accordingly.
- 3.3 The proposal involves the installation of an internal glazed box within the existing conservatory building which attaches the flank of the mansion. The glazed box structure would have a width of 3.6m, a depth of 4.6m and would have a height of 3.4m.
- 3.4 The proposal also involves internal refurbishment works to the mansion house. These scope of works are listed in detail at 3.3 within the Heritage Statement. These works include repair works, internal reconfiguration works, installation of secondary glazing behind existing window openings and removal of modern fixtures. As set out above, the works to construct a link building between the mansion house and the new activity hub have been removed from the proposals. The proposals also includes external landscaping works, also described in full within the Heritage Statement.

4 Consultation

4.1 Statutory Consultation

4.1.1 Chorleywood Parish Council: Objection

The committee raised objection to the proposal on the following grounds and request the Application is called in unless it is minded to be refused.

The proposed games room is contrived and an incongruous addition to the listed building, the link coupled with the built form and its positioning is entirely inappropriate and it would detract from the architectural and historic interest of the listed building.

4.1.2 Conservation Officer:

Comments of 16/09/2022

This application is for the demolition of existing garages and alterations to communal accommodation comprising a link building including proposed alterations to existing conservatory and internal alterations and associated landscaping.

The Cedars, formerly Chorleywood College now part of Cedars Village is a Grade II listed country house, constructed in 1865 for J.S. Gilliatt (list entry no. 1100860). Cedars Village also forms part of the Chorleywood Conservation Area.

This application follows pre-application advice (21/2814/PREAPP)

Link extension

The demolition and replacement of the existing outbuilding to the front would not raise an objection. However, as highlighted within pre-application advice, the proposal to link the outbuilding to the principal elevation of the listed building would not be supported.

The front façade remains relatively unaltered (other than the rebuilt projecting bay constructed to accommodate the billiards table) which enhances our experience and allows for continued appreciation of the building's historic appearance and intended architectural design. The proposed link extension would fundamentally alter the appearance of the principal elevation and undermine the building's hierarchy by connecting an outbuilding to the front elevation. As per previous advice the front extension would compound concerns regarding the sprawling footprint of the property. The existing modern extensions are located to the rear (northeast) of the listed building, and whilst large, do not impact the principal elevation. The existing detached garage is not a positive addition to the front of the listed building and a larger structure with link extension would not preserve or enhance the listed building's significance.

The replacement outbuilding would occupy a larger footprint and would be located closer to the listed building than the existing, the outbuilding would appear visually intrusive to the front of the building, which would be exacerbated by the link extension. In addition, pre-application advice stated that some harm could potentially be mitigated through a lightweight glazed link. However, the proposed link has a thick frame and fascia, exacerbating the visual impact of the extension. Notwithstanding design concerns, a front link extension would be harmful in principle, and it would be challenging to mitigate the harm due to the location and prominence.

The link structure does not appear to provide any functional use that is fundamental to preserving the optimum viable use of the listed building. Given the proposed hall would have a multipurpose use and not intrinsically linked to the wellness centre within the main building other than providing a covered walkway, the link structure would not be essential to the usability of the internal space or continued use of the building. I concur with the conclusion within heritage statement that the link structure would result in 'less than substantial' harm to the significance of the listed building and no clear and convincing justification has been provided (paragraph 200 of the NPPF).

Repairs and internal works

Pre-application advice raised concerns regarding the loss of wall in the existing kitchen which have since been addressed which is positive. However, there were concerns regarding the quantity of openings required for the proposed toilets. It was discussed on site that this aspect would be amended prior to full application, however, no revisions have been made. Secondary glazing was discussed at pre-application, the acceptability of which would be dependent on the detailing. The detail submitted as part of this application is insufficient with only typical section drawings of sash windows with secondary glazing submitted. It was noted on site, in follow up pre-application meeting and in written advice that there are concerns regarding the feasibility of secondary glazing due to the internal panelling and shutters as well as the narrow interior reveal. The submitted information does not provide any clarity on how the secondary glazing would be installed within the narrow reveals without negatively impacting the internal panelling and function of the shutters. A

more bespoke approach would be required. Furthermore, it should be noted that the secondary glazing would be a permanent fixture and the extent of damage to the shutters and panelling through fixings is unknown as the details provided are typical and not specific to each window. Reversibility cannot be considered to justify any harm that may arise from these works.

