

PLANNING COMMITTEE – 23 May 2024

23/1352/FUL - Demolition of existing care home building and redevelopment of site to provide 27no. residential units, with associated access, parking, and landscaping works at MARGARET HOUSE RESIDENTIAL HOME, PARSONAGE CLOSE, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0BQ.

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 22.11.2023
(Extension agreed to 30.05.2024)

Ward: Abbots Langley & Bedmond
Case Officer: Tom Norris

Recommendation: That subject to the recommendation of approval and/or no objection from the Lead Local Flood Authority (LLFA) and the completion of a Section 106 Agreement (securing an affordable housing monetary contribution), that the decision be delegated to the Head of Regulatory Services to GRANT PLANNING PERMISSION subject to the conditions set out below, and any conditions requested by the LLFA:

Reason for consideration by the Committee: Called in by three members of the Planning Committee due to concerns regarding the proposed height and density of the scheme.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RZ7P3LQFGOU00>

1 Relevant Planning History

- 1.1 No planning history relevant to the current proposal.

2 Description of Application Site

- 2.1 The application site is located to the west of the High Street, Abbots Langley. The vehicular access to the site is via Parsonage Close to the west however the site contains pedestrian access from the High Street.
- 2.2 The site consists of a former care home building and associated land including car park to the north-west of the building and areas of lawn and trees surrounding the building. The building is single-storey and has dark tiled hipped roof forms. The plan layout of the building is largely square in shape and contains central courtyard areas. The care home is currently closed. The supporting detail submitted with the application confirms that the care home accommodated 50 beds.
- 2.3 Surrounding land uses include Abbots Langley School immediately to the north of the site, residential development including Parsonage Close and Abbots Road to the north-west and a Library to the southeast.
- 2.4 The southern portion of the site is within the Abbots Langley Conservation Area boundary. To the south of the site is also St Lawrence Church which is a Grade I Listed Building (List entry no. 1296433).

3 Description of Proposed Development

- 3.1 Planning permission is sought for the demolition of existing care home building and redevelopment of site to provide 27no. residential units, with associated access, parking, and landscaping works.
- 3.2 It is proposed that the existing care home building is demolished and a total of 27 dwellings constructed in its place. These dwellings would consist of two-storey detached and semi-detached dwellings and a three-storey flatted building. The vehicular access to the site

would be via an extension to Parsonage Close which is proposed to be continued in a linear manner through the centre of the site towards the High Street. There would be not vehicular access from/to the High Street. The flatted building would be positioned to the northern side of the access road and the dwellings would be on a cul-de-sac road in the southern section of the site, off the main access road.

- 3.3 The proposed flatted building would have a principal width of 45m and a depth of 12.5m. The building would have a hipped roof with a crown section, with an eaves height of 8.5m and an overall height of 11.5m. The proposed detached and semi-detached dwellings would have a principal depth of 9.5m and a width of between 6.0m to 6.5m. The dwellings would have a gabled roof form with an eaves height of 5.2m. The dwellings without roof accommodation would have a ridge height of 8.5m and the dwellings with roof accommodation would have a ridge height of 10.0m. The proposed flats and dwellings would be finished in facing brickwork.
- 3.4 Each dwelling would have their own amenity garden with areas ranging between 90-300sqm. The flats would be served by individual balconies and there would be outdoor amenity space provision around the flats of approximately 400sqm in total area. The site proposes a total of 50 car parking spaces with allocated and visitor parking to the proposed dwellings and flats. The proposed development includes hard and soft landscaping and replacement planting throughout.
- 3.5 Amended plans were received during the application which amended the external design appearance of the proposed flat building and houses. The layout and accommodation to the dwellings remains as originally proposed. The originally proposed scheme was considered to respond poorly to the Conservation Area setting and the amendments aimed to enhance this through the incorporation of more traditional design features and overall appearance.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: Objection

ORIGINAL CONSULTATION COMMENT: Members support the proposed development in the village as it is on an already developed site and centrally located with good pedestrian access to local shops. Members support the retention of public footpaths and cycle paths through the site. Members are amicable to the proposed public space coming off the High Street.

However, members have concerns regarding access to the site off Parsonage Close as this area becomes impassable during the morning and afternoon school run. Members felt this development would add to the issues experienced by school users and residents of the scheme. During the building phase, Members are concerned about maintaining access at all times as ALPC encourages walking and cycling to school and the local shops. Members are concerned the proposed parking allocation is not sufficient for 30 dwellings and traffic in / out of the site would aggravate existing issues with access at peak times. Members noted there is an issue with flooding at the entrance to the site off Parsonage Close which would need to be addressed. Given the site's location and proximity to St. Lawrence's Church, members have concerns regarding the development's proximity to the church and many listed buildings on the High Street. Whilst members note the site is not wholly within the Conservation Area, a more sympathetic approach regarding materials and over-all form may be more appropriate for the location.

APPLICATION COMMENT (1): Members still have serious concerns regarding sole access and egress being from Parsonage Close and the impact this will have on local residents and on the local school, especially during school drop off and pick up times. Additionally,

whilst Members acknowledge not the whole site is not within the Conservation Area, the proposed development is quite stark given its proximity to other local listed buildings and the parish church. Members feel the design is inappropriate.

APPLICATION COMMENT (2): Members acknowledge the aesthetic improvements made in this plan however still feel that the design is not in keeping with the quality of buildings in its settings. Members also still have serious concerns regarding access to this site. Currently the school surrounds are all dead ends and this proposal will create thru traffic at at busy times which will impact on school drop-off and pick-up times potentially increasing the risk to children. Members are also concerned parents of school children will park in the parking provision for this development during school drop-off and pick-up times. If the Officer is of a mind to approve this application, Members request the application be brought to Committee.

Officer comment: Reference to “original consultant comment” relates to comments provided via the pre-consultation exercise undertaken by the applicant.

4.1.2 Conservation Officer: Objection to original plans.

This application is for the demolition of existing building and redevelopment of the site to provide 27 residential units, with associated access, parking and landscaping works.

The site is located within the setting of the Grade I listed Church of St Lawrence the Martyr (list entry: 1296433). The Abbots Langley Conservation Area runs through the site, the south and southwest of the site is located the Conservation Area within the Tibbs Hill to Abbots House character area. The application site makes a limited contribution to the setting of listed church and the setting and significance of the Conservation Area. However, the site is surrounded by mature tree screen which is positive and preserves the setting of the listed church as well as the character and appearance of the Conservation Area. The low height of the existing building also limits its visual impact within the Conservation Area and the setting of the church.

This application follows pre-application. As previously noted, the existing building is modern and of low architectural interest, there would be no in principle objection to its demolition and replacement.

It is now proposed to construct a three-storey block of flats (plots 11-27) to the northeast of the site and increase the number of detached/ semi-detached dwellings from five to ten dwellings. There are concerns regarding the Increase in scale, massing and appearance of the proposed residential development.

Flat development

The proposed flatted development would be uncharacteristic of the conservation area by virtue of its scale, form and appearance. The flats would be visible from the High Street due to their positioning and proximity to the boundary wall. The proposed flat roof form of the flat development would appear overly bulky in massing and relate poorly to the traditional duo pitched roof forms that are prevalent within the conservation area. There are also concerns regarding the proposed scale of the building, I acknowledge that there are three storey flat developments on in Parsonage Close but they do not relate well to the traditional character of the conservation area (as noted within the appraisal) the massing and visual impact is reduced by a traditional duo pitched and the existing landscaping.

Detached/ semi-detached dwellings

The proposed dwellings would be of a reduced footprint when compared to the existing building but would be of greater in height. There are concerns regarding the proposed two and a half/three storey dwellings. There is a preference for them to be reduced to two-storeys.

There are some concerns regarding the visual impact upon the conservation area and setting of the church given the loss of trees proposed. However, I acknowledge the distance between the application site and church. A reduction in the height of the proposed dwellings would go some way to minimise their visual impact. The conservation area appraisal notes that the landscape and planting around the library and Hanover Garden, contributes to the street scene atmosphere of rurality at the entrance to the Conservation Area. The loss of such landscaping would therefore have an adverse impact on the character and appearance of the conservation area.

There are also concerns regarding the proposed materials. I acknowledge that there is a mix of traditional materials throughout the conservation area. However, within the character area it is predominantly render, elsewhere there is red brick and some yellow stock. Whilst material details could be secured through conditions, high quality materials are expected and at present there are some concerns regarding the type of brick proposed. The semi-detached and detached dwelling could benefit from some additional brick detailing to break up the elevations. Furthermore, black weatherboarding is not prevalent within the conservation area and would be an inappropriate material detail for residential dwellings. Other features such as balconies, grey windows, concrete tiles and rooflights visible from within the conservation area would not be supported from a conservation perspective.

The proposals would fail to preserve or enhance the character and appearance of the Conservation Area, contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework the level of harm is considered to be 'less than substantial' as per paragraph 202. 'Great weight' should be given to the heritage asset's conservation as per paragraph 199.

4.1.3 Landscape Officer: No objection.

Recommend: Approval

The site is located partially within the Abbots Langley Conservation Area. It comprises of a former sheltered housing complex which is substantially screened on all boundaries by shelter belts of trees. The submitted plans propose demolition and a complete redevelopment of housing on the site, without the loss of any of the existing tree screen. A number of small, predominantly poor quality and self-set trees would need to be removed within the core of the site, however detailed plans have been submitted which indicate extensive relandscaping of the site, including replacement tree planting.

Compliance conditions should be applied requiring the applicant to follow the tree protection method statement submitted and implement the landscaping scheme as per the submitted plans.

4.1.4 Hertfordshire County Council Highways: No objection

Recommendation

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. *No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:*
 - a. *Tactile paving and pedestrian dropped kerbs on either side of the bellmouth access into the Watford Day Care Centre.*

b. A vehicle crossover / pedestrian priority access for the access into the northern residential car park to give priority to pedestrians using the proposed footway on the northern side of the access road.

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. 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 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- Realignment of the highway footway on the north side of Parsonage Close at the entrance into the site.*
- Conversion of part of the highway footway to carriageway at the entrance point into the site.*
- Reinstated highway verge where the highway footway is no longer required.*
- Any other associated and necessary works identified.*

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 roads, on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan 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. Construction Management Plan 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. Access arrangements to the site; c. Traffic management requirements d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); e. Siting and details of wheel washing facilities; f. Cleaning of site entrances, site tracks and the adjacent public highway; g. Timing of construction activities (including delivery times and removal of waste); 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).

Highway Informatives

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

Construction standards for works within the highway (s278 works):

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>

Comments / Analysis

The proposal comprises of the construction of 27 residential dwellings on land at Parsonage Close and High Street, Abbots Langley.

A Transport Assessment (TA) and Travel Plan Statement (TPS) have been submitted as part of the application.

Access

There is an existing vehicle access point into the site from Parsonage Close, which is to be utilized for the proposed development. Parsonage Close is designated as an unclassified local access road, subject to a speed limit of 20mph and is highway maintainable at public expense. Parsonage Close is also classified as P2/M1 (residential street) on HCC's Place and Movement Network. High Street runs adjacent to the south-east boundary of the site, which is designated as a classified C local distributor road, subject to a speed limit of 30mph and classified as P2/M2 (multi-function road).

The proposals include retaining the main access point into the site with a 3.7m wide carriageway widening to 6m within the site, the layout of which is shown on submitted drawing numbers P05. The vehicle access arrangements are considered to be acceptable by HCC as Highway Authority for a development of this size with the minimum 3.7m width acceptable to provide access for a fire tender whilst the remainder of the site would enable two vehicles to safely pass one another.

The internal layout of the site has been designed to support a 20mph speed limit in accordance with guidance as laid out in Manual for Streets (MfS) and Roads in Hertfordshire: Highway Design Guide. Furthermore the proposal includes a pedestrian access through the site and therefore provides a pedestrian link between Parsonage Close and High Street, which is necessary to promote and maximise permeability and accessibility for pedestrians. It would however be recommended that a vehicle crossover / pedestrian priority access design is provided for the access into the northern residential car park to give priority to pedestrians using the proposed footway on the northern side of the access road. This is in addition to pedestrian dropped kerbs and tactile paving on either side of the existing bellmouth access into the Watford Day Care Centre.

The HA would not agree to adopt any of the proposed internal access roads as the route would not be considered as being of utility to the wider public. However the works would need to be built to adoptable standards to be in accordance with guidelines as documented in Roads in Hertfordshire and MfS. The developer would need to put in place a permanent arrangement for long term maintenance. At the entrance of the development, the road name plate would need to indicate that it is a private road to inform purchasers of their future maintenance liabilities.

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:

- *Realignment of the highway footway on the north side of Parsonage Close at the entrance into the site.*
- *Conversion of part of the highway footway to carriageway at the entrance point into the site.*
- *Reinstated highway verge where the highway footway is no longer required.*
- *Any other associated and necessary works identified.*

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to submit a Stage One Road Safety Audit and Designers Response. Please see the above conditions and informatives.

Refuse, Service and Emergency Vehicle Access

Swept path analysis plan / tracking (drawing number ST-3102-802-A) have been submitted as part of the TA to illustrate that an 11.5m long refuse vehicle would be able to use the proposed access arrangements, turn around on site and egress to the highway in forward gear. Any access and turning areas would need to be kept free of obstruction to ensure permanent availability and therefore consideration would need to be given to preventing vehicles parking on any turning areas and access routes. Provision has been made for on-site refuse/recycling store(s) within 30m of each dwelling and 25m of any collection point. The collection method would also need to be confirmed as acceptable by Three Rivers District Council (TRDC) waste management.

The proposed layout would enable a fire tender to get to within 45m of all parts of the footprint of the dwellings and be able to turn around and egress the site in forward gear, whilst also not having to reverse more than 20m. The proposals would therefore be considered to acceptable in this respect. This is to ensure that the proposals are in accordance with MfS, RIH and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellings (and subsequent updates).

Car Parking

The proposal includes the provision of 50 onsite car parking spaces. Following consideration of the details submitted in section 5 of the TA (including parking survey and ownership details), HCC as the Highway Authority would not have any objections to the overall level of car parking.

The dimensions and layout of the parking areas are considered to be acceptable by HCC as Highway Authority. However consideration should be made as to preventing cars parking on any of the necessary turning and manoeuvring areas within the site and particularly on any footways, which could have the potential to interfere with the accessibility for pedestrians.

HCC as Highway Authority is supportive of the proposed 27 electric vehicle parking spaces. The proposals are therefore in accordance with LTP4, Policy 5h, which states that developments should “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”.

Nevertheless, the applicant is reminded that TRDC, as the planning authority for the district, would ultimately would need to be satisfied with the proposed type and level of parking on site.

Trip Generation

A trip generation assessment for the proposed use has been included as part of the TA, 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 11 two-way vehicle movements in the AM peak and 11 two-way vehicle movements in the PM peak.

From a highways and transport perspective, HCC as HA has assessed and reviewed the above in the context of the National Planning Policy Framework (NPPF) (update 2021), which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". In this context and in conjunction with a review of the application the above vehicle movements have demonstrated that there would not be a severe or unacceptable impact on the surrounding road network.

Sustainable Travel Options

The site is located in close proximity to the centre of Abbots Langley and its associated amenities and facilities and shops. The nearest bus stops are located on High Street and are served by services 10, 318, H19 and R9. The bus stops are within the normal recommended walking distance of 400m and therefore there is potential for bus services to provide a convenient sustainable travel option for any future residents to surrounding towns and settlements.

Kings Langley Railway Station is located approximately 1.5km to the west of the site and would be within an easy cycling distance and reasonable walking distance for some. The provisions in this respect are therefore considered acceptable and there would be the potential for future residents to access the railway station via alternatives to the private car.

A secure covered cycle store for 17 cycles for the proposed apartment block is included in the proposals, which is supported to promote and encourage cycling as a form of travel to and from the site. HCC as Highways 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 and would also support the necessary 20mph design speed.

A TPS has been submitted as part of the application to support the promotion and maximisation of sustainable travel options to and from the site and to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan and the National Planning Policy Framework (NPPF). The travel plan is considered to be acceptable for the size and nature of the development. TRDC has adopted the Community Infrastructure Levy (CIL) and the development would be located within area A of TRDC's CIL charging areas. Therefore contributions towards strategic and local transport schemes as outlined in HCC's South West Hertfordshire Growth & Transport Plan (2019) would be sought via CIL or 106 planning obligations as appropriate.

Conclusion

HCC as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. 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 necessary highway and access works. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informatives.

4.1.5 HCC Flood Risk Management Team (LLFA): Objection

Thank you for your consultation on the above site, on the received-on 24 August 2023. We have reviewed the application as submitted and wish to make the following comments.

This application is for the demolition of existing building and redevelopment of the site to provide 27 residential units, with associated access, parking and landscaping works.

We maintain our objection to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy and supporting information relating to:

- Infiltration testing has not been provided to support the use of soakaways on site.*
- Drainage calculations have not been provided for the appropriate return period events.
 - A drainage layout has not been provided.**
- Not enough evidence has been provided to demonstrate that the four pillars of SuDS have been met.*
- The development not complying with NPPF, PPG and local policies POLICY DM8 – Flood Risk and Water Resources, POLICY DM9 – Contamination and Pollution Control.*

Reason

To prevent flooding in accordance with National Planning Policy Framework paragraph 167, 169 and 174 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

We will consider reviewing our response of the issues highlighted in our technical review checklist are addressed.

Informative to the LPA

For further advice on what we expect to be contained within the FRA to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage <https://www.hertfordshire.gov.uk/services/recycling-waste-andenvironment/water/surface-water-drainage/surface-water-drainage.aspx> this link also includes HCC's policies on SuDS in Hertfordshire.

Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority, which in this instance is Hertfordshire Lead Local Flood Authority and the Local Council (if they have specific land drainage bylaws). It is advised to discuss proposals for any works at an early stage of proposals.

In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 - User Guide ([hydrosolutions.co.uk](https://www.hydrosolutions.co.uk))). Any new planning applications that have not already commissioned an FRA or drainage strategy to be completed, should use the most up to date FEH22 data. Other planning applications using FEH2013 rainfall, will be accepted in the transition period up to 1 April 2023. This includes those applications that are currently at and advanced stage or have already been submitted to the Local Planning Authority. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded by FEH 2013 and 2022 and therefore, use in rainfall simulations are not accepted.

Please note if, you the Local Planning Authority review the application and decide to grant planning permission, you should notify the us, the Lead Local Flood Authority, by email at FRMConsultations@hertfordshire.gov.uk.

Note: Appendices E and F of the drainage statement submitted are missing but we have reviewed the information provided so far and await further submitted information to provide comment.

Officer comment: The applicant has provided further information which is currently being considered by the LLFA.

4.1.6 Growth & Infrastructure Unit: No objection

Thank you for your email regarding the abovementioned planning application.

Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Hertfordshire County Council's Guide to Developer Infrastructure Contributions 2021. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure through the appropriate channels.

We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.

PLEASE NOTE: Please consult the Hertfordshire Fire and Rescue Service Water Officer directly at water@hertfordshire.gov.uk, who may request the provision of fire hydrants through a planning condition.

I trust the above is of assistance if you require any further information, please contact the Growth & Infrastructure Unit.

4.1.7 National Grid: No objection

Your planning application – No objection, informative note required

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

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.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of

materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com or on 0800 688 588 quoting your reference at the top of this letter.

4.1.8 Hertfordshire Archaeology: No objection

The application was submitted with a Heritage Statement and Archaeological DeskBased Assessment due to the site being located partially within the Abbotts Langley Conservation Area. As noted in both reports, the current building is an unlisted, modern construction. Although there is the potential for archaeological remains in the immediate area, the proposed development is unlikely to make below ground impacts beyond those already made by the construction of the current building. In this instance, I consider that this development is unlikely to have a significant impact on heritage assets of archaeological or architectural interest and I have no comment to make upon the proposal.

4.1.9 Hertfordshire Ecology: [No response received]

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

4.2 **Public/Neighbour Consultation**

4.2.1 Neighbours consulted: 74

4.2.2 Site Notice posted 08.09.2023, expired 29.09.2023.

4.2.3 Press notice published 08.09.2023, expired 29.09.2023.

4.2.4 Responses received: 6 total (5 Objections & 1 Neutral)

4.2.5 Neighbours were originally consulted on 24.08.2023. Following receipt of amended plans, neighbours and the Parish Council were reconsulted for 21 days on 02.04.2024.

4.2.6 Further responses received to re-consultation 3 (Objections)

4.2.7 Summary of responses:

Objection

- Concerns over the loss of care home space
- Concerns with construction traffic and proximity to primary school
- Concerns with parking and traffic impact
- Concerns with no provision of affordable housing
- Concerns with lack of consultation
- Impact upon Conservation Area and Church

Neutral

- Biodiversity impact and suggestions to incorporate enhancements.

5 Reason for Delay

- 5.1 Extension of time agreed to enable submission and consideration of amended plans.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

- 6.1.1 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).
- 6.1.2 S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.1.3 S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.
- 6.1.4 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- 6.1.5 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant

6.2 Policy & Guidance

National Planning Policy Framework and National Planning Practice Guidance

- 6.2.1 In December 2023 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.
- 6.2.2 The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

- 6.2.3 The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.
- 6.2.4 The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12.

6.2.5 The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Policies DM1, DM3, DM5, DM6, DM7, DM8, DM9, DM13, Appendix 2, Appendix 4 and Appendix 5.

6.3 Other

6.3.1 The Abbots Langley Conservation Area Appraisal (2014).

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

6.3.3 The Local Housing Needs Assessment (LNHA)

7 **Planning Analysis**

7.1 Principle of Demolition and Development

7.1.1 Paragraph 123 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land. The application would therefore need to be assessed against all other material planning considerations.

7.1.2 The application site has not been allocated as a housing site by the Site Allocations Local Development Document (2014) and as such is not currently identified as part of the district's housing supply. However, as advised in this document, where a site is not identified for development, it may still come forward through the planning application process where it will be tested in accordance with relevant national and local policies.

7.1.3 Core Strategy Policy CP2 advises that in assessing applications for development not identified as part of the district's housing land supply including windfall sites, applications will be considered on a case-by-case basis having regard to:

- i. The location of the proposed development, considering 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 targets.

7.1.4 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 Local Housing Needs Assessment (LNHA) considers the need for older persons accommodation within a C2 Use Class and estimates a notable need for 683 care beds over the period 2020-2036. The proposal would result in a reduction of care beds however the care home is a vacant site and the submitted documents state that the existing care home has found to be below modern care standards, with existing residents re-located to care home accommodation within the locality. Therefore, the proposal to redevelop the existing site for residential use would not result in an objection to the loss of vacant care home on the site.

7.1.5 The application site is within Abbots Langley which is identified as a Key Centre in the Core Strategy. The Spatial Strategy of the Core Strategy advises that new development in Key Centres will be focused predominately on sites within the urban area, on previously developed land, and Policy PSP2 advises that Secondary Centres are expected to contribute 60% of housing supply over the plan period. There is no objection in principle to residential development subject to compliance with other relevant policies.

7.1.6 Most of the application site, including approximately two thirds of the existing care home building is within the Abbots Langley Conservation Area. There is no objection in principle to the demolition of the existing care home building. As noted by the Conservation Officer, the existing building is modern and of low architectural interest and there would be no in principle objection to its demolition subject to a suitable replacement. It is therefore considered that the demolition of the existing building is acceptable in principle.

7.1.7 The Planning Statement states there are 50 beds within the existing care home. The South West Hertfordshire Local Housing Needs Assessment (LHNA) (2020), which is the most up-to-date evidence base, used by the five Local Planning Authorities, states at paragraph 7.29 that the C2 to C3 ratio is based on the average number of adults in households and in Three Rivers this equates to 1.88 bed spaces per dwelling. Therefore, the conversion ratio is 1.9:1 (1.9 bedrooms in C2 use 'frees up' 1 open market C3 dwelling).

7.1.8 Applying the conversion ratio of 1.9 C2 beds to 1 C3 dwelling, the care home provides the equivalent of 26 market dwellings on the site. The application proposes 27 new market dwellings which would result in a net gain of one dwelling.

7.2 Housing Mix

7.2.1 Policy CP3 sets out that the Council will require housing proposals to consider the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent Local Housing Needs Assessment (LHNA) (2020) advises that the overall requirement is as follows:

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

7.2.2 The proposed development would provide 41% one-bedroom units, 37% two-bedroom units and 22% three-bedroom units. While the proposed housing mix does not strictly accord with Policy CP3 of the Core Strategy, and updated evidence base, the proposed development would provide a good mix of housing to address the need. It is not considered that the proposed development would prejudice the ability of the Council to deliver overall housing targets and the development is therefore considered acceptable in accordance with Policy CP3 of the Core Strategy (adopted October 2011).

7.3 Affordable Housing & Vacant Building Credit

7.3.1 The Planning Statement accompanying the application proposes to utilise Vacant Building Credit (VBC). VBC reduces the requirement for affordable housing contributions based on the amount of vacant floor space being brought back into use or redeveloped. According to the National Planning Practice Guidance (NPPG) VBC applies to sites where a vacant building is brought back into any lawful use or is demolished to be replaced by a new building. To qualify for VBC, the vacant building also must not have been abandoned and the following circumstances should be considered (NPPG, para. 28):

- The condition of the property
- The period of non-use
- Whether there is an intervening use; and
- Any evidence regarding the owners intention

- 7.3.2 In relation to the condition of the property, the submitted documents state that the care home building was assessed to fall short of modern care standards and was subsequently closed. Supporting documents also state the care home became vacant from October 2020 and has not had any intervening use since.
- 7.3.3 The NPPG also states that when considering how the vacant building credit should apply to a development, LPAs should have regard to the intention of national policy (the reuse or redevelopment of empty and redundant buildings). In doing so, it may be appropriate for authorities to consider:
- Whether the building has been made vacant for the sole purposes of re-development.
 - Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.
- 7.3.4 Regarding the consideration as to whether the building has been made vacant for the sole purposes of redevelopment, the care home was closed and subsequently became vacant due to falling short of modern care standards. The building is also not covered by an extant or a recently expired planning permission. It is therefore considered that the use of VBC could be applied to the scheme in this instance.
- 7.3.5 Appendix A of this report sets out the position of the Council and evidence relating to the application of the affordable housing threshold in Core Strategy Policy CP4: Affordable Housing.
- 7.3.6 As a net gain of one dwelling, the proposed development would be liable for a commuted sum payