

PLANNING COMMITTEE – 20 APRIL 2023

PART I - DELEGATED

5. **22/1875/OUT – Outline application: Demolition of existing buildings and redevelopment to provide 29 residential flats (Use Class C3) (Landscaping as a reserved matter) at KNOLL OAK, SANDY LANE, NORTHWOOD, HA6 3EZ**

Parish: Batchworth Community Council
Expiry of Statutory Period: 31.01.2023
Extension of time agreed: 31.05.2023

Ward: Moor Park and Eastbury
Case Officer: Matthew Roberts

Recommendation:

That subject to no new material considerations being raised and the recommendation of approval/no objection from the Lead Local Flood Authority (LLFA) or an alternative appointed consultant providing specialist professional advice and the completion of a Section 106 Agreement securing an affordable housing review mechanism, that the application be delegated to the Head of Regulatory Services to GRANT PLANNING PERMISSION subject to conditions as set out below and any additional conditions as requested by the LLFA (or appointed consultant).

Or;

On receipt of an objection (or further concerns raised) from the Lead Local Flood Authority (LLFA) or an alternative appointed consultant providing specialist professional advice, that the application be delegated to the Head of Regulatory Services to REFUSE PLANNING PERMISSION for the following reason:

- R1: In the absence of further infiltration testing the Local Planning Authority is not satisfied that an acceptable sustainable drainage strategy has been provided. As a result, it is considered that the development is contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

Reason for consideration by the Committee: Called in by Batchworth Community Council for the reasons as set out at paragraph 4.1.1 below.

1 Relevant planning history of the application site

- 1.1 8/393/76: Erection of porta-cabin for office use, timber storage sheds, two lavatory buildings - Refused.
- 1.2 W/3261/70: Dwelling - Refused.
- 1.3 8/196/81: Erection of first floor rear extension and double garage - Approved.
- 1.4 8/375/84: Swimming pool enclosure and double garage to front - Approved.
- 1.5 8/414/85: Proposed detached swimming pool enclosure, double garage and dormers in roof space - Approved.
- 1.6 8/602/87: First floor side and two storey front extensions, to create self-contained flats and erection of detached garage - Approved.
- 1.7 8/454/88: Single storey side extension to form conservatory - Approved.

- 1.8 8/23/92: Erection of new front porch - Approved.
- 1.9 97/0743: Two storey front side and rear extension - Approved.
- 1.10 21/2018/OUT: Outline Application: Demolition of existing buildings and redevelopment to provide a four storey building comprising of 29 residential units (Landscaping as a reserved matter). Withdrawn on 12.05.2022.

Relevant planning history at adjacent site, Cedar House:

- 1.11 20/2314/OUT: Outline Application: Construction of twenty flats (Appearance, Landscaping and Scale reserved). Refused, for the following reasons:

R1: The proposed development would fail to provide sufficient on-site parking spaces to meet demands arising from the proposed development including the provision for on-site visitor parking given the parking constraints on Sandy Lane. The failure to provide adequate off street parking is likely to result in unacceptable pressure for parking on nearby residential roads to the detriment of the visual amenity of the area. As such, the proposal would be contrary to Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

R2: As a major form of development the scheme fails to incorporate sustainable drainage systems and no evidence has been submitted which suggests such measures would be inappropriate at the application site. The development has therefore not demonstrated that it would not increase flood risk to the site and within the locality. Accordingly the development fails to comply with Policy CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).

R3: The Local Planning Authority objects to the layout of the development in respect of the extent and siting of the parking area and the location of refuse and recycling storage areas. The parking area fails to provide suitable opportunity for replacement planting and the accessibility of the refuse area for large waste collection vehicles is insufficient and unacceptable. The development therefore fails to comply with Policies CP1, CP9 and CP10 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM10, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).

2 Description of Application Site

- 2.1 The application site contains a large vacant detached dwelling positioned within a substantial plot, known as Knoll Oak located on the eastern side of Sandy Lane in Northwood. The local area is characterised by woodland known as Oxhey Woods which acts as a physical barrier between Northwood and surrounding urban settlements such as South Oxhey.
- 2.2 Within the locality there is a collection of detached residential properties, mainly to the north and south of The Woods which is located to the south of the application site. The surrounding residential properties have been built on relatively large plots heavily enclosed by woodland. Immediately opposite the site is Northwood Headquarters, a large complex of buildings of different designs and sizes.
- 2.3 The application dwelling is one of the largest residential properties within the immediate area given that it has been significantly extended over time. It is located at the end of the row with no houses to the north due to the existence of Oxhey Woods. The site has been left in a state of disrepair with glimpses of the dwellinghouse achievable from Sandy Lane and from the immediate adjacent neighbouring properties.

- 2.4 The dwellinghouse as exists contains various gabled roofs, dormer windows and the remnants of a former swimming pool enclosure and garage. When considering the dwelling's current state, it is not fit for occupation and large parts of the house have been subjected to vandalism and a relatively recent fire has substantially damaged the swimming pool building.
- 2.5 Due to the wooded nature of the area the application site is well enclosed with dense vegetation to all boundaries. Various trees also exist within the plot. The site is covered by an area Tree Preservation Order (TPO800).
- 2.6 The access into the application site is shared with Cedar House to the south via a gravel entrance with gates serving both individual properties, set back approximately 15m from the highway boundary. A wooded highway boundary exists between the physical pavement on Sandy Lane and the front boundary of the application site.
- 2.7 The northern part of the application site is located within the Metropolitan Green Belt while 700m to the south is the Frithwood Conservation Area.

3 Description of Proposed Development

- 3.1 This application seeks outline planning permission for the demolition of the existing buildings and the redevelopment of the site to provide 29 residential units.
- 3.2 Access, appearance, layout and scale are matters which are to be addressed via this outline application with landscaping to be reserved at any future reserved matters stage.
- 3.3 Following the removal of the existing dilapidated building and associated extensions and outbuildings a new flatted development would be built, comprised of a single part three, part four storey building plus a basement to accommodate services and 54 parking spaces.
- 3.4 The existing vehicular access with Cedar House is to be altered with priority given to the application site (referred to as Option 2 on the submitted plans). A new metal electric controlled gate (vehicular and pedestrian) would be erected on the front boundary of Knoll Oak, measuring 1.8m in height. To provide the required visibility splay lines a number of trees within the highway verge would be removed. Upon entering the site a shared surface would be laid forming an external car park, enclosed by a retaining wall close to the southern boundary with Cedar House. The shared surface would enable access to 8 parking spaces including a disabled space, bike stands, a waste collection zone, access to communal gardens ("woodland walk") and basement parking.
- 3.5 The proposed design of the building is a contemporary interpretation of the principles of the classical order via the use of pre-cast concrete columns in porphyry stone, porphyry stone cladding with brickwork to the recessed elevations, coupled with dark bronze windows and doors.
- 3.6 The building would have a staggered footprint with a maximum depth of 50m (west to east) and a maximum width of 30m (north to south), set in a minimum of 10.4m from the western boundary with Sandy Lane (approximately 20m to the highway pavement edge), a setback distance ranging from 13.8m to 26m to the southern boundary with Cedar House, approximately 14m from the eastern boundary and approximately 18.7m at its minimum from the northern boundary. The western elevation of building (fronting Sandy lane) would have a height of 12.3m from the adjacent ground level, measuring 27m in width. Due to the rise in land levels across the site the building would, excluding the western elevation, appear as a three storey building with the eastern elevation having a height of 9.3m.
- 3.7 The 29 flats would each with their own private terrace/balcony. At ground level there would be 6 residential units, a reception area, residents lounge, bike store and bin store. All other

floors would provide residential flats. In total there would be 12 x 1 bed flats (61-77sqm); 6 x 2 bed flats (77-135sqm); 9 x 3 bed flats (95-141sqm) and 2 x 4 bed flats (152-171sqm).

- 3.8 The basement level would comprise of 54 spaces (14 of which are currently assigned as disabled spaces). Externally, 8 spaces will be provided. A total of 62 parking spaces would be provided across the site.
- 3.9 Within the site there would be a path which provides complete connectivity around the building and enables access to a play area and various communal parks (landscaping to be agreed at the reserved matters stage).
- 3.10 Whilst landscaping details are to be agreed at any reserved matter stage, details have been provided with the application given there is a degree of overlap with the layout of the building. Whilst only indicative at this stage, 33 individual trees and 11 groups of trees are to be removed. The submitted landscape strategy states that a significant number of new trees (in excess of 50), woodland edge wildflower and hedging will be introduced across the site (excludes those required to be re-planted within the highway wooded verge) with all boundaries strengthened. Details regarding number and type of specie are to be agreed at the reserved matter stage.
- 3.11 The key differences between the previous withdrawn scheme 21/2018/OUT and the current proposal are as follows:
- A reduction in the internal floor heights of the building
 - Previous scheme height was 12.7m at its maximum (now 12.3m)
 - Changes to design to some corner sections of the building (external terraces rather than forming flats)
 - Change in external appearance from white stone to porphyry stone (dark red)
 - Greater landscaping across the site and regard to impact from basement excavation on adjacent protected trees.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: [Objection, call in]

Following the submission of a revised application, the previous one having been withdrawn following negative feedback and comments from local residents, Batchworth Community Council (BCC), strongly object to this revised Outline Application and we would ask that this application is called-in for decision by the Planning Committee unless the officers are minded to refuse it.

As all parties are aware there is considerable history associated in respect of site and we detailed our previous views and comments 2021 linked to Application 21/2018/OUT. BCC submitted are now setting out below our objections to the current application based upon the information and documentation attached to this application at the current time.

BCC objections are as follows and are submitted the following comments:

- 1. The views and comments of the adjoining residents & neighbours are extensive and should be seriously considered and ensure that any development does not intrude onto the existing quiet, private environment that they live and purchased their properties expecting to maintain.*
- 2. Whilst we note that landscaping is to be a reserve matter would raise the following:*

- a) *It should be noted that approx. 42% of this site sits in Green Belt and part of that is woodland that needs protecting.*
 - b) *The trees and hedgerows within the site form part of a green corridor and foraging habitat for protected species which is a key link between areas of Priority Habitat Inventory - Deciduous Woodland. The site, therefore, should be recognised for its importance and its clearance for development could have an adverse impact on the biodiversity within the site.*
 - c) *The site is within ancient/natural woodland, and the application continues to lack detailed information about how the safety of the protected trees on the site is to be secured. In due course it is essential that a detailed landscape plan is prepared and provided to protect the environment with assurance that the envelope as well as key elements inside the site are protected and will remain as part of any landscape plan.*
 - d) *Furthermore, "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees)" should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. The Community Council finds no evidence that any exceptional reason or compensation strategy exists.*
3. *BCC notes and agrees with the comments from Herts Highway, so we have not repeated them but wish to ensure they are accounted for. We would however state that the refuse arrangement needs careful attention and detailing.*
 4. *BCC is concerned that the proposed scale and density of the development is significantly too large and will affect the local area and neighbours. Similar issues arose with other applications close by and remain unresolved for many of the same reasons. This is a classic situation of the over development of the site in question.*
 5. *The increased traffic this development will create due to its size and the number of vehicles that will be on site will create traffic problems at the entrance and egress of the site, which is a renowned safety spot locally, particularly being located opposite the entrance to the Northwood Base and close to the Junction with the Woods. We are now looking at 60+ vehicles servicing the site, an increase from c. 4-6 without even considering delivery vans, taxi's, maintenance and cleaning operators etc.*
 6. *BCC is of the opinion that consideration is given to access and egressing the site at separate points.*
 7. *In addition to the point above, the trees and vegetation that should be retained will need to be removed to ensure safe car movement to and from the site.*
 8. *The Community Council is concerned that the overflow of vehicles will be parking on adjacent residential streets. A lack of off-street parking provision for visitors would have a serious detrimental impact on the surrounding residential roads and the amenity of neighbouring residents in an area where street parking is already an issue.*
 9. *The extent of the overdevelopment of the site will result in the property overlooking neighbouring properties and therefore have a detrimental impact on the amenity space of neighbouring residents.*
 10. *At the time of our feedback & comments the Environmental Agency has yet to report and whilst BCC is not an expert, we are of the opinion that the applicant has not sufficiently addressed concerns regarding drainage and surface water which could have an adverse impact to flood risk on the surrounding area. Further issues are raised by Thames Waters which need addressing. BCC wish to reserve the right to*

comment further upon receipt of the Environmental Agency which is very important feedback for this proposal / application.

11. *Once again some of the elements in the Design & Access Report carefully pulls information from other parties to support the application and does not always take the original purpose in the context it was created.*
12. *Whilst all parties acknowledge that design and architecture is a personal viewpoint and not a planning issue, we strongly believe that on a site that is 40% green belt, surrounded by an extensive woodland setting & environment that the design of the elevations should take that as its lead and sit better within the site and its immediate neighbours. This proposal does not get close to those criteria.*
13. *The proximity of the development to Oxhey Cottage, Hilltop Cottage & Frog Place (and others houses) alongside the proposed height is an intrusion that requires this application to be significantly amended.*
14. *Whilst premature to some extent at this stage, BCC would request that no development, construction (including preparation works) or other operation shall commence on site whatsoever until a detailed Construction & Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. With the site's location on a busy road, close to a signification junction and opposite the Northwood Base this is a critical document and step in the process / project. This Construction & Demolition Method Statement should include how all aspects of the construction will be undertaken, the working hours (no weekend working with the residential homes that surround it), the delivery process of materials to avoid clashing with key travel times and the parking of all construction vehicles throughout the works period on site.*

Previously BCC reviewed the revised drawings that were provided as part of the previous application in some detail. At that time BCC still had at that time had significant reservations and all of these remained. In respect of this application (not significantly differing from the last) we are of the opinion that until the basic concept design, site configuration, access & egress, scale & bulk, landscaping, potential flooding issues and protection of the existing woodland / green belt and major aspects can be agreed upon the smaller detail can be placed to parked for further consultation and consultation at that stage. BCC would at the stage add and provide comment for all parties to consider.

Finally, we repeat that would ask that this application is called in for decision by the Planning Committee unless Planning Officers are minded to refuse.

4.1.2 Hertfordshire County Council Highway Authority: [No objection, subject to conditions and informative]

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. Service and Delivery Management Plan

No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- *full service and delivery management plan including access for any delivery, service and visitor vehicles that do not have FOB access for the vehicular entrance gates.*

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2. Highway Improvements- Offsite

A: Highway improvements - Offsite (Design Approval)

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing numbers 2007881-001 D and 20-103 B have been submitted to and approved in writing by the Local Planning Authority.

B: Highway Improvements – Offsite (Implementation / Construction)

Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Provision of Internal Access Roads, Parking & Servicing Areas

Prior to the first occupation of the development hereby permitted the proposed internal access road, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

4. Provision of Visibility Splays

Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plans. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

5. Construction Management

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;*
- b. Any traffic management requirements*
- c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);*
- d. Siting and details of wheel washing facilities;*
- e. Cleaning of site entrances, site tracks and the adjacent public highway;*
- f. Timing of construction activities to avoid school pick up/drop off times;*
- g. Provision of sufficient on-site parking prior to commencement of construction activities;*
- h. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.*

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Assessment:

The proposal comprises of the demolition of the existing buildings and construction of 29 residential dwellings (use class C3) and associated works at Knoll Oak, Sandy Lane, Northwood. Sandy Lane is designated as a classified A main distributor road, subject to a speed limit of 40mph and is highway maintainable at public expense. There is an existing pedestrian highway footway fronting the property on the east side of Sandy Lane

A Transport Statement (TS) and Road Safety Audit – Stage 1 (RSA) have been submitted as part of the application.

Vehicle Access

The site has an existing vehicle access from Sandy Lane made up of a vehicle crossover (dropped kerb) and providing access to the existing and neighbouring property. The proposals utilize the existing access point rather than propose a new access point from Sandy Lane which is in accordance with LTP4 Policy 5f, which states that HCC as HA will “Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals”.

The proposed site layout is shown on submitted drawing no. 20-103 and includes an amendment to the existing access through the provision of a 6m kerbed entrance (shared with the adjacent property). HCC as Highway Authority (HA) considers that the 4.8m wide access driveway is acceptable for a development of this size and would enable two vehicles travelling in opposing directions to safely pass one another and is in accordance with Manual for Streets (MfS) and Roads in Hertfordshire: Highway Design Guide. Two site access options for the access area to the application and the adjacent property have been submitted as part of the application. Following review of the overall proposals and submitted details, the site access option 2 (as shown on submitted drawing number 2007881-002 D) is the preferred option.

The proposals includes vehicular entrance gates set back 15m from the edge of the carriageway on Sandy Lane, which would be a sufficient distance to enable a vehicle to stand clear of the highway whilst the gates are being opened and/or closed. Whilst it has been stated by the applicant that “all residents and regular visitors e.g. post and refuse collection, would have FOBs to open the automatic vehicle gates”, further details would need to be provided as to how other users e.g. delivery drivers, visitors, would be able to gain access to the site. Vehicles would not be permitted to reverse out onto Sandy Lane, which is a classified A road with a high volume of traffic and the highway area outside the gates has to be designed to function as a turning area. Further details have therefore been requested in respect of this.

Vehicular visibility splays from the proposed access point of 2.4m by 59m (to the north) and 2.4m by 55m (to the south) along Sandy Lane are illustrated on submitted drawing numbers 2007880-01 and 2007881-002. The general approach of calculating the necessary visibility splays (based on recorded 85th percentile speeds to determine the required stopping site in either direction along Sandy Lane) is considered to be acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets. Some vegetation and trees within the existing highway land would need to be removed and/or cut back to the north of the access in addition to a relocation of an existing utility pole. The tree officer at HCC Highways has confirmed there would not be any specific issues with the removal of any vegetation within the splay area and any vegetation within the area is of low quality. Depending on the size of any trees that may need to be removed, a payment of £550 per tree to HCC as Highway Authority would be necessary to cover the cost of planting and

maintenance of an appropriate type of replacement tree at an alternative location within the highway. This is to ensure that there is no overall net biodiversity loss.

Section 278 Highway Works

The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the approval of the design and implementation of the works that would be needed on highway land including:

- Amendments to the existing access including priority arrangements and 6m kerb radii on either side;*
- 2m wide footway on the north side of the rearranged access;*
- Tactile paving and pedestrian dropped kerbs on either side of the bellmouth access;*
- Any necessary surfacing of the vehicular access area;*
- Removal or cutting back of any highway vegetation to provide the necessary levels of vegetation on the north side of the access along Sandy Lane.*

Please see the above conditions and informatives for more information into the provision of the off-site 278 highway works. A RSA has been carried out and submitted as part of the full planning application. This RSA and RSA designers response would also need to be submitted and provided as part of the Section 278 Agreement application.

Refuse, Service and Emergency Vehicle Access

An updated swept path analysis has been submitted as part of the amended application to illustrate that a refuse vehicle would be able to utilise the internal access road. The swept paths illustrate that a refuse vehicle would be able to access the site, turn around and egress to the highway in forward gear, the arrangements of which are considered to be acceptable by HCC as Highway Authority. The collection method and arrangements would need to be confirmed as acceptable by Three Rivers District Council (TRDC) waste management including the details submitted in relation to the functioning of the vehicular entrance gates that state that “all residents and regular visitors e.g. post and refuse collection, would have FOBs to open the automatic vehicle gates”. Due to the size of the building / number of dwellings, as part of the highway authority’s assessment of this planning application we have identified emergency access issues which may benefit from input from Herts Fire and Rescue. Therefore, details of the proposal have been passed to them for attention. This is to ensure that the proposals are in accordance with guidelines as outlined in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellings (and subsequent updates).

Vehicle Parking

The proposal includes the provision of 62 car parking spaces (54 underground and 8 ground level). The level of parking broadly in accordance with levels as outlined in Three Rivers District Council (TRDC)’s parking standards and there would not be an objection to the level by HCC as Highway Authority.

The updated / amended plans state that 20% of the total number of car parking spaces would be provided with electric charging points. HCC as Highway Authority would be supportive of this to ensure that the proposals are in accordance with LTP4, Policy 5h, which states that “Ensure that any new parking provision in new developments provides facilities for electric charging of vehicles, as well as shared mobility solutions such as car clubs and thought should be made for autonomous vehicles in the future”.

TRDC as the parking and planning authority for the district would ultimately need to be satisfied with the proposed levels and type of parking on-site.

The layout and dimensions of the car parking spaces as shown on submitted drawing numbers 20-110, 20-115 and 2007881-003 (car park swept path) and are considered to be acceptable by HCC as HA and in accordance with MfS. It is considered that cars would be able to use the allocated car parking areas, turn around and egress the site in forward gear, which would be necessary.

Trip Generation & Distribution

A trip generation assessment for the proposed use has been included as part of the TS, the details of which have been based on trip rate information from the TRICS database. This approach is considered to be acceptable by HCC as Highway Authority.

The number of vehicular trips associated with the proposed use are estimated to be 8 two-way vehicle movements in the AM peak and 9 two-way vehicle movements in the PM peak. Following assessment of these details, the impact on the operation of the surrounding highway network from the trip generation perspective would be considered to be acceptable and not a reason to recommend refusal from a highways perspective

Sustainable Travel & Accessibility

There is an existing footway on the east side of Sandy Lane (the side of the development) and therefore there is potential to travel on foot from the site to South Oxhey and Northwood. The proposals includes a 2m wide pedestrian footway into the entrance to the site. HCC as Highway Authority would be supportive of these to provide good and suitable pedestrian access to and around the site in accordance with Hertfordshire's Local Transport Plan (LTP4) and NPPF and ensure that the proposals maximise pedestrian accessibility and permeability.

The nearest bus stops are located on Sandy Lane fronting the site (one on each side of the carriageway) and approximately 80 to 100m from the existing vehicular access point. Further investigation following the pre-app meeting has confirmed that these bus stops are not served by any frequent services open to the general public. Therefore it was considered that it would not be reasonable to request improvements to these bus stops as part of the full application.

The nearest other bus stops are located approximately 200 to 250m from the site on The Wood and are served by services 8, R16 and R17, which provide services to surrounding towns, nearby railway stations and Mount Vernon Hospital. The bus stops are within the normal recommended accessibility of 400m to a bus stop and therefore there is potential for bus services to provide a convenient and easy sustainable travel option for any future residents.

The proposals include the provision of an internal storage area for 30 cycles in addition to 8 visitor cycle spaces outside. HCC as Highway Authority would be supportive of these provisions to promote and encourage cycling as a form of travel to and from the site. HCC as Highway Authority would recommend that consideration be made to the fact that some parts of the internal access roads would essentially act as a shared access for vehicles, cyclists and pedestrians. Therefore appropriate signage, lighting and surfaces would be recommended within the site to reflect this.

TRDC has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transports schemes as outlined in HCC's South West Herts Growth & Transport Plan would be sought via CIL if appropriate.

Drainage / SUDs

The proposals would need to make provision for dealing with surface water run off/drainage for the new proposal, which is to ensure that surface water is collected and disposed of within the site and prevented from entering the surrounding highway. HCC as Highway Authority would recommend that HCC as Lead Local Flood Authority is formally consulted in regard to any drainage strategy or SUDs at: FRMconsultations@hertfordshire.gov.uk

Conclusion

The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the highway works at

the access to the site. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informative.

4.1.3 HCC – Herts Fire and Rescue Service: [No objection]

This matter was referred to HFRS re matters of access for a Fire Appliance, from the plans submitted it appears that the access meets the requirements stated in the guidance. An appliance should be able to enter and exit the site in a forward gear without reversing more than 20m.

For single family dwelling houses, block of flats or maisonettes there should be vehicle access for a pumping appliance to within 45 m of all points within the dwelling house measured on a route suitable for laying hose. ADB 11.2

Where sprinklers in accordance with BS 9251:2014 or BS EN 12845 are fitted throughout a house or block of flats: BS9991 50.1.2

- a) the distance between the fire appliance and any point within the house (houses having no floor more than 4.5 m above ground level) may be up to 90 m;*
- b) the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75 m (in houses or flats having one floor more than 4.5 m above ground level)*

4.1.4 HCC Water Officer: [No objection, subject to condition]

This will require a condition for the provision and installation of fire hydrants, at no cost to the county council, or fire and rescue service. This is to ensure there are adequate water supplies available for use in the event of an emergency.

4.1.5 Lead Local Flood Authority (LLFA): [No comments submitted from LLFA, guidance provided via external consultant]:

Conclusions/Observations:

In accordance with Hertfordshire LLFA requirements for outline planning stage: "Evidence of ground conditions / underlying geology and permeability including BRE Digest 365 infiltration tests (or Falling Head tests for deepbore infiltration)" should be provided.

Whilst infiltration potential has not been confirmed, a very low discharge rate is proposed to sewer. However, this appears to be a foul sewer only and surface water discharge to a foul sewer will not be acceptable. The LPA requires pre-application correspondence with Thames Water to confirm acceptability of discharge to sewer.

A 1 l/s discharge rate will need to consider potential enhanced blockage risk and potentially extended drain down times for the tank and any impacts on the management of consecutive storm events.

Please confirm that proposed connection levels into sewer can facilitate gravity discharge.

Note the potential impact of groundwater on the attenuation tank will need to be demonstrated at full planning.

An indicative drainage layout has been provided that is suitable for outline planning subject to Thames Water acceptance. We note that Hertfordshire LLFA will require a: "Full detailed drainage plan including location of SuDS measures, pipe runs and discharge points, informal flooding (no flooding to occur below and including the 1 in 30 year rainfall return period)".

We note the FRA identifies that “responsibility for the enacting of this SuDS Maintenance and Management Plan will be the responsibility of the property owner”. SuDS will need to be managed and maintained for the lifetime of development including climate change.

Officer comment: On 7th March 2023 the drainage consultant were sent an amended Flood Risk Assessment and Surface Water Drainage Strategy which seeks to deal with the above points. Their comments will be verbally updated if received in advance of the Committee.

4.1.6 Environment Agency: [No objection]

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in our Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

The submitted Desk Study has identified the proposed basement depth (3 metres) may be below the level of groundwater (identified nearby to be between 5.7 and 1.7 metres). As the site is situated in a vulnerable groundwater area within Source Protection Zone 3 these proposals need to be dealt with in a way which protects the underlying groundwater. Please therefore take note of the following advice.

Where land contamination may be an issue for a prospective development, we encourage developers to employ specialist consultants/contractors working under the National Quality Mark Scheme.

We recommend that the requirements of the National Planning Policy Framework and National Planning Policy Guidance are followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken.

We expect reports and Risk Assessments to be prepared in line with our Approach to Groundwater protection (commonly referred to as GP3) and the updated guide Land contamination: risk management (LCRM). LCRM is an update to the Model procedures for the management of land contamination (CLR11), which was archived in 2016.

In order to protect groundwater quality from further deterioration:

- *No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution (e.g. soakaways act as preferential pathways for contaminants to migrate to groundwater and cause pollution).*
- *Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.*

The applicant should refer to the following (non-exhaustive) list of sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

1. *Follow the risk management framework provided in the updated guide LCRM, when dealing with land affected by contamination.*
2. *Refer to the Environment Agency Guiding principles for land contamination for the type of information we require in order to assess risks to controlled waters from the site. The Local Planning Authority can advise on risk to other receptors, such as human health.*

3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. The Planning Practice Guidance defines a "Competent Person" (to prepare site investigation information) as: "A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation." For this definition and more please see here.

4. Refer to the contaminated land pages on Gov.uk for more information.

5. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by contamination e.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents and their subsequent updates:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009, BS 6068- 6.11: 2009 Water quality. Sampling. Guidance on sampling of groundwaters (a minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns but more may be required to establish the conceptual site model and groundwater quality. See RTM 2006 and MNA guidance for further details);
- BS ISO 18512:2007 Soil Quality. Guidance on long-term and short-term storage of soil samples;
- BS EN ISO 5667:3- 2018. Water quality. Sampling. Preservation and handling of water samples;
- Use MCERTS accredited methods for testing contaminated soils at the site;
- Guidance on the design and installation of groundwater quality monitoring points Environment Agency 2006 Science Report SC020093 NB. The screen should be located such that at least part of the screen remains within the saturated zone during the period of monitoring, given the likely annual fluctuation in the water table. In layered aquifer systems, the response zone should be of an appropriate length to prevent connection between different aquifer layers within the system.

A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a "Competent Person" e.g. a suitably qualified hydrogeologist. More guidance on this can be found at: <https://sobra.org.uk/accreditation/register-of-sobra-risk-assesors/>.

In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment. Further points to note in relation to DQRAs:

- GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs. This is now available as online guidance: <https://www.gov.uk/guidance/land-contamination-groundwater-compliance-points-quantitative-risk-assessments>
- Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50 metres.

- *For the purposes of our Approach to Groundwater Protection, the following default position applies, unless there is site specific information to the contrary: we will use the more sensitive of the two designations e.g. if secondary drift overlies principal bedrock, we will adopt an overall designation of principal.*

Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During the risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:

- *Up-flow percolation column test, run to LS 2 - to derive kappa values;*
- *pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario;*
- *LS 2 batch test - to benchmark results of a simple compliance test against the final step of the column test.*

Following the DQRA, a Remediation Options Appraisal should be completed to determine the Remediation Strategy, in accordance with the updated guide LCRM.

The verification plan should include proposals for a groundwater monitoring programme to encompass regular monitoring for a period before, during and after ground works e.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period. The verification report should be undertaken in accordance with our guidance Verification of Remediation of Land Contamination.

We only consider issues relating to controlled waters (groundwater and watercourses). Evaluation of any risks to human health arising from the site should be discussed with the relevant local authority Environmental Health Department.

4.1.7 HCC - Hertfordshire Ecology: [No objection, subject to conditions]

Summary of advice

- *There is sufficient ecological information to enable determination.*
- *The recommendations (with the exception for more bat surveys) and enhancements in the ecology reports should be followed.*
- *Produce a Biodiversity Plan by condition or at Reserved Matters stage, as appropriate.*

Comments

The application is supported by two ecological reports:

- *Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment(PRA) Survey, 06/04/2020 prepared by Arbtech.*
- *Bat Emergence and Re-entry Surveys, 09//06/2021 by Arbtech*

The site comprises a large detached vacant dwellinghouse, which is in a dilapidated state and overgrown with vegetation. The grounds had dense scrub and scattered trees, some of which were felled and cleared in 2021 to leave areas of bare ground.

Trees

I understand the site is covered by an Area Tree Preservation Order which protects all trees present on site at the date the TPO was served. I am pleased to see mature trees and

shrubs will be retained where possible; however several on-site self-sown / low quality trees are proposed for removal and this loss should be compensated for. The Landscape Plan shows new replacement and enhancement planting of trees and woodland, and I would like to see this include native species (see below).

There is broadleaved woodland adjacent to the site and any overhanging branches and roots should be protected from damage during construction.

Surveys and reports

Sufficient bat surveys were completed in 2021 and although bats were recorded flying across the site, roosting was not confirmed. Not further surveys are considered necessary, and bats should not be considered a constraint to these proposals. Overall, the ecological reports provide an adequate assessment of the impact of the proposals and are based on appropriate survey methods and effort. The likelihood of an adverse ecological impact is negligible-low, but the reports suggest reasonable precautionary measures to ensure that legally protected species are not harmed. These recommendations should be followed with the exception for more bat surveys as they have been completed (see below).

Several appropriate biodiversity enhancements have been suggested (including bat and bird boxes, and homes and fencing suitable for hedgehogs).

With all the above mentioned measures in place I consider the development will achieve net gain for biodiversity. The (outstanding) recommendations in the reports are reasonable and should be followed, namely:

- *Table 7 of the PEA / PRA report (*except the need for more bat surveys as they have been completed).*

And

- *Table 5 of the Bat Emergence and Re-entry Surveys report*

To conclude

I have no objection to the principle of development. To bring all the biodiversity mitigation, compensation, and enhancements measures together, I advise a Biodiversity Plan is submitted by condition or at the Reserved Matters stage, whichever is most appropriate. The plan should describe the type and location of native species to be introduced and any protected species boxes/features to be installed.

4.1.8 HCC Minerals and Waste Team: [No objection, subject to condition]

I am writing in response to the above planning application insofar as it raises issues in connection with minerals or waste matters. Should the District Council be minded to permit this application, a number of detailed matters should be given careful consideration.

Minerals

In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt', is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. It should be noted that British Geological Survey (BGS) data also identifies superficial sand/gravel deposits partially within the area of the application site.

The county council, as the Minerals Planning Authority, identifies the entirety of the Sand and Gravel Belt together with the identified resource blocks outside the Sand and Gravel Belt, as Mineral Consultation Areas. Planning applications submitted to the District and Borough Councils for non-minerals development that fall within a Mineral Consultation Area (other than applications which meet the 'excluded development' criteria), may not be

determined until the county council has been given the opportunity to comment on whether the proposal would unacceptably sterilise mineral resources.

Adopted Minerals Local Plan Policy 5 (Minerals Policy 5: Mineral Sterilisation) encourages the opportunistic extraction of minerals for use on site prior to non-mineral development. Opportunistic extraction refers to cases where preparation of the site for built development may result in the extraction of suitable material that could be processed and used on site as part of the development. This may include excavating the foundations and footings or landscaping works associated with the development.

The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits within the development, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources, however due to the site being previously developed it is unlikely that there are any further resources to be extracted for use on site during development

Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

The National Planning Policy for Waste (October 2014) sets out the following:

'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities; new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service; the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

- Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;
- Policy 2: Waste Prevention and Reduction; &
- Policy 12: Sustainable Design, Construction and Demolition.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to.

A development of this size would require the consideration of minimising waste generated during demolition, construction and its subsequent occupation, encouraging the re-use of

unavoidable waste where possible and the use of recycled materials where appropriate. In addition regard should be given to the design of new housing development to ensure waste collection vehicles can gain access for the collection of household waste and recyclables. The County Council, as Waste Planning Authority, would expect commitment to producing a SWMP and for the SWMP to be implemented throughout the duration of the project. The SWMP must be prepared prior to commencement of the development and submitted to the Waste Planning Authority for comments.

As a minimum, a SWMP should include the following:

Project and People

Identification of the client

Identification of the Principle Contractor

Identification of the person who drafted the SWMP

Location of the site

An estimated cost of the project

Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991).

Estimating Waste

A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)

Waste management actions for each of the types of waste (i.e will it be re-used, recycled, recovered or disposed of)

Space for Later Recordings

Space for the recording of actual figures against those that are estimated at the start

Space that will allow for the recording and Identification of those responsible for removing the waste from site and details of the sites they will be taking it too

Space for recording of explanations that set out the reasons for any deviations from what has been set out in the SWMP, including explanations for differences in waste arisings compared to those set out in the initial estimations

If a SWMP is not produced at the planning application stage, we would request the following condition be attached to any approved planning permission:

Condition: No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings during demolition and construction so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the

stages of the project and when segregation would be best implemented for various waste streams. It will also help in determining the cost of removing waster for a project. The total volumes of waste during enabling works (including demolition) and construction works should also be summarised.

4.1.9 Environmental Health: [No objection, subject to conditions]

Air Quality

I have reviewed the Air Quality Assessment prepared by NRG Consulting (Report ref. PP1789/KO/AQA/202209-EC).

A qualitative assessment of the impacts from construction activities has been carried out. It is considered that the implementation of best practice measures will help reduce and mitigate the impact of the construction activities.

Dispersion modelling was undertaken to assess the impact of road traffic emissions. Predicted concentrations at the modelled receptors are below the relevant air quality objectives. No mitigation measures are required.

I would recommend that a condition requiring the submission of a dust management plan be applied to any permission granted. The dust management plan should incorporate the recommended mitigation measures discussed in Table 21 of the Air Quality Assessment.

Land Contamination

I have reviewed the Desk Study Report prepared by GEA (Report ref. J21127).

The preliminary risk assessment has identified a number of plausible contaminant linkages that require further investigation.

An assessment of the potential risks associated with the site is considered necessary.

Based on this, the standard contaminated land condition is recommended on this and any subsequent applications for the site.

1. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A site investigation scheme, based on the Desk Study Report prepared by GEA (Report ref. J21127), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

ii) The site investigation results and the detailed risk assessment (i) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

3. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4.1.10 Thames Water: [No objection, informatives suggested]

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken.

Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large->

site/Planningyour-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planningyourdevelopment/working-near-our-pipes>

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes>

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

4.1.11 TRDC – Landscape Officer: [No objection]

The site is protected by an Area Tree Preservation Order (TPO800) which protects all trees present on the site, at the date the TPO was served. The site is also partially in Metropolitan Green Belt, and borders Oxhey Woods Local Nature Reserve, parts of which are ancient semi-natural woodland. The site on Sandy Lane is typical of residential properties in this location, which are heavily screened by trees and vegetation from the road, and from adjacent properties.

The submitted plans indicate that a considerable number of trees would be removed to facilitate the development, however a substantial number of these are self-sown, which appear to have grown up in recent years. A number of other trees scheduled for removal are semi-mature conifers, whose form has been compromised by the growth of neighbouring trees, and are unlikely to make good quality specimens in the future.

Due to the derelict and overgrown nature of the site, it would be difficult to retain many of these trees during the demolition of existing structures. Hence, redevelopment of the site, with a comprehensive landscaping scheme would seem to be the best means of securing tree cover on this site over the long term. The outline plans indicate that there would be substantial numbers of new trees and woodland planting to the fringes of the development. A condition should be applied which requires the applicant to provide more detail on the implementation and establishment of remedial landscaping. A compliance condition requiring the applicant to comply with the submitted tree protection method statement during development, should also be applied.

4.1.12 TRDC - Environmental Protection department: [Informal comments provided]

Cedar house have their bins collected from the path outside for collection.

It would be a better position to empty Cedars house on exiting Knoll Oak in a forward motion.

4.1.13 TRDC - Housing department: [No comments received. Any comments provided will be verbally updated]

4.1.14 TRDC – Local Plans Section: [Advisory comments provided]

This outline application seeks approval for demolition of the existing vacant building and construction of 29 dwellings (Use Class C3) with landscaping as a reserved matter. The application site has not been allocated as a housing site in the Site Allocations Local Development Document and as such is not currently identified as part of the District's housing supply. The site should therefore be considered as a windfall site. Policy CP2 of the adopted Core Strategy (adopted 2011) states that applications for windfall sites will be considered on a case by case basis having regard to:

- i. the location of the proposed development, taking into account the Spatial Strategy*
- ii. the sustainability of the development and its contribution to meeting local housing needs*
- iii. infrastructure requirements and the impact on the delivery of allocated housing sites*
- iv. monitoring information relating to housing supply and the Three Rivers housing target.*

The site is located in the settlement of Eastbury, which is a Secondary Centre in the Three Rivers Settlement Hierarchy (Core Strategy, 2011); Policy PSP3 of the Core Strategy states that development in Secondary Centres will focus future development predominantly on sites within the urban area, on previously developed land. The site is mostly comprised of previously developed land in the urban area, although part of the site is located within the Green Belt and is therefore not considered to be urban land. The site therefore partially complies with Policy PSP3. The site is located some distance from services and facilities but is in close proximity to a number 8 bus stop with routes to Mount Vernon Hospital and Abbots Langley (via Watford). Whilst Northwood TfL station is relatively accessible to the site, this is still approximately a 20-25 minute walk away. Nevertheless, the development would result in 29 dwellings which would make a positive contribution towards the District's current housing target of 630 dwellings per year as well as helping to address its shortfall in demonstrating a five year housing land supply. The development would also result in an active use of the site, taking into account that the existing building on site is derelict. It is

also worth highlighting that the existing building on the site is included on the Brownfield Land Register.

The northern area of the site is located in the Green Belt. Policy CP11 of the Core Strategy (adopted 2011) states that 'there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it.' The National Planning Policy Framework (NPPF) (2021) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy DM2 of the Development Management Policies LDD (adopted 2013) states that the construction of new buildings in the Green Belt is inappropriate, with certain exceptions listed in the NPPF. According to the NPPF, very special circumstances will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations. One exception is the partial or complete redevelopment of previously developed sites (i.e. the proposal site), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than the existing development (para. 149(g), NPPF). It should therefore be demonstrated that the proposed development would not have a greater impact on the openness of the Green Belt than the area of the existing building which is located in the Green Belt.

Policy CP3 of the Core Strategy advises that housing proposals take into account the range of housing needs, in terms of size and type of dwellings as identified by the SHMA and subsequent updates. The Local Housing Needs Assessment (LNHA), was finalised in 2020 and is the most recent update to the SHMA. The recommended mix for market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1-bed	2-bed	3-bed	4+ bed
Market Housing	5%	23%	43%	30%
Affordable Home Ownership	21%	41%	28%	9%
Social/Affordable Rented Housing	40%	27%	31%	2%

The application proposes a total 29 dwellings and the supporting documents submitted alongside the application states that the indicative unit mix comprises of 12 one-bed units (41%), 6 two-bed units (21%), 7 three-bed units (24%) and 4 four-bed units (14%). The planning application document states all proposed units will be market housing only; the proposed proportions for one-bed, three-bed and four-bed (or over) units does not align with the recommended mix outlined above. However, Policy CP3 recognises that a proposed housing mix may need to be adjusted for specific schemes to take account of market information and specific site factors. Where adjustment to the proportions is sought, applications should explain how relevant factors have contributed to the mix of housing proposed.

Policy CP4 of the Core Strategy states that the Council seeks a provision of 45% of all new housing as affordable housing. At this stage, it is not clear the proposed approach to apportioning the different unit sizes amongst the tenure mixes stated above, however, it is advised that future stages take account of the range of housing needs, in terms of size and type of dwellings as identified in the LHNA (2020). However, Policy CP4 states that in assessing affordable housing requirements, the Council will treat each case on its merits, taking into account site circumstances and financial viability. It is noted that a Viability Assessment has been submitted alongside the application which concludes that affordable housing provision would render the scheme unviable; the submitted information will be assessed by an independent financial advisor and following this, the proposal's conformity with Policy CP4 can be fully considered.

4.1.15 Herts Constabulary Crime Prevention Officer: [Advice provided]

Unfortunately I cannot find any reference to crime prevention or security for this application, I would ask that the development is built to the Police security standard Secured By Design:

Physical Security (SBD)

Communal door sets:

Certificated to BS PAS 24: 2016, or LPS.1175, I have concerns regarding the entrance to the lobby, from a security and safety perspective there should be two sets of doors before entering the building. This will help prevent tailgating and people hiding in the lobby area, and add an extra layer of security for residents.

Access Control to block of flats:

Audio Visual access control system. Tradespersons release buttons are not permitted.

Postal delivery for communal dwellings (flats):

Secure communal post boxes within the communal entrances, (Preferably covered by the CCTV) or each flat will have post delivered to it via a letter plate fitted in each flat's door with the local post office being given an access fob.

Individual front entrance doors of flats:

Certificated to BS PAS 24:2016

Windows: Flats

Ground floor windows and those easily accessible certificated to BS Pas 24:2016 or LPS 1175 including French doors for balconies

Dwelling security lighting (flats):

Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points.

Bin stores and Waste collection:

The access doors to these should be to LPS.1175(min SR2), or BS PAS 24: 2016.

Car Parking

No bollard lighting in above ground car park (it is not fit for purpose, gets easily damaged and raises the fear of crime). Roller shutters to standard LPS 1175 SR2 or equivalent.

CCTV

This is not mandatory to achieve the Secured by Design award for this application, however it is preferable.

Compartmentalisation of Developments incorporating multiple flats:

Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised. Controlled lift access, Fire egress stairwells should also be controlled on each floor from the stairwell into the communal corridors. Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.

Officer comment: The ground floor plan has been amended to incorporate two sets of doors before entering the building (vestibule).

4.1.16 Affinity Water: [No objection]

We have reviewed the development and do not have any comments to make.

4.1.17 Military of Defence Safeguarding (MOD): [No objection]

The application site occupies the statutory height, technical and birdstrike safeguarding zones surrounding RAF Northolt and lies approximately 7.4km from the centre of the airfield. After reviewing the application documents, I can confirm that the MOD has no safeguarding objections to this proposal.

However, my colleagues in the DIO Town Planning/Land Management Services section will be submitting separate representation on other matters in respect of this application.

The MOD must emphasise that the advice provided within this letter is in response to the information detailed in the developer's documents titled Design and Access Statement Rev C dated August 2022, Location Plan Rev A dated 10/11/2022, Landscape Plan, Landscape and Visual Assessment dated status Final dated July 2021. Flood Risk Assessment and Surface Water Drainage REF 221063 dated October 2022, Site layout Plan Rev B dated 24/11/2022, Amended Elevation plan Proposed East Elevation drawing number 20-122 Revision B dated 26/08/2022, Proposed West Elevation Drawing number 20-120 Revision D dated 30/11/2022, Proposed North Elevation Plan Rev C dated 25/11/2022 Proposed South Elevation Plan Rev C dated 25/11/2022. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

4.1.18 Military of Defence - Defence Infrastructure Organisation: [Objection]

The MOD have been made aware of the proposed outline application 22/1875/OUT which is adjacent to HQ Northwood. On review, the MOD establishment were not included in the neighbour consultations. However, another MOD department DIO Safeguarding had been consulted and replied with a no objection response. Please note DIO Safeguarding only consider applications in relation to the statutory safeguarding consultation zones surrounding RAF Northolt. They do not provide comment on Northwood HQ.

The MOD wish to submit an objection to the application as the proposed development impacts safety and security. Irrespective of landscaping / foliage the proposed construction will highly likely allow for direct line of sight onto the Main Entry Point (MEP) at HQ Northwood and potentially into key internal buildings on site. In particular there is, in our view, potential for future residents to overlook the Main Entry Point (MEP). In addition the presence of an additional multi-user access proximate to the Northwood site MEP, on a 40mph section of road, increases risk to all users including the Northwood HQ community.

Issue exacerbated during infrastructure developments of Northwood site (eg Single Living Accommodation and NATO projects) due to volume of construction traffic.

The MOD seek the LPA to reflect on the NPPF 2021 section 8 para 97 " Planning policies and decisions should promote public safety and take into account wider security and defence requirements by:

b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected by the impact of other proposed development in the area.

Officer Comment: A site meeting with arranged with the MOD on 1 March 2023 who confirmed that their primary issue was overlooking from the higher floors fronting Sandy Lane and the access into Northwood Headquarters. Further discussions followed in respect of possible mitigation and the following comments were submitted:

“I understand the site have noted the options to enclose balconies and the reserved matter of landscaping and have also reviewed the boundary distances. However, their reservations / objection on grounds of security remains unchanged although they do appreciate the town planning position.

Unfortunately, the site cannot provide further detail on specific security arrangements, they can only express in terms of a general concern of overwatch / line of site into the main entry point and establishment from a multioccupancy 4 storey structure.

The site therefore wishes the objection to remain, and I take it from that for the determination to be made on that basis.”

4.1.19 National Grid: [No objection, informative recommended]

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linerearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

4.2 **Public/Neighbour Consultation**

4.2.1 Number consulted: 15

4.2.2 No of responses received: 7 objections including from Northwood Residents Association and Eastbury Flood Alleviation Group

4.2.3 Site Notice: Expired 14.12.2022 (Major Application)

4.2.4 Press Notice: Expired: 23.12.2022 (Major Application)

4.2.5 Summary of Responses:

- Compromises the integrity of the woodland and wildlife
- Overdevelopment
- Overbearing
- Poor design
- Not in keeping with rural nature of area
- Set a precedent
- Traffic concerns
- Highway safety issues
- Cause on-street parking
- Cause overlooking and block rural views
- Security risk given proximity to entrance to Northwood HQ
- Refuse vehicles can only enter and exit by swinging over to the wrong side of the road
- Concerns over increase volumes of storm water into road

- Flood Risk Assessment does not acknowledge the existence of persistent flood incidents on Sandy Lane around the site entrance
- Delivery trucks will inevitably block a busy major road

Officer comment: The above material planning considerations will be discussed within the following planning analysis sections. However, it should be recognised that the loss of view is not a material planning consideration. Additionally, it should be noted that the refuse vehicle tracking has been amended following consultation with the Council.

5 Relevant Planning Policy, Guidance and Legislation

5.1 Legislation

- 5.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).
- 5.1.2 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.
- 5.1.3 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- 5.1.4 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.

5.2 National Planning Policy Framework and National Planning Practice Guidance

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”.

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). Relevant chapters include: Chapter 2; Chapter 4; Chapter 5; Chapter 9; Chapter 11; Chapter 12; Chapter 13; Chapter 14; Chapter 15 & Chapter 16.

5.3 The Three Rivers Local Development Plan

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.

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, CP4, CP8, CP9, CP10, CP11 and CP12.

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 DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM11, DM13 and Appendices 2 and 5.

5.4 Other

Frith Wood Conservation Area Appraisal 2008

Affordable Housing Supplementary Planning Document (adopted June 2011)

South West Hertfordshire Local Housing Need Assessment (September 2020)

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

Housing Delivery Test Action Plan (June 2022)

Housing Land Supply Update (December 2022)

Technical Housing Standards – nationally described space standards (March 2015).

6 **Reason for Delay**

6.1 Submission of amended plans and obtaining consultation responses.

7 **Planning Analysis**

7.1 Outline nature of development

7.1.1 The application has been submitted in outline with scale, layout, appearance and access to be considered with landscaping to be reserved for future determination. Should outline planning permission be granted, the reserved matter of landscaping would need to be submitted as a formal application for consideration.

7.1.2 Whilst landscaping is reserved, it is considered that given the positioning of the building the potential impact on protected trees across the site is an important consideration under the assessment of 'layout'.

7.2 Principle of development

7.2.1 The application site is located within Eastbury, referred to as a Secondary Centre within the Council's Core Strategy Settlement Hierarchy. Policy PSP3 states that development in Secondary Centres will focus future development predominantly on sites within the urban area, on previously developed land and provide for approximately 24% of the District's housing requirements over the Plan period. Having regard to the definition of previously developed land within the NPPF (2021), parts of the site which are built up are considered to be previously developed. Whilst located within Eastbury, the application site falls on the outer edges of the settlement and therefore is approximately 1 mile from the amenities and transport facilities in Northwood.

7.2.2 It is noted that the application site has been included within the 2021 Regulation 18 consultation, 'Sites for Potential Allocation' relating to the new Local Plan, with an indicative dwelling capacity of 35 units. This would be on the basis that the Green Belt boundary would be revised, i.e. removed in its entirety. Whilst the 2021 Regulation 18 consultation exercise for the preferred allocated sites has now closed, a new consultation on 18 additional sites recently expired. A further consultation is expected later in the autumn. As a result, very limited weight can currently be given to the potential future allocation of the site.

7.2.3 The application site is also on the Brownfield Land Register (2020) which confirms that the site is appropriate for residential development and that development is achievable.

- 7.2.4 The NPPF at paragraph 119 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 120(d) states that decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 7.2.5 In respect of achieving appropriate densities the NPPF at Section 11, paragraph 125, emphasises where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.
- 7.2.6 At local level, Policy CP3 of the Core Strategy states that the Council will promote high quality residential development that respects the character of the District and caters for a range of housing needs.
- 7.2.7 It is well documented that the Council cannot demonstrate a deliverable supply of housing as required by the NPPF, with the Council's current position at approximately 1.9 year supply of housing. The NPPF at paragraph 11 is clear and states that where a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites then the policies within the development plan are considered out-of-date. As a result when engaging paragraph 11(d) of the NPPF it states that planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The fact the policies are considered out-of-date does not mean that they should carry no weight or be disregarded. In this instance the local plan policies are similar to the requirements of the NPPF and thus have been afforded significant weight.
- 7.2.8 In response to the Housing Delivery Test Result for the Council an Action Plan was required, setting out actions to improve housing delivery. As of June 2022, the Action Plan states at paragraph 3.24 that 'until a new local plan is in place and given the high demand for new homes and the constrained housing land supply, it will be crucial that new developments coming forward make the most efficient use of land'.
- 7.2.9 The development proposes an uplift of 28 dwellings which would significantly weigh in favour of the development having regard to the Council's current housing delivery position.
- 7.2.10 To conclude, the application site is in principle considered acceptable for residential development, although this is subject to an assessment against all other material planning considerations relating to layout, scale, access and appearance.

7.3 Impact on Metropolitan Green Belt

- 7.3.1 The application site is partially located within the Metropolitan Green Belt with the northern section of the plot situated within the confines of the Green Belt boundary (approximately 42% of the overall site). From historic plans the land within the Green Belt contained a large swimming pool building and garage which were permitted under planning reference 8/414/85. Additionally, historic plans also show a stable block towards the east of the application site which still exists today and is to remain as part of the proposal.
- 7.3.2 Due to the fact the application site is bounded by dense woodland to the north and residential properties to the other boundaries it is appreciated that any development on site would not conflict with any of the five Green Belt purposes as set out within the NPPF at paragraph 138. That said, the northern parcel of the site (adjacent to the woodland) does still fall within the Green Belt designation and paragraph 136 of the NPPF makes it clear that once established, Green Belt boundaries should only be altered where exceptional

circumstances are fully evidenced and justified, through the preparation or updating of plans, not during the planning application process.

- 7.3.3 Based on the current site circumstances there are single storey buildings and retaining walls which fall within the Green Belt (albeit some extensions have been significantly damaged by a fire) which currently already significantly reduce openness, a key characteristic of Green Belts.
- 7.3.4 At local level Policy CP11 of the Core Strategy sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt or which would conflict with the purposes of including land within it. Whilst Policy CP11 predated the NPPF (2012), it reflects the wording of both NPPF 2012 and 2021 and thus can be afforded weight as part of the decision making process. In addition to Policy CP11, Policy DM2 of the Development Management Policies LDD follows national policy and thus is considered consistent. Policy DM2 is a part of the statutory Development Plan for Three Rivers, and post-dates the 2012 NPPF (it was adopted following examination in 2013). It was therefore adopted at a time when national planning policy in respect of development in the Green Belt was very similar as it is today (i.e. very limited difference between 2012 NPPF and 2021 NPPF in respect of Green Belt). On this basis, it is considered that weight can be given to DM2 in decision making terms.
- 7.3.5 At national level the NPPF at paragraph 145 emphasises that local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
- 7.3.6 When considering whether the application proposal would be an appropriate form of development it is necessary to consider whether it falls within any of the exceptions listed at paragraph 149 of the NPPF as set out below:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;**
 - 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;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:**
 - **not have a greater impact on the openness of the Green Belt than the existing development; or**
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 7.3.7 It would appear that the exceptions of most relevance would be part (g), the partial or complete redevelopment of previously development land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development and part (b) due to the proposed play area.

- 7.3.8 Paragraph 150 of the NPPF also sets out 'certain other forms of development' which are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Of most relevance to the submitted application is part (b), engineering operations, given the proposed pedestrian pathways within the Green Belt which aid connectively around the building and play area and part d), the re-use of buildings provided that the buildings are of permanent and substantial construction.
- 7.3.9 Due to a fire at the application site the swimming pool extension to the side of the house within the Green Belt has largely been destroyed; however, existing extensions/buildings do still exist and are approximately 82sqm in area. These buildings project significantly northwards into the Green Belt, set back approximately 11m from the northern boundary. They currently significantly impact openness, albeit at a localised level. It should be noted that the Green Belt boundary is very difficult to identify while on and off site.
- 7.3.10 The development as proposed would confine built form to the Green Belt boundary with the exception of the balconies within the northern elevation at 85sqm in area which would project into the Green Belt. The building would be set back from the northern boundary by 18.5m, thereby significantly enhancing openness to this part of the site. Whilst a retaining wall feature would be built to the north to enclose private amenity areas serving some ground floor flats, it should be noted that retaining walls are not an uncommon feature to this part of the site due to the presence of the swimming pool and patio areas, all of which will be removed and replaced with landscaping. Additionally, the proposed retaining wall would be closely tied to the building, unlike the existing retaining walls which are positioned well within the Green Belt boundary. By pulling the building closer to the Green Belt boundary it is felt that a more defined physical distinction will occur on site with the remaining parcel of Green Belt land being overwhelmingly open in character (excluding the play area which is discussed below). Whilst noting that activity within the Green Belt would increase as a result of the scale of the development, it is not considered that its recreational use would be evidently apparent from outside the site given the wooded nature of the site and the enhancement to the area through a sensitive landscaping proposal. Nevertheless, great weight is attached to the removal of the existing built form well within the Green Belt and the significant benefits which would arise from this even though parts of the new building at four stories would intrude slightly into the Green Belt. It is concluded that the new building would therefore fall within the scope of paragraph 149(g) and therefore would be an exception to inappropriate development within the Green Belt and would not harm openness as a direct result.
- 7.3.11 In terms of the play area it is considered that this would fall within the definition of outdoor recreation and thus would be an appropriate form of development, subject to preserving openness and not conflicting with the purposes of Green Belt. Due to the nature of the play area the structures would be relatively low level (details of which would be secured by condition) and relatively well screened by existing and new soft landscaping to preserve the openness of the Green Belt. There would be no conflict with the purposes of the Green Belt. The play area would therefore fall within the exception set out at paragraph 149(b) of the NPPF and be an appropriate form of development.
- 7.3.12 With regards to the proposed paths within the application site, these would be minor forms of development which would not harm openness and would be largely obscured from outside the site by the wooded verge and surrounding tree coverage. Any use would be confined to residents using it for their enjoyment rather than facilitating any other uses which may have a harmful visual impact. The paths would therefore fall within paragraph 150(b) of the NPPF and constitute appropriate development.
- 7.3.13 The existing stable building towards the eastern part of the site is to be retained and used for ancillary purposes to the development. As a result it is therefore considered to preserve openness and not conflict with the purposes of the Green Belt. It would be appropriate

development within the Green Belt, falling within the scope of paragraph 150(d) of the NPPF.

- 7.3.14 To maintain the openness of the Green Belt it will be important that external lighting details are secured so any lighting within the Green Belt is sympathetic, i.e. lit via low level means or is very limited.
- 7.3.15 In conclusion, it has been found that the development as a whole would not result in a form of inappropriate development and would be acceptable in Green Belt terms, having regard to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD and the NPPF (2021).
- 7.4 Design, impact on the character of the area and upon nearby heritage assets
- 7.4.1 Policy CP1 of the Core Strategy 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'.
- 7.4.2 Policy DM1 and Appendix 2 of the Development Management Policies document seek to ensure that development does not lead to a gradual deterioration in the quality of the built environment. Appendix 2 of the Development Management Policies LDD sets out that development should not have a significant impact on the visual amenities of the area. Development should not be excessively prominent and should respect the existing character of the dwelling, particularly with regard to roof form, positioning and style of windows and doors, and materials.
- 7.4.3 The NPPF at paragraph 130 sets out that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character and history while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.4.4 In terms of the location of the application site and its local character, it sits immediately opposite the Northwood Headquarters which comprises a substantial cluster of large buildings which are generally at odds with the local built environment, albeit their impact on the local context is mitigated due to the setback nature of the buildings and the fact the site is on a lower land level than Sandy Lane. Notwithstanding the presence of the Northwood Headquarters, the immediate locality is characterised by large detached dwellings, many on subdivided plots within a heavily wooded setting. Due to the wooded nature of the area many of the immediate adjacent houses are only glimpsed meaning there is no active built form streetscene frontage, especially along Sandy Lane when approaching the application site from The Woods. The detached dwellings in the area have some degree of consistency in terms of their appearance and roof forms; however, it cannot be said that there is any real uniformity in terms of their design.
- 7.4.5 Following pre-application discussions it was held by the applicant that the character and appearance of the Northwood Headquarters heavily influences the area and it should not be viewed in isolation. Whilst Officers do not necessarily agree, it is clear that the proposed design approach has little resemblance to other residential buildings in the 'immediate' vicinity and seeks to provide a 'statement' building. Whilst there is an inevitable need to consider the new development against its immediate context, it is not considered that the local area should be so constrained so as to not include developments in and around Watford Road, Eastbury Avenue and many others in a wider context.
- 7.4.6 It goes without question that the development will be different from those residential dwellings close by given its height and contemporary approach to classical architecture. It would be visually unique and substantial in size given its design and height. The proposed

building would predominately be bricked, with its colour to appear similar to the use of Porphyry stone cladding and the use of concrete columns. Further, in terms of its height it would be approximately 2.8m higher than the highest ridge on the existing dwelling (1.6m higher when taken from the highest point on the existing dwelling) and would be of a bulkier design and closer to the highway.

- 7.4.7 The application site is significant in size, larger than the majority, if not all the other residential plots within the locality. The building would have a large footprint; however, the principal elevation of the building would only cover approximately 34% of the plot width, would be stepped in design, would be set back from the front boundary by a minimum of 10m with this increasing to approximately 20m from the highway pavement on Sandy Lane given the large wooded verge which would help to visually absorb and soften the majority of the four storey front elevation of the building from Sandy Lane. Since the previous withdrawn scheme, efforts have sought to mitigate the impact of the most visible part of the building from Sandy Lane, its south western corner as well as its four storey bulk and massing to the front. Whilst the building would still be four storeys in height towards the west and south western corner, the top floor element (third floor) to the northern part of the western elevation and the south western corner have been altered to elevated terraces with open sides. This has ensured that the elevated bulk and massing of the building is reduced at key points. Additionally, greater planting is shown towards the south western corner to supplement the existing highway woodland.
- 7.4.8 It is accepted that in winter months the tree coverage is reduced, especially close to the access. Although the building would be set back from the road as well as the fact that both the western (front) and southern (flank) elevations are stepped to reduce the overall bulk of the building a number of mature trees are proposed to be removed from the wooded verge to assist with visibility splays. Replanting will occur but would be subject to a section 278 agreement with HCC.
- 7.4.9 In light of the above, it is therefore accepted that the building will be visible from Sandy Lane; however, its visibility would be heavily mitigated due to the presence of mature vegetation. When considering the building's set back from the road boundary, its stepped building line, the use of Portphry stone and other similar darker coloured materials, the alterations to the third floor and future planting, these factors will ensure that the overall height of the building and its bulk and massing will not appear so unacceptably prominent, to an extent that would adversely affect the visual amenity of the streetscene. It is noted that the building would still appear as a four storey building, however, due to the lack of any notable streetscene frontage and the relationship with neighbouring properties including substantial intervening screening, a building of this height and design is considered to add a degree of visual interest into the existing streetscene without causing demonstrable harm.
- 7.4.10 As highlighted above the building would have a significant footprint, positioned relatively centrally within the plot with deep flank elevations, extending eastwards towards the heavily vegetated boundaries. The footprint of the new building would be far greater than any other nearby dwelling albeit the application site is also much larger than others adjacent. Given the heavily vegetated nature of the site, the building will not be unduly prominent from neighbouring outlook with the exception of Cedar House; however, it is accepted that views of the building will be possible from the properties towards the rear such as Oxhey Cottage, Frog Place and Samrat Villa but more so from Cedar House to the south. Whilst the building's layout is stepped towards the rear, so as to reduce its bulk and massing, parts of the building which face the side of Cedar House and its rear garden will be within 13-17m of the shared boundary. However, the building would be built into the ground which rises eastwards, meaning that the majority of the southern elevation would appear as a flat roofed three storey building, with the elevations staggered in design. Nevertheless, whilst accepting that the building would not harm the visual amenity of the streetscene, given its sheer scale and un-broken depth, the building from neighbouring vantage points would be

at odds with the sylvan character of the area. As a result, the overall massing and scale of the building would have a harmful impact on the wider area as a whole.

- 7.4.11 It is recognised that the development would provide for flats rather than individual detached houses which is the norm in the immediate locality. However, the very notion of a flatted development is not considered to be out of character with the local area and was not objected to when assessing the development at Cedar House (20/2314/OUT) to the immediate south. The proposed external parking area and shared surface arising from its use would largely be obscured from public view given the wooded highway verge and would be complemented by enhanced soft landscaping to ensure it would have an acceptable impact visually.
- 7.4.12 Policy DM3 of the Development Management Policies document states that applications 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 and that permission will not be granted for development outside but near to a conservation area if it adversely affects the setting, character, appearance of or views in to or out of that conservation area. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In respect of a non-designated heritage assets paragraph 203 states that when determining applications a balanced judgement will be required having regard to the scale of the harm or loss and the significance of the heritage asset.
- 7.4.13 At a distance of approximately 170m south of the application site is the Frith Wood Conservation Area. Given the distance between the site and the conservation area, it is not considered that the development would harm its setting. There are also a number of non-designated heritage assets and Grade II Listed Buildings (Lodge to Admiralty House, Admiralty House and The Glade) within the local area; however, given the separation distance no harm would arise.
- 7.4.14 Details in relation to external lighting could be secured by condition, as it is noted that external lighting to the building could increase its visual prominence. The comments from the Crime Prevention Officer have been taken on board.
- 7.4.15 In terms of the wider landscape impact Policy DM7 of the Development Management Policies LDD states that the Council will require proposals to make a positive contribution to the surrounding landscape. The application was supported by a Landscape and Visual Assessment which concludes that the development will have a low (negligible) landscape character impact on the Northern Thames Basin. Having regard to the site's location and the surrounding environment it is agreed that there would be no harmful impact.
- 7.4.16 To conclude, whilst of contrasting design to other residential buildings in the immediate vicinity, having regard to the fact that the local area is varied and having some regard to the Northwood Headquarters opposite, materiality and intervening screening, it is considered that the design approach would be acceptable and would not have an unacceptable impact on the visual amenity of the streetscene, with the development adding a degree of vibrancy into this part of Sandy Lane. That said, the building would be sizable in scale, of significant bulk and massing which would be readily visible from a number of neighbouring vantage points. Due to these factors, it is considered that the sheer scale of the development would appear out of character with the sylvan character of the area. As a result the development would fail to accord with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.5 Impact on neighbouring amenity

- 7.5.1 Policy DM1 and Appendix 2 (Design Criteria) of the Development Management Policies LDD states that new development should take into consideration impacts on neighbouring

properties, both within and surrounding the development. Within the Design Criteria there is an expectation that all developments provide acceptable standards of privacy for both new and existing residential buildings and the degree of overlooking and privacy inherent in a development will depend on density, layout, distances and angles between buildings, internal layout, positioning of windows, relative levels and, to some extent, the presence of trees, hedges or other landscape features (although trees and hedges should not be solely relied upon).

- 7.5.2 The Design Criteria sets out that in the interests of privacy and to prevent overlooking distances between buildings should be at least 28m between the faces of single or two storey buildings backing onto each other, with this distance greater between buildings in excess of two storeys (especially dwellings/flats) with elevations which directly face one another. The Design Criteria also states that where rear garden length alone is relied on to provide privacy the minimum length should be 14m.
- 7.5.3 Due to the location of the application site, the most immediate residential properties of note are Cedar House to the south, Frog Place and Hilltop Cottage to the east / south east and Samrat Villa, 3 Oxhey Ridge Close to the north east.
- 7.5.4 The proposed building would sit alongside Cedar House with the eastern elevation facing towards Frog Place, albeit the latter would be separated by a narrow strip of the rear garden belonging to Oxhey Cottage. Whilst the building would not back onto Samrat Villa, 3 Oxhey Ridge Close, it would still be visible.
- 7.5.5 Cedar House faces away from the application site, in a south westerly direction meaning the majority of the proposed building towards the front would be angled away from the boundary. The proposed building would be set in from the boundary by a minimum of 13m rising to 26m with mature trees masking large parts. As highlighted above, the new building would be visible given its scale from within the driveway of Cedar House; although, given the relationship, positioning to the north and the significant intervening mature tree screen the proposed building would not result in any demonstrable harm in terms of loss of light or outlook. Due to the topography of the application site with the land naturally rising towards the rear, the proposed building will appear more akin to a three storey flat roofed building when positioned alongside Cedar House and when viewed at the rear with the southern elevation stepped in design. Within the rear garden of Cedar House there is an outbuilding located close to the boundary with the application site. Without the strengthening of the tree cover the new building would be readily visible from the rear garden albeit its impact would be mitigated by the presence of the outbuilding and tree cover. Whilst the building would be set in from the boundary at this point by a minimum of 13m, given the boundaries splayed nature, the majority of the building would actually be set back far more significantly which reduces its visual prominence and impact.
- 7.5.6 Whilst it is acknowledged that some of the proposed flats would face directly south, towards Cedar House and therefore heightening the perceived sense of overlooking, it is considered on balance that there would not be any significant loss of amenity due to the presence of mature vegetation coupled with the separation distances, exceeding those required by the Design Criteria (14m). It is also noted that the refused flatted scheme at Cedar House had a similar layout with flats facing towards the application site at a distance of 14m. This was not a reason for refusal under application 20/2314/OUT. Towards the rear, the building would be set in from the adjacent boundary with the very rear garden of Oxhey Cottage by a minimum of 13m. Due to the existing protected tree cover it is considered that this distance would be acceptable to prevent any unacceptable overlooking issues, with the main part of this neighbouring garden well screened and set significantly away from the development site.
- 7.5.7 A distance of approximately 43m would exist between the three storey north eastern elevation of the proposed building and the rear of Frog Place and approximately 55m to Hilltop Cottage which is further to the south. In addition to the significant separation

distances there would be extensive tree cover which would assist in preventing the building from appearing overbearing and creating unacceptable overlooking issues. To the north east there would be a separation of distance of approximately 57m between the proposed north eastern corner of the building and the rear of Samrat Villa, 3 Oxhey Ridge Close. As a result, the proposed building would be well in excess of the separation distances as set out within the design criteria.

- 7.5.8 To the west and north there are no residential properties so no overlooking issues would arise, albeit the impact on Northwood Headquarters is considered at section 7.7 of this report.
- 7.5.9 Whilst the proposed building covers a substantial footprint, it is not considered that the development would result in any unacceptable levels of overlooking given its layout, relationship with neighbouring properties and the presence of a mature vegetated screen along the site boundaries which are to remain in situ, are protected and are to be strengthened. The submitted Daylight and Sunlight report which reference BRE guidance (i.e. useful tests) also confirms that no loss of light or overshadowing to all above mentioned neighbouring properties would arise.
- 7.5.10 The development would increase on-site activity given the number of units with the frontage area also comprising 8 parking spaces. Communal paths are also proposed with amenity spaces provided within the site. Due to the protected tree screening on the boundaries the increase in on-site activity would not be readily evident or result in any unacceptable noise and disturbance which would conflict with Policy DM9 of the Development Management Policies LDD.
- 7.5.11 It is accepted that given the scale of the development that the construction phase has the potential to cause disturbance to adjacent neighbouring properties. A Construction Management Plan would be secured by condition and will include further details concerning timing of construction activities and deliveries to avoid unacceptable impacts to neighbouring properties and the locality more generally.
- 7.5.12 To summarise, the development proposal is considered, on balance, not to have a detrimental impact on the privacy levels of Cedar House or any other neighbouring property. The development therefore complies with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.6 Impact on highway safety, parking and refuse collection

- 7.6.1 Policy CP10 of the Core Strategy states that all development proposals should be designed and located to minimise the impacts of travel by motor vehicle on the District. In particular, major development will be expected to be located in areas of highly accessible by the most sustainable modes of transport, and to people of all abilities in a socially inclusive and safe manner. The NPPF at paragraph 111 states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Access and trip generation

- 7.6.2 The application site is currently accessed by a shared access with Cedar House with separate gates serving each property, set back from Sandy Lane by approximately 15m. Sandy Lane is a Classified A main distributor road with speed limit of 40mph and is a highway maintainable at public expense.
- 7.6.3 The proposal put forward two access options, both of which went through a Road Safety Audit – Stage 1 process. The Highway Authority have confirmed that Option 2 is preferred. This option would alter the shared access, giving priority to the application site. To enable acceptable vehicular visibility splays some vegetation and trees within the existing highway

land would need to be removed and/or cut back to the north of the access in addition to a relocation of an existing utility pole. The Highway Authority have confirmed that they have no issues with the removal of the vegetation; however, depending on the size of the tree to be removed, the Highway Authority would require replacement trees, the cost of which would be borne from the applicant and be subject to a section 278 Agreement which falls outside of the remit of this application.

- 7.6.4 Electric vehicular gates are proposed, set back 15m from the road edge ensuring vehicles could safely wait clear of passing traffic. The gates would be FOB operated which would be given to residents and regular visitors. However, further details would be required in respect of how other users such as delivery drivers, visitors would gain access to the site as vehicles must avoid reserving out onto Sandy Lane. Further details would be secured by condition.
- 7.6.5 In terms of trip generation, the submitted information contained within the Transport Statement has been considered acceptable by the Highway Authority. Given the existing use of the site, it is inevitable that far greater vehicular movements would occur. From the submitted details it is anticipated that the number of trips associated with the proposed use are estimated to be 8 two-way vehicle movements in the AM peak (08:00 to 09:00) and 9 two-way vehicle movements in the PM peak (17:00-18:00). The Highway Authority are content that the development would not be unacceptable and are unable to substantiate a reason for refusal on this aspect.
- 7.6.6 It is noted that immediately outside the application site, the highway floods during high rainfall. Following discussions with the Highway Authority they have confirmed that the access works linked to the development would ultimately require a section 278 agreement and any subsequent safety audits carried out as part of that process should identify if there is an ongoing flooding issue. If identified, this would be rectified during the section 278 process. Notwithstanding this, the Highway Authority are aware of the existing issue.
- 7.6.7 It is also essential that the new access is built out prior to construction works given the current condition/layout of the access and its poor visibility. A pre-commencement condition would be imposed to that effect for highway safety purposes.

Sustainable travel and accessibility

- 7.6.8 The proposed site is served by an existing lit footway and a pedestrian access is proposed. It is sited close to bus stops on Watford Road/Sandy Lane Way and The Woods, all of which are within recommended accessibility limits of 400m. The proposal includes an internal storage area for up to 30 cycles along with further external storage. Appropriate signage, surfaces and lighting would be required due to the shared use of the frontage.
- 7.6.9 Whilst close to bus routes, the services are not regular and thus given the location of the site there would be significant reliance on trips by car.

Parking

- 7.6.10 With regards to parking, the site will provide 62 spaces across the site (54 within the basement and 8 external spaces). Out of the 62 spaces, 15 spaces are designated as disabled and 20% will provide for electric vehicles.
- 7.6.11 Policy DM13 and Appendix 5 of the Development Management Policies LDD sets out the car parking requirements for the District and states that in areas of high accessibility and good service provision a reduction in the levels of parking for residential development may be appropriate. Whilst there is good access to bus stops which serve the No.8 bus route which would connect the site to immediate settlements such as Northwood and South Oxhey where local amenities and train stations are located, it is considered that the majority of occupiers would rely on vehicles as their primary mode of travel given the distances to

such amenities. As such given that the site is located on the edge of Northwood it is not considered that it falls within an area of high accessibility.

7.6.12 The table set out below clarifies the parking standard requirements as set out within Appendix 5 and applies them to the proposed development.

Flat type	Parking standard requirement (Appendix 5)		No of flats	Parking requirement of the development	
	Total spaces	Assigned space		Total spaces	Assigned space
1 bed	1.75	1	12	21	12
2 bed	2	1	6	12	6
3 bed	2.25	2	9	20.25	18
4 bed	3	3	2	6	6
Total				59.25	42

Table 1: Parking standards when applied against parking requirements of the development

7.6.13 As the above table shows there will be a total requirement to provide for 60 (rounded upwards from 59.25) spaces across the development including 42 assigned spaces. The development will provide a total of 62 spaces and therefore will slightly exceed the total requirement.

7.6.14 Concern has been raised that given the total number of flats that there will be an overflow of vehicles parking on adjacent residential streets which would lead to a detrimental impact on the surrounding residential roads and the amenity of neighbouring residents.

7.6.15 In response, it is evident that the total number of assigned spaces would accord with and provide in excess of the parking requirements. A Parking Management Plan would be secured by condition in the event of an approval to ensure that the number of parking spaces allocated to each flat is consistent with the parking standards (i.e. 3 assigned spaces for a 4 bed flat), as well as allocating visitor and disabled spaces. In terms of visitor spaces, there would be 17 spaces which could be provided. It is considered that this number would be acceptable to avoid overflow vehicles being parked on adjacent residential roads such as The Woods.

7.6.16 The Parking Management Plan would also set out the required number of disabled spaces, which, when applied to Appendix 5 states that for residential development 1 space per 4 spaces is required (where there are more than 10 spaces). When applied to the development proposed, 16 spaces (rounded from 15.5) are required. This accords with the details submitted and would be secured via the management plan.

7.6.17 With regard to cycle parking Appendix 5 states that for flats there is a requirement for 1 space per 2 units. A bike store with a capacity of 30 bikes is to be provided at ground level, along with external bike racks. The development would therefore comply with the cycle parking standards. Details would be secured by condition in the event of an approval to ensure they are provided for future occupants.

Waste Management

7.6.18 In terms of waste management, Policy DM10 states that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals.

7.6.19 The application has been supported by amended tracking details which confirm that access via a TRDC refuse vehicle is achievable and can leave the site in forward gear. An appointed management company will move the refuse from the ground floor to the waste

storage area adjacent to the vehicular entrance in order to be collected. Details relating to this arrangement will be secured by condition in the event of an approval.

Construction Management

- 7.6.20 Due to the nature of the works, including demolition, significant excavation and construction and the location of the site with access from a busy 40mph road, a Construction Management Plan would be required to mitigate the impact of the construction works on the highway network, especially during peak hours. Details will include construction vehicle numbers, routing, traffic management requirements, storage of materials, contractor parking and cleaning of the site entrance and the adjacent public highway.

Section 278 Highway Works

- 7.6.21 In order to make the development acceptable in planning terms a number of works would be required within the extent of the highway, maintainable at public expense. These would include:

- Amendments to the existing access including priority arrangements and 6m kerb radii on either side
- 2m wide footway on the north side of the rearranged access;
- Tactile paving and pedestrian dropped kerbs on either side of the bellmouth access;
- Any necessary surfacing of the vehicular access area;
- Removal or cutting back of any highway vegetation to provide the necessary levels of vegetation on the north side of the access along Sandy Lane.

- 7.6.22 The above would all be subject to a section 278 Agreement with the County Council, subject to the decision to grant planning permission. As part of the above agreement, the flooding issue within the road would also be looked at.

7.7 Impact on national security

- 7.7.1 The NPPF at paragraph 97 states that planning decisions should promote public safety and take into account wider security and defence requirements by:

- a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and
- b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

- 7.7.2 The application site is located opposite Northwood Headquarters (NHQ). The Ministry of Defence (MOD) object to the development citing their general concern of overwatch / line of site into the main entry point from a multioccupancy 4 storey structure. During the application process discussions were held on site and attempts were made to mitigate the concerns raised. It was confirmed that NHQ were unable to provide further details on specific security arrangements which may have a material impact on the proposal.

- 7.7.3 Whilst the concerns are fully acknowledged and Officers recognise the sensitivities around NHQ, there are a number of material planning considerations which ensure that the concerns are adequately addressed. The distances between the forward most western elevation of the building and NHQ site are more than the separation distances set out within Appendix 2 which states that “as an indicative figure, 28 metres should be achieved between the faces of single or two storey buildings backing onto each other. Distances should be greater between buildings in excess of two storeys.” Whilst this guidance relates to residential scenarios it can be used in this instance as a guide. The proposed building is approximately 30m from the front of the NHQ site (front boundary line), approximately 45m from the site’s gated entrance and therefore substantially away from any buildings within NHQ, thus well in excess of the guidance. In addition due to the layout of the NHQ, the majority of the buildings are located a substantial distance from the site entrance, on a lower land level and are screened by on-site trees. The views from the forward most four storey elevation would also be restricted by the existing line of mature evergreen trees which are to be retained along with the mature woodland trees found within the highway verge.
- 7.7.4 The views from the recessed front western elevation would, in part, be restricted by the forward most elevation meaning that primary outlook from this four storey aspect would be across the site, highway verge, Sandy Lane and the pond within the site boundary of NHQ. The distance from this elevation to the pond is approximately 38/40m.
- 7.7.5 To further mitigate the concerns raised, it was agreed that privacy screens can be added to the external balcony areas to restrict external views from a standing position. This would require the erection of a 1.8m high privacy screen to the balconies within the western elevation. Further flank privacy screens would also be erected to the flanks of elevated balconies within the northern and southern elevations. These details are to be secured by planning condition in the event of an approval.
- 7.7.6 Further conditions would ensure the protection of the on-site trees shown to be retained; although it should be noted that they are all protected in any event via the TPO and greater on-site planting will take place.
- 7.7.7 It is recognised that the development would increase the number of occupants on site and the level of activity would also increase. However, there is no evidence to suggest that the increase activity on site would have an adverse impact on the security operations of NHQ, which, was noted to be significantly fenced and had CCTV cameras in place immediately opposite the application site and along Sandy Lane.
- 7.7.8 Whilst the objection raised by NHQ is noted, due to the site circumstances and distances involved with adequate mitigated planned, it is not considered that the development would adversely affect the NHQ operations, especially as no specific security arrangements have been raised. As a result, it is considered that the development would accord with paragraph 97 of the NPPF (2021).

7.8 Housing mix

- 7.8.1 Policy CP3 of the Core Strategy states that the Council will promote high quality residential development that respects the character of the District and caters for a range of housing needs. The Council will require housing proposals to take into account the range of housing needs, in terms of size and type of dwellings as identified by the Strategic Housing Market Assessment and subsequent updates.
- 7.8.2 The Local Housing Needs Assessment (LNHA) was finalised in 2020 and is the most recent update to the SHMA which sets out the following market housing mix for developments.

	1- bed	2- bed	3- bed	4+ bed
Market Housing	5%	23%	43%	30%

7.8.3 Based on the type of accommodation provided, the development will provide 12 x 1 bed flats (41%), 6 x 2 bed flats (21%), 9 x 3 bed flats (31%) and 2 x 4 bed flats (7%). Whilst the scheme does provide a similar amount of 2 and 3 bed flats, the development as a whole does not comply fully with the above mix. Nevertheless, it is noted that the scheme does provide a good range of flat sizes and bedroom types. However, it is recognised that the proportions of housing mix may be adjusted for specific schemes to take account of market information, housing needs and preferences and specific site factors. No justification for the proposed mix has been provided, however, given the scale of development, it is not considered that the lack of variety in the housing mix would weigh against the proposal and justify a reason for refusal.

7.9 Affordable Housing

7.9.1 Policy CP4 of the Core Strategy requires development that would result in a net gain of one or more dwellings to contribute to the provision of affordable housing, and in most cases, affordable housing provision would be required on site. Policy CP4 sets out that 45% of all new housing should be affordable. Following the Written Ministerial Statement in May 2021 which set out the Government's plan for delivery of First Homes, the tenure mix for affordable housing under Policy CP4 has altered to 25% First Homes, 70% social rented, and 5% intermediate. However, given that significant pre-application discussions had occurred before 28 December 2021, there is no requirement for the applicant to consider First Homes. As such, the level of affordable housing on site should be 70% social rented and 30% intermediate.

7.9.2 The Affordable Housing Supplementary Planning Document was approved by the Council in June 2011 as a material consideration and supports implementation of Core Strategy Policy CP4.

7.9.3 The proposed delivery of 29 flats would result in a policy requirement of 13 affordable units.

7.9.4 No affordable housing is proposed as part of this application on viability grounds. The Core Strategy sets out that in assessing affordable housing requirements, the Council will take each case on its merits taking into account site circumstances and financial viability. Where non-viability is cited as the reason for a development proposal not complying with the affordable housing requirements, applicants for planning permission must support this reason with financial evidence to be submitted alongside the planning application.

7.9.5 A viability assessment was submitted with the application indicating that it would not be viable for the development to contribute to the provision of affordable housing. This has been independently assessed with the review concurring that no affordable housing provision would be viable, concluding that the policy complaint scheme results in a negative residual land value of -£3,982,409. When an appraisal was carried out with 100% open market units, this also resulted in a negative land value of -£1,611,564. The introduction of a benchmark land value would only serve to make the scheme more unviable. As such there would not be a requirement for the development to make provision for affordable housing in accordance with the provisions of Core Strategy Policy CP4.

7.9.6 On the basis of the above, it is considered that the use of a review mechanism, to enable the viability to be revisited in the future and a possible financial contribution sought in the event the viability position does change, would be directly related to the development and fairly and reasonable related in scale and kind to the development. The applicant has agreed to the principle of entering into a legal agreement to secure a mechanism, subject to the particulars.

7.10 Living conditions of future occupants

- 7.10.1 Policy CP12 of the Core Strategy states that development must protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.
- 7.10.2 All flats would be served by a good level of light reception with the majority having dual aspects. Those that do not have dual aspects have acceptable levels of north facing fenestration.
- 7.10.3 In terms of room sizes local policy is silent; however, the nationally described space standards can be used as a guide and the flats would be compliant. Every flat would also have their own private amenity space / terrace with significant communal grounds.
- 7.10.4 To safeguard privacy levels, obscure screens would be required between certain gardens/terraces to avoid inter-overlooking between flats.
- 7.10.5 In respect of outlook, the majority of views from the units will be constrained to within the application site given the mature vegetated boundaries; however, due to the layout of the amended building it is not considered that trees would restrict light reception into the flats to an unacceptable degree.
- 7.11 Amenity space provision / open space
- 7.11.1 Appendix 2 of the Development Management Policies LDD states that amenity space must be provided within the curtilage of all new residential developments. Depending on the character of the development, the space provided may be in the form of private gardens or in part, contribute to formal spaces/settings for groups of buildings or existing mature trees.
- 7.11.2 In respect of communal space for flats Appendix 2 states that it should be well screened from highways and casual passers-by. Purely visual amenity space should be prominent and may well include mature trees and key areas of planting and serves as a visual asset to the development without necessarily being heavily used by the occupants of the flats.
- 7.11.3 The indicative standards as set out within the Design Criteria are as follows:
- 1 bed flat: 21 square metres
 - Additional bedrooms: 10 square metres each (space can be allocated specifically to each flat or communally)
- 7.11.4 On the basis that there are 12 x 1 bed flat (252sqm); 6 x 2 bed flats (186sqm), 9 x 3 bed flats (369sqm) and 2 x 4 bed flats (102sqm) there should be a total amenity space requirement of 909sqm. The communal space surrounding the building will provide in excess of 1,800sqm. In addition, each flat would have their own private amenity area or terrace. As a result the development would far exceed the indicative amenity levels as set out at Appendix 2.
- 7.11.5 Policy DM11 Open Space, Sport and Recreation Facilities and Children's Play Space of the Development Management Policies LDD states that new residential developments of 25 or more dwellings should make provision on site for open space and play space. The Open Space, Amenity and Children's Playspace SPD emphasizes that for large development the Council expects all provision for open space to be made on site with the layout and construction the responsibility of the developer with the costs of maintenance provided over a 30 year period. The SPD makes clear that the open space can be either public or private and include parks, gardens, woodland, outdoor sport pitches, children's play space, amenity green space and allotments.
- 7.11.6 A play area is proposed to the north of the building and would have an area of 100sqm. This is considered acceptable and complies with the SPD. The structures / play equipment within the play area, surfacing and enclosure are all to be secured by condition.

- 7.11.7 It should be noted that further provision towards infrastructure would be secured via the CIL payment.
- 7.12 Impact on trees / landscaping
- 7.12.1 Policy DM6 of the Development Management Policies LDD states that development proposals should seek to retain trees and other important landscape and nature conservation features whilst including new trees and other planting to enhance the landscape of the site and its surroundings as appropriate.
- 7.12.2 The application site is protected by an Area Tree Preservation Order (TPO800) which protects all trees present on the site.
- 7.12.3 Whilst landscaping is a reserved matter, the layout of the building is such that it would require the removal of 33 individual trees and 11 groups of trees.
- 7.12.4 Of the trees to be removed 1 tree, a Chinese Thuja (labelled as "41") and 3 groups of trees (5 within G1 located within the highway verge; 4 within G4 located on the western boundary & 3 within G16 located to the rear of the existing house) fall under category B which are of moderate quality and capable of making a significant contribution to the area. The rest of the trees to be removed fall within category C or U and thus should not be seen as a constraint to development.
- 7.12.5 It is accepted that any redevelopment of the site would require the removal of a number of trees, with many groups of trees self-sown arising from the vacant use of the site and its lack of maintenance. Whilst it is regrettable that category B trees are to be removed, it is not considered that their removal would have a detrimental impact on the wider landscape amenity value. Any re-development would require the removal of G1 to enable acceptable visibility splay lines and these would be subject to replacements with Hertfordshire County Council who own the land via the section 278 Agreement. The removal of G4 and the Chinese Thuja is to facilitate the development with the latter located towards the rear of the site whereby its amenity value is reduced.
- 7.12.6 The redevelopment of the site will ensure greater on-site management of existing trees which have been neglected and the ability to plant significantly more trees across the development. Whilst landscaping is reserved, the details submitted indicate that a comprehensive landscape scheme is achievable. These factors are considered to outweigh the loss of the trees and make the development acceptable having regard to Policy DM6.
- 7.12.7 The proposed external parking area and paths around the building would also encroach into the root protection areas of many trees, although it is considered that this could be adequately mitigated through sympathetic construction techniques.
- 7.12.8 Details pertaining to tree protection through erection of fencing and ground protection have been submitted and are considered acceptable. In order to ensure that they remain in place throughout construction a site supervision condition has also been attached to the recommendation.
- 7.12.9 In light of the above and lack of objection from the Landscape Officer, subject to conditions, it is considered that the development complies with Policy DM6 of the Development Management Policies LDD.
- 7.13 Flooding and Drainage
- 7.13.1 The NPPF at paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

- 7.13.2 Policy CP1 of the Core Strategy recognises that taking into account the need to avoid development in areas at risk of flooding will contribute towards the sustainability of the District. Policy CP12 of the Core Strategy also acknowledges that the Council will expect development proposals to build resilience into a site's design taking into account climate change, for example flood resistant design. Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD 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. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDs).
- 7.13.3 The application site lies within Flood Zone 1 and is at a low risk of surface water flooding. However, Officers note from site visits that the area immediately in front of the access regularly floods, appearing to stem from a lack of storm drainage capacity within Sandy Lane. The Highway Authority have confirmed that this is currently being investigated and would in any event be checked upon any section 278 agreement as part of the safety audit.
- 7.13.4 A Flood Risk Assessment and Surface Water Drainage Strategy was submitted with the application.
- 7.13.5 With regards to surface water management, the proposal seeks to provide a combination of SuDS infiltration systems, such as permeable paving, rainwater harvesting and swale and modular soakaways. In terms of foul water, it would connect into the public foul water sewer in Sandy Lane with a limited runoff rate of 1l/s (as agreed by Thames Water).
- 7.13.6 Throughout the process the drainage strategy has been reviewed. During recent infiltration tests it concluded that there was potential for infiltration drainage; however, further sensitivity testing to demonstrate the robustness of the system is required. These tests are being conducted and will be subject to a further review.
- 7.13.7 In the event that the further tests conclude that the surface water management on site is robust, it would be subject to a condition that it should be undertaken in accordance with the drainage strategy. A maintenance and management condition would also be required to ensure it remains operational throughout the lifetime of the development.
- 7.14 Contaminated Land:
- 7.14.1 Paragraph 183 of the NPPF states that planning decisions ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination and after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.
- 7.14.2 Policy CP9 of the Core Strategy states that the Council will only grant planning permission for development, on, or near to, on land suspected to be contaminated, where the Council is satisfied that:
- i) There will no threat to the health of future users or occupiers of the site or neighbouring land; and
 - ii) There will be no adverse impact on the quality of local groundwater or surface water quality
- 7.15 As part of the application a Preliminary Risk Assessment was submitted and identified a number of plausible contaminant linages that require further investigation, albeit on a low risk basis. Nevertheless, several pre-commencement conditions which have been suggested by Environmental Health have been attached to the recommendation.
- 7.16 Wildlife & Biodiversity

- 7.16.1 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.
- 7.16.2 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. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.16.3 A Local Biodiversity Checklist has been completed by the applicant and submitted with the application along with a Preliminary Ecological Appraisal and Bat Survey. The application site lies adjacent to an area of deciduous woodland and is nearby Oxhey Woods, a Local Nature Reserve. The appraisal acknowledged that the dilapidated building has a high habitat value for supporting roosting bats and also recognised that the development would not have a detrimental impact on biodiversity, subject to the introduction of bird boxes / site clearance works to be carried out under a precautionary method of working with hedgehog houses installed to the site boundaries away from the pathways and parking area. The Bat report concluded that a mitigation licence will not be required to the proposed works to be lawfully undertaken after a number of surveys. Nevertheless, it is recommended that 2 bat boxes should be installed within the walls or attached externally and the incorporation of wildlife friendly planting (subject to landscaping which is a reserved matter).
- 7.16.4 The above is all secured by conditions to ensure that the site will provide a net gain for biodiversity.

7.17 Sustainability

- 7.17.1 Policy DM4 of the Development Management Policies LDD sets out that development must produce at least 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply.
- 7.17.2 The application has not been supported by an Energy Statement which confirms what type of design measures will be incorporated into the build to meet the policy standard. The submitted information states that the scheme aims to reduce the energy demand of the building as far as possible through both passive and active measures such as using high specification building fabric and thermal insulation, installing energy-efficient lighting, using a Building Management System to monitor the buildings electrical equipment and installing photovoltaic panels on the roof. The measures will need to be tested and therefore a pre-commencement condition has been recommended to ensure the requirements of Policy DM4 can be met and implemented during the build process.

7.18 Planning Balance / titled balance

- 7.18.1 The NPPF makes it clear at paragraph 11 that there is a presumption in favour of sustainable development that planning permission should be granted unless either a) there is a clear reason for refusing the development proposal given its impact on an area or asset of particular importance (para 11(d)(i)), or b) that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (para 11(d)(ii)). On the basis that the Council can only demonstrate a 1.9 year housing land supply, it must apply a presumption

in favour of sustainable development, although noting that the local planning policies referred to carry significant weight. The tilted balance is therefore engaged.

- 7.18.2 From the assessment of the application it has been found that the development would result in harm to the sylvan character of the area given its scale and the fact it would be out of character with the area, conflicting with Policy CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD. Additionally at the time of writing the report the drainage consultant required further information and thus the drainage strategy has not been agreed. If the drainage consultant/LLFA was to maintain their current stance planning permission could be refused as there is a clear reason for refusing the development as per para 11(d)(i) of the NPPF.
- 7.18.3 Nevertheless, if the drainage consultant/LLFA were not to object following additional information, it is considered that the development would still breach the development plan for the reason expressed above and therefore an assessment is required as to whether the adverse impacts identified would be significantly and demonstrably outweighed by the benefits of the scheme.
- 7.18.4 The application site is located on the edge of Eastbury (Northwood) and thus is not positioned within a highly sustainable location in respect of local amenities and public transport with limited bus options. Nevertheless, it does fall within a built-up residential area.
- 7.18.5 The proposed development would boost the supply of housing where there is currently a very significant deficit and would bring back into life a derelict property which has been acknowledged as being a deliverable site, falling on the Brownfield land register and a site potentially to be allocated in the future with a greater indicate capacity of dwellings. It would also be a substantial development, creating new jobs during the construction phase and future occupiers would support local economies. Further, the development will provide enhancements for biodiversity across the site, improvements to the highway access including the access for Cedar House and ensure better management of a significant number of protected trees across the development site.
- 7.18.6 The combination of all the above, especially the Council's current housing land supply position and the ability to redeveloped a deliverable site on largely previously development land, carries significant weight in favour of the development.

7.19 Conclusion

- 7.19.1 To summarise, whilst noting strong local objection against the development on various grounds, it is accepted that harm would arise to the character and appearance of the area. However, it is considered that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits and thus outline planning permission should be granted with matters relating to landscaping reserved.

8 **Recommendation**

- 8.1 That subject to the recommendation of approval/no objection from the Lead Local Flood Authority (LLFA) or an alternative appointed consultant providing specialist professional advice and the completion of a Section 106 Agreement (securing an affordable housing review mechanism), that the application be delegated to the Head of Regulatory Services to GRANT PLANNING PERMISSION subject to conditions as set out below and any additional conditions as requested by the LLFA (or appointed consultant):

C1 Submission of Reserved Matters:

Details of the landscaping (hereinafter called "the reserved matter") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. The future landscaping details shall have specific regard to the submitted Illustrative Landscape Masterplan.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act.

C2 Time Limit for Reserved Matter:

An application for approval of the reserved matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall commence before the expiration of three years from the date of approval of the last of the reserved matters to be approved.

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.

C3 In accordance with Approved Plans:

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

Arbtech AIA 01 Rev A
Arbtech TPP 01 Rev A
20-001 Rev A (Existing Location Plan)
20-002 Rev A (Existing Block Plan)
20-003 Rev A (Existing Site Layout Plan)
20-101 Rev A (Proposed Location Plan)
20-102 Rev A (Proposed Block Plan)
20-103 Rev B (Proposed Site Layout Plan)
20-110 Rev B (Proposed Ground Floor Plan)
20-111 Rev A (Proposed First Floor Plan)
20-112 Rev A (Proposed Second Floor Plan)
20-113 Rev A (Proposed Third Floor Plan)
20-115 Rev A (Proposed Basement Plan)
20-120 Rev D (Proposed West Elevation)
20-121 Rev C (Proposed South Elevation)
20-122 Rev B (Proposed East Elevation)
20-123 Rev C (Proposed North Elevation)
20-130 Rev B (Proposed Section A-A)
20-131 (Proposed Section B-B)
92-001 Rev A (Proposed Entrance Gate)
2007881-002 Rev D (Access – Option 2)

Reason: For the avoidance of doubt, in the proper interests of planning in accordance with Policies PSP3, CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM11, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

C4 Dwelling limit:

The total number of residential units provided within the scheme shall not exceed 29.

Reason: For the avoidance of doubt, in the interests of planning, and to ensure the development remains within the scope and parameters of the submitted and reviewed Affordable Housing Viability Appraisal assumptions to accord with Policies CP1 and CP4 of the Core Strategy (adopted October 2011).

C5 Highway Improvements - Offsite

Notwithstanding the details indicated on the submitted drawings no on-site works shall commence whatsoever (including demolition) until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing numbers 2007881-002 Rev D and 20-103 Rev B have been submitted to and approved in writing by the Local Planning Authority.

The offsite highway improvement works as agreed shall be completed in accordance with the approved details prior to the commencement of the development hereby permitted on site.

Reason: This is a pre-commencement condition to ensure that the new access is in situ during the construction phase in the interest of highway safety and amenity and in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

C6 Provision of Visibility Splays

Prior to the commencement of the development hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved plans. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

C7 Tree Protection:

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, in accordance with Drawing Number Arbtech TPP 01 forming part of the submitted Arboricultural Method Statement, dated 8 October 2022 prepared by arbtech.

The protective measures, including fencing, shall be undertaken in full accordance with Drawing Number Arbtech TPP 01 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).

C8 Site supervision

Prior to the commencement of the development, a scheme of supervision for the arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. The works or development shall be carried out in accordance with the approved scheme of supervision for the arboricultural protection measures.

Reason: This condition is a pre commencement condition to ensure that continued monitoring takes place 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).

C9 Biodiversity Management Plan:

Prior to the commencement of the development, a Biodiversity Management Plan shall be prepared, detailing how biodiversity mitigation, compensation and enhancements across the site will be incorporated within the development scheme, as set out within the Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey, dated 06/04/2020. The plan shall describe the type and location of native species to be introduced and any boxes/features to be installed. The plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved plan.

Reason: To demonstrate the expectations of NPPF in achieving overall net gain for biodiversity have been met in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C10 Service and Delivery Management Plan:

The development hereby permitted shall not commence until a full Service and Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- Access for any delivery, service and visitor vehicles that do not have FOB access for the vehicular entrance gates.

The Service and Delivery Management Plan shall be undertaken in accordance with the approved details.

Reason: This condition is a pre-commencement condition to ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

C11 Construction Management Plan

The development hereby permitted shall not commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved CMP. The CMP shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to the site;
- c) Traffic management requirements
- d) Construction and storage compounds (including areas designated for on-site car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities at the entrance with Sandy Lane;
- f) Cleaning of site entrances, shared access with Cedar House and the adjacent public highway;
- g) Timing of construction activities (including delivery times and removal of waste);
- h) measures to control the emission of dust and dirt during construction
- i) a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: This condition is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policies DM9 and DM10 of the Development Management Policies LDD (adopted July 2013).

C12 Site Waste Management Plan:

The development hereby permitted shall not commence until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policy DM10 of the Development Management Policies LDD (adopted July 2013) and Policy 12 of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document (2012).

C13 Site Levels:

No development shall take place until details of the existing site levels and the proposed finished floor levels and sections of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: This condition is a pre commencement condition in order to ensure a satisfactory form of development relative to surrounding buildings and landscape and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C14 Energy Statement:

The development shall not be occupied until an Energy Statement demonstrating that the development will produce at least 5% less carbon dioxide emissions than Building Regulations Part L (2013) has been submitted and approved by the Local Planning Authority. The measures detailed within the agreed Energy Statement shall be incorporated into the approved development prior to the first occupation of the development.

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

C15 Land Contamination:

The development hereby permitted shall not commence (excluding demolition works) until a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

i) A site investigation scheme, based on the Desk Study Report prepared by GEA (Report ref. J21127), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining

land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

ii) The site investigation results and the detailed risk assessment (i) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iii) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the NPPF and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C16 Verification Report:

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C17 Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C18 Arboricultural Method Statement:

The development hereby permitted shall be undertaken in accordance with the Arboricultural Method Statement dated 8 October 2022 prepared by arbtech.

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

C19 Fire Hydrants

Before above ground works commence, a scheme for the provision of fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the local planning authority prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

C20 External Materials

Before above ground works commence, samples and details of the types, colour and finish of all external materials and hard surfacing across the site, shall be submitted to and approved in writing by the local planning authority prior to their first use on site. Development shall be carried out in accordance with the approved details/ samples.

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 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C21 Provision of Internal Access Roads, Parking & Servicing Areas

Prior to the first occupation of the development hereby permitted, the proposed internal access road, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter available for the residents and visitors to the site.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy CP10 of the Core Strategy (adopted October 2011).

C22 Privacy Screens

Prior to the first occupation of the development hereby permitted, details of the privacy screens to the front of the terraces within the western elevation (fronting Sandy Lane) and the flanks of the terraces within the northern and southern elevations (serving Unit 23 and 25) as well as those erected between the terraces / gardens within the northern elevation shall be submitted to and approved by the Local Planning Authority. The privacy screens shall be erected at a height of 1.7m from the surface of the terrace and be installed prior to the first occupation of the development and be permanently retained thereafter.

Reason: To protect future occupants privacy levels in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM2 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C23 Play equipment:

Prior to the first occupation of the development hereby permitted, details of the play equipment, hard surfacing, enclosures and management and maintenance plans are submitted to and approved by the Local Planning Authority.

The play area as shown on the submitted plans attached hereto has been laid out in accordance with agreed details, including its ongoing maintenance, and that area shall not thereafter be used for any purpose other than as a play area.

Reason: To ensure that acceptable on-site provision is provided in accordance with Policy DM11 of the Development Management Policies LDD (adopted July 2013).

C24 Parking Management Plan:

Prior to the first occupation of the development hereby permitted, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall include details and evidence as to the allocation of parking spaces to the occupants of the dwellings, visitors and the number of disabled parking spaces. The agreed details shall be adhered to thereafter.

Reason: To ensure acceptable allocation of on-site parking including visitors in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C25 Cycle Store (internal and external)

Prior to the first occupation of the development hereby permitted, design details of cycle parking/storage (both internally and externally) shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the first occupation of the development and permanently retained thereafter.

Reason: In order to ensure bicycle parking facilities are provided and encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C26 Boundary treatments:

Prior to the first occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C27 Waste and Recycling Management Plan

Prior to the first occupation of the development hereby permitted, a scheme for the storage and collection of domestic waste shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include siting, size and appearance of the waste collection zone and how waste is to be managed on site.

The development hereby permitted shall not be occupied until the approved scheme (including management plan) has been implemented and these facilities should be retained and managed in perpetuity thereafter.

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

C28 Management and maintenance plan for the SuDS:

Upon completion of the drainage, a Maintenance and Management Plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;

1. Provision of complete set of built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure the drainage strategy can be maintained throughout the lifetime of the development in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C29 External Lighting:

No other external lighting shall be installed on the site or affixed to the building(s) on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity (unless its erection would require express planning permission). The submitted lighting details shall be installed in accordance with the approved details before the first use commences.

Reason: In the interests of visual amenity, biodiversity and to preserve the openness of the Green Belt to meet the requirements of Policies CP1, CP11, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6, DM2 and DM9 of the Development Management Policies LDD (adopted July 2013).

C30 Nesting birds:

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

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

C31 Use of ancillary building:

The existing stable building labelled as BOH on drawing number 20-103 Rev B shall be used for ancillary purposes in connection with the residential use of the site and shall not at any time be used for habitable purposes or as a separate residential dwelling.

Reason: To avoid inappropriate development within the Green Belt and in order to preserve the openness of the Green Belt in accordance with Policy CP11 of the Core

8.2 **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. 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) - 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.

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 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.
- 13 The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.
- 14 Highways:

AN) 278 Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>.

15 Gas:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

16 Thames Water:

Waste Comments

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Water Comments

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach

to groundwater protection (available at <https://www.gov.uk/government/publications/groundwaterprotection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

17 Affinity Water

Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

18 Environment Agency

Discharges affecting groundwater – offence under Environmental Permitting Regulations

The Environmental Permitting (England & Wales) Regulations 2016 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an environmental permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.

Direct inputs into groundwater

The Environment Agency must take all necessary measures to:

- Prevent the input of any hazardous substance to groundwater;
- Limit the input of non-hazardous pollutants to groundwater so as to ensure that such inputs do not cause pollution of groundwater.

The Environment Agency will only agree to the direct input of non-hazardous pollutants into groundwater if all of the following apply:

- It will not result in pollution of groundwater;
- There are clear and overriding reasons why the discharge cannot reasonably be made indirectly;

- There is adequate evidence to show that the increased pollution risk from direct inputs will be mitigated.

Please refer to our Groundwater Protection webpages for further information.

Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

- 19 The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. It is extremely important that the applicant is aware of the stipulations, covenants and obligations set out within any legal agreements tied to the planning permission. This may include the requirement to notify the Council prior to commencement of the development (as defined within the legal agreement) if certain obligations are required to be paid, for example, an affordable housing contribution including indexation.
- 110 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.

Or:

On receipt of an objection (or further concerns raised) from the Lead Local Flood Authority (LLFA) or an alternative appointed consultant providing specialist professional advice, that the application be delegated to the Head of Regulatory Services to REFUSE PLANNING PERMISSION for the following reason:

- R1: In the absence of further infiltration testing the Local Planning Authority is not satisfied that an acceptable sustainable drainage strategy has been provided. As a result, it is considered that the development is contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

8.3 Informative:

- 11 The Local Planning Authority has been positive and proactive in considering 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. Whilst the applicant and/or their agent and the Local Planning Authority discussed the scheme during the course of the application, the proposed development as amended fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.