Conservatory

It was established at pre-application that there may be scope to construct a glazed box within the conservatory, the acceptability of which would be entirely dependent on the details. Additional information would still be required to fully understand the impact of the proposed glazed box. Further information relating to the following would be necessary:

- Section drawings/ large scale details of the rail and door gear, glass louvres and pivot door
- Details of how the glazed box would be affixed to the timber door frame and floor
- Details of the retractable solar shade
- Details of the sliding door and safety decals

Even if the above information was considered acceptable, there are strong concerns regarding the proposed MHVP and Air Source Heat Pump which would be installed to the south of the conservatory. Such works would have a significant impact on the setting of the listed building. The MVHR and ASHP would be located within a green box measuring 1.6m x 2m x 0.5m. The area is currently open and allows uninterrupted views of the conservatory. There are concerns due to the incongruity of the green box and associated landscaping within proximity to the listed building, it would appear visually intrusive and overly modern within the listed building's immediate setting. Such works were not highlighted or discussed at pre-application. Furthermore, it was noted at pre-application that the glazed box would be reversible. However, the proposed floor grilles concealed by fixed seating would result in a permanent change to the appearance and finish of the conservatory internally. I acknowledge that ventilation grilles are not uncommon in glass houses or conservatories. However, there are concerns regarding the cumulative impact of the works required to facilitate the glazed box within the conservatory. Free standing furniture would be acceptable.

Ventilation

It was noted within pre-application information that the requirement for additional ventilation in the most sensitive rooms would be dependent on the acceptability of secondary glazing, which has not yet been established. Furthermore, pre-application advice noted that the details would be fundamental to fully understand the impact on the listed building. From the information submitted it appears that the proposed ventilation system routes would be run at basement level and protrude through to the ground floor. The details regarding the proposed ventilation are limited and it is clear from the mechanical floor plans that such works would result in the loss of some historic fabric, the extent of fabric loss has not been fully discussed within the heritage statement and the works have not been fully justified. Replacing sound historic fabric on a like-for-like basis would undermine the special interest of the listed building and not amount to clear and convincing justification. Given there are still concerns regarding ventilation within the proposed library and support hub as well as the secondary glazing the most sympathetic option would be to omit both aspects from the scheme.

Curtilage listed Lodge

The works proposed to the curtilage listed lodge have not been adequately shown within the submitted information. It is agreed that the significance of the lodge largely derives from its historic associative and functional relationship with The Cedars. The removal of a chimney stack raises concerns as this could result in the loss of a characteristic feature,

impact planform and have an adverse structural impact. The extent of the proposed works is unknown, but the unnecessary loss of fabric should be avoided.

The proposals would fail to preserve the special interest of the listed building, contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regard to the NPPF paragraph 199, 200 and 202 (less than substantial harm) would be relevant.

Comments of 06/03/2023

This is the second consultation within this application. Further information has been submitted to address previous comments.

Glazed Box / Ventilation System

The proposed method of ventilating the glazed box is considered acceptable, floor grilles are a typical feature within conservatory structure and will be covered by furniture. The grilles can be removed, and tiles re-laid were the glazed box removed. This aspect of the scheme would therefore be fully reversible.

Safety Stickers

It is understood that these are a requirement for health and safety. The design of the proposed safety stickers has been amended to appear as discrete as possible. There are no further outstanding concerns relating to this aspect.

ASHP

The proposed ASHP would be low level and would sit below the 1m high hedge that surrounds it. The proposed planting would minimise the visual impact of the ASHP. Full landscape details can be secured through a condition.

Underpinning

There would be no in principle objection to the localised underpinning. It is agreed that the structural survey secured through condition would be sufficient to ensure that the proposed works would not result in harm to the listed building.

Ventilation System in Furniture

The additional information provided demonstrates the design and appearance of the ventilation within the bespoke joinery. The details of which are considered acceptable. It is understood the principles set out in the additional information will apply to any bespoke joinery in the hub. The furniture would be freestanding item that does not fix back to walls or floor.

Secondary Glazing

Manufacture has not been selected and therefore full details regarding colour cannot be provided. Detailed drawings have been submitted to show that the secondary glazing can be fitted within the existing reveals and does not adversely impact the functionality of the shutters. Therefore, it is agreed that a condition relating to the colour of the frames would be sufficient to address outstanding concerns.

Were permission granted, the following conditions are recommended:

- No excavation to the conservatory floor or surrounds shall be undertaken until a comprehensive structural report has been submitted to and agreed in writing by the Local Planning Authority. All structural works agreed shall be carried out in accordance with the specification of works and method statement set out within the approved structural report.
- The colour of the secondary glazing frames shall be submitted to and approved in writing to the Local Planning Authority prior to their installation on site
- Details of all hard and soft-landscaping and boundary treatments must be approved in writing by the local planning authority prior to the commencement of any landscaping works.

4.1.3 Landscape Officer: [No response received]

4.1.4 Hertfordshire Ecology: [No response received]

4.1.5 Herts & Middlesex Wildlife Trust: [No response received]

4.1.6 HCC Footpath Section: [No response received]

4.1.7 National Grid: [No response received]

4.2 Public/Neighbour Consultation

4.2.1 Neighbours consulted: 80

4.2.2 Site notices posted: 03.08.2022, expiry date: 24.08.2022

4.2.3 Press notices published 12.08.2022, expiry date 03.09.2022.

4.2.4 Responses received: 13 (13 Objections)

4.2.5 Summary of responses

- Questions regarding alleged inefficiency of current facilities.
- Concerns regarding reference to the area being a care facility when in fact it is a retirement village.
- Plans do not improve efficiency of current services offered.
- Concern regarding facilities such as dining room being made smaller.
- Concerns regarding modern fixings to the heritage of the clubhouse
- Concerns regarding the glazed link having a detrimental impact on the building.
- No concerns in principle with the proposed glazed box within the conservatory provided it does not impact heritage of the mansion.
- Some plans show limited information of the building's heritage.
- Confusion regarding proposal for bus stop.
- Concerns regarding trip hazards.
- Inadequate public consultation (between applicant and residents).
- Concerns regarding facilities being open to public.
- Concerns regarding parking.
- Various objections in relation to 22/1323/FUL (separate application for another development which has been refused)

4.2.6 **Officer comment:** The proposal for the "glazed link" between the mansion house and building, which is to be rebuilt, has been omitted from the proposed development and the description of development for both applications has been updated accordingly.

5 Reason for Delay

5.1 Negotiations with applicant over further information.

6 Relevant Planning Policy, Guidance and Legislation

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 S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.1.3 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.
- 6.1.4 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.

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

- 6.2.1 In July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 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).

The Three Rivers Local Development Plan

- 6.2.3 The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.
- 6.2.4 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 CP1, CP9, CP10 and CP12.
- 6.2.5 The Development Management Policies Local Development Document (DMLDD) 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 DM3, DM6, DM9, DM13 and Appendix 5.
- 6.2.6 Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020). Relevant policies include Policy 2.

6.3 Other

- 6.3.1 The Chorleywood Common Conservation Area Appraisal (adopted February 2010)
- 6.3.2 The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

7 Planning Analysis

- 7.1 Impact on the character and appearance of the area and on heritage assets (Conservation Area & Listed Building)
 - 7.1.1 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 relates to design and states that in seeking a high standard of design, the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.
 - 7.1.2 The application site is located within the Chorleywood Common Conservation Area and within the former grounds of *The Cedars*, formerly Chorleywood College now part of Cedars Village is a Grade II listed country house, constructed in 1865 for J.S. Gilliatt (list entry no. 1100860). In relation to development proposals in Conservation Areas, Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the area. Furthermore it states that development should not harm important views into, out or within the Conservation Area.
 - 7.1.3 The Chorleywood Neighbourhood Plan is also relevant. Policy 1 relates to 'Development within Conservation Areas' and requires that development proposals should preserve or enhance the character or appearance of the Conservation Area and use materials that area appropriate. Policy 2 relates to the characteristics of development and requires all developments to demonstrate how they are in keeping.
 - 7.1.4 The proposed activity hub would involve the demolition of an existing detached garage building. In addition to the above written comments, the Conservation Officer confirmed that the loss of this building, given its relatively modern construction, was not contentious. The proposed building would be of a relatively similar scale and largely identical in terms of its position and proximity to the mansion. It is measured that the building would be some 0.4m closer to the mansion however it is not considered that this would amount to harm relative to the existing situation. Furthermore, by virtue of its design and scale, it is not considered that the proposed activity hub building would impact the setting of the Listed Building relative to the existing situation. It is also considered that the proposed building would preserve the character and appearance of the Conservation Area. As set out in the description of development section of this report, the proposal is acceptable following the omission of the "glazed link" which connected the activity hub to the mansion. It is considered appropriate to include a condition on any permission granted for material samples of the proposed activity hub building.
 - 7.1.5 The proposal would involve the installation of a glazed box which would sit internally within the existing Conservatory building. The Conservation Officer confirmed that the level of detail provided in follow-up submissions during the course of the application was sufficient to deem the installation of the structure as acceptable in terms of its impact upon the Listed Building. In addition to a condition regarding final finish materials, the Conservation Officer recommended a condition relating to a structural report prior to any localised underpinning taking place to install the structure. The proposed glazed box would be obliquely visible from the exterior however it is not considered to result in harm to the character and appearance of the Conservation Area.
 - 7.1.6 The proposal also involves internal refurbishment works to the mansion house. These scope of works are listed in detail at 3.3 within the Heritage Statement. As set out above, the works to construct a link building between the mansion house and the new activity hub

have been removed from the proposals. Following receipt of further information during the course of the application, the Conservation Officer confirmed that the internal refurbishment works to the mansion were acceptable in terms of their impact upon the Heritage Asset.

7.1.7 In summary, it is not considered that the proposed development would result in an adverse impact on the character or appearance of the Conservation Area or Heritage Assets and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policy DM1 and Appendix 2 of the Development Management Policies document and Policy 2 of the Chorleywood Neighbourhood Development Plan (Referendum Version) (2020).

7.2 Impact on amenity of neighbours

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

7.2.2 The existing garage building would be demolished and replaced with a new activity hub building of a largely identical scale. It is not considered that this would result in harm to any neighbour or resident by virtue of a loss of light or overbearing impact. Furthermore, it is not considered that the proposed development in this regard would result in overlooking. It is not considered that the proposed use of the building would result in harm to any neighbours or residents.

7.2.3 The remainder of the proposed works, other than landscaping which is not considered to cause any harm to neighbours, would be confined internal works to the mansion. It is not considered that any of these works would impact neighbours. It is acknowledged that some of the comments state various preferences or critiques of the proposed internal rearrangements however this is not a material planning consideration.

7.2.4 The proposed development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.3 Highways & Parking

7.3.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.

7.3.2 The proposed development would result in a net loss of 6 parking spaces. The proposed development would be a facility which would form part of the main communal facilities, which are currently largely contained within the mansion and are used by existing residents. The proposed development would therefore not give rise to the demand for additional parking in its own right and would be considered on its own merit. The proposed use would not give rise to additional residents or visitors to the site resulting in the requirement for additional parking. On balance, the loss of 6 garage spaces to facilitate the proposed development would not have a harmful impact upon the parking provision within the site to justify refusal of planning permission.

7.3.3 The proposed development is therefore contrary to Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

7.4 Trees & Landscape

- 7.4.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.
- 7.4.2 The application site is within the Chorleywood Common Conservation Area and an area Tree Preservation Order (TPO 013) covers the whole location. Three individual trees also make up TPO 591 on the north-eastern boundary of the site.
- 7.4.3 The application was accompanied by a tree survey and impact assessment however it is acknowledged that the report largely relates to a refused application for a separate development at the site (22/1323/FUL). Given the nature of this proposal, it is not considered that the development would result in any direct impact to trees. The application is accompanied by a tree protection plan and any permission granted will be conditioned to be carried out in accordance with this.
- 7.4.4 In summary, the proposed development is acceptable in accordance with Policy CP12 of the Core Strategy (2011) and Policy DM6 of the Development Management Policies LDD (2013).
- 7.5 Flooding & Drainage
- 7.5.1 Policy CP1 of the Core Strategy (adopted October 2011) recognises that taking into account the need to (b) avoid development in areas at risk of flooding will contribute towards the sustainability of the District. Policy CP12 of the Core Strategy (adopted October 2011) also acknowledges that the Council will expect development proposals to build resilience into a site's design taking into account climate change, for example through flood resistant design.
- 7.5.2 Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD (adopted July 2013) advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply.
- 7.5.3 In the absence of comments from the LLFA, the LPA has instructed a drainage consultant to review the submitted details and provide advice regarding their acceptability or otherwise.
- 7.5.4 The application was accompanied by a Flood Risk Assessment report, and appendices, prepared by Mason Navarro Pledge. The drainage consultant commented principally on previous application 22/1323/FUL, which included the same supporting drainage information, and stated of the activity hub which forms part of these current applications that there would be no increase in impermeable area hence no change in runoff. It is considered therefore that the proposed development is acceptable in this regard.
- 7.5.5 In summary, the proposed development is acceptable in this regard in accordance with Policy CP1 of the Core Strategy (2011) and Policy DM8 of the Development Management Policies LDD (2013).
- 7.6 Biodiversity
- 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 The application was accompanied by an Ecological Report however it is again acknowledged that the report largely relates to a refused application for a separate development at the site (22/1323/FUL). Hertfordshire Ecology were consulted on this application and confirmed that the proposed development was acceptable in this regard.
- 7.6.4 In summary, subject to conditions, the proposed development is acceptable in accordance with Policy CP9 of the Core Strategy (adopted 2011) and Policy DM6 of the Development Management Policies document (adopted 2013).

8 Recommendation

That **PLANNING APPLICATION 22/1329/FUL BE GRANTED** subject to the following conditions:

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

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

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

0710313-HLEA-XX-00-GA-M-100301 P2, 0710313-HLEA-XX-01-GA-M-100302 P1, 0710313-HLEA-XX-01-GA-M-100303 P2, 0710313-HLEA-XX-01-GA-M-100304 P1, 0710313-HLEA-XX-01-GA-M-100305 P1, 0710313-HLEA-XX-B1-GA-M-100300 P1, 0710313-HLEA-XX-XX-GA-E-700000 P1, 0710313-HLEA-XX-XX-GA-E-700005 P2, 0710313-HLEA-XX-XX-GA-E-700006 P1, 0710313-HLEA-XX-XX-GA-E-700015 P2, 0710313-HLEA-XX-XX-GA-E-700016 P1, 0710313-HLEA-XX-XX-GA-E-703031 P2, 0710313-HLEA-XX-XX-GA-E-703032 P1, 0710313-HLEA-XX-XX-GA-E-708095 P2, 0710313-HLEA-XX-XX-GA-E-708096 P1, 0710313-HLEA-XX-ZZ-GA-P-503100 P2, BJ-L REV A, CVR-HLM-00-00-DR-A-00600 P01, CVR-HLM-00-00-DR-A-00604 P01, CVR-HLM-01-00-DR-A-00000 P04, CVR-HLM-01-00-DR-A-00001 P04, CVR-HLM-01-00-DR-A-00002 P02, CVR-HLM-01-00-DR-A-00003 P01, CVR-HLM-01-00-DR-A-00100 P05, CVR-HLM-01-00-DR-A-00101 P11, CVR-HLM-01-00-DR-A-00102 P08, CVR-HLM-01-00-DR-A-00103 P02, CVR-HLM-01-00-DR-A-00104 P01, CVR-HLM-01-00-DR-A-00105 P07, CVR-HLM-01-00-DR-A-00106 P06, CVR-HLM-01-00-DR-A-00110 P02, CVR-HLM-01-00-DR-A-00111 P03, CVR-HLM-01-00-DR-A-00113 P02, CVR-HLM-01-00-DR-A-00113 T01, CVR-HLM-01-00-DR-A-00114 P01, CVR-HLM-01-00-DR-A-00115, CVR-HLM-01-00-DR-A-00200 P05, CVR-HLM-01-00-DR-A-00300 P02, CVR-HLM-01-00-DR-A-00310 P01, CVR-HLM-01-00-DR-A-00311 P01, CVR-HLM-01-00-DR-A-00312 P02, CVR-HLM-01-00-DR-A-00312 T01, CVR-HLM-01-00-DR-A-00410 P04, CVR-HLM-01-00-DR-A-00601 P01, CVR-HLM-01-00-DR-A-25510 P02, CVR-HLM-01-00-DR-A-30101 P11, CVR-HLM-01-00-DR-I-00100 P02, CVR-HLM-01-00-DR-I-00101 P02, CVR-HLM-01-00-DR-I-00102 P02, CVR-HLM-01-00-DR-I-00103 P02, CVR-HLM-01-00-DR-I-00104 P02, CVR-HLM-01-00-DR-I-00105 P02, CVR-HLM-01-00-DR-I-00106 P02, CVR-HLM-01-00-DR-I-00300 P02, CVR-HLM-01-00-DR-I-00301 P02, CVR-HLM-01-00-DR-I-00304 P02, CVR-HLM-01-00-DR-I-00305

P02, CVR-HLM-01-00-DR-I-00306 P02, CVR-HLM-01-00-DR-I-00307 P02, CVR-HLM-01-00-DR-I-00308 P02, CVR-HLM-01-00-DR-I-00309 P02, CVR-HLM-01-00-DR-I-00310 P02, CVR-HLM-01-00-DR-I-00311 P02, CVR-HLM-01-00-DR-I-00312 P02, CVR-HLM-01-00-DR-I-00313 P02, CVR-HLM-01-00-DR-I-00314 P02, CVR-HLM-01-00-DR-I-00315 P02, CVR-HLM-01-00-DR-I-00316 P02, CVR-HLM-01-00-DR-I-00317 P02, CVR-HLM-01-00-DR-I-00318 P01, CVR-HLM-01-00-DR-I-00318 P02, CVR-HLM-01-00-DR-I-00319 P01, CVR-HLM-01-00-DR-I-40101 P05, CVR-HLM-01-00-DR-I-40120 P04, CVR-HLM-01-00-DR-I-40302 P02, CVR-HLM-01-00-DR-I-40302 P05, CVR-HLM-01-01-DR-A-00100 P04, CVR-HLM-01-01-DR-A-00101 P04, CVR-HLM-01-01-DR-A-00102 P02, CVR-HLM-01-RF-DR-A-00101, CVR-HLM-01-XX-DR-A-25501 P03, CVR-HLM-01-XX-DR-A-25502 P02, CVR-HLM-01-ZZ-DR-A-00300 P04, CVR-HLM-01-ZZ-DR-A-00301 P08, CVR-HLM-05-00-DR-A-00103 P02, CVR-HLM-05-00-DR-A-00104 P02, CVR-HLM-05-00-DR-A-00105 P02, EPA-C REV B, RG-LD-01 REV B, RG-LD-05 REV D, RG-LD-06 REV B, RG-LD-07 REV B

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM3, DM6, DM9, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), Policy 2 of the Chorleywood Neighbourhood Development Plan (2020) and the Chorleywood Common Conservation Area Appraisal (2010).

- C3 Prior to any building operations above ground level to construct the activity hub 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 ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).

- C4 Prior to any building operations to construct the glazed box 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 ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 Prior to any building operations to construct the glazed box hereby permitted are commenced, samples and details of the proposed 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 ensure that the appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to any building operations to construct the glazed box hereby permitted are commenced, a structural report shall be submitted to and approved in writing by the Local Planning Authority. That report shall include details of excavation work and underpinning required to the existing structure. The development shall thereafter be implemented only in accordance with the structural details, as approved by this condition.

Reason: To ensure that any unauthorised demolition to the Listed Building does not occur in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to any building operations to construct the new doorway within the mansion, opposite the activity hub, are commenced, samples and details of the fenestration and associated proposed 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 ensure that the appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C8 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) whatsoever shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works including ground protection, in accordance with the Tree Protection Plan 1783-KC-XX-YTREE-TPP01 REV A

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

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

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

Community Infrastructure Levy (CIL) - If your development is liable for CIL payments, it is a requirement under Regulation 67 (1) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice

(Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

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

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

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

That **LISTED BUILDING CONSENT 22/1311/LBC BE GRANTED** subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- C2 Prior to any building operations above ground level to construct the activity hub 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 ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the Chorleywood Common Conservation Area Appraisal (2010).
- C3 Prior to any building operations to construct the glazed box 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 ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October

2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C4 Prior to any building operations to construct the glazed box hereby permitted are commenced, samples and details of the proposed 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 ensure that the appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C5 Prior to any building operations to construct the glazed box hereby permitted are commenced, a structural report shall be submitted to and approved in writing by the Local Planning Authority. That report shall include details of excavation work and underpinning required to the existing structure. The development shall thereafter be implemented only in accordance with the structural details, as approved by this condition.

Reason: To ensure that any unauthorised demolition to the Listed Building does not occur in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to any building operations to construct the new doorway within the mansion, opposite the activity hub, are commenced, samples and details of the fenestration and associated proposed 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 ensure that the appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C7 Prior to their first use on site, samples and details of internal finishes and making good the Listed Building shall be submitted to and approved in writing by the Local Planning Authority and no materials shall be used other than those approved.

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

Informatives

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

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- 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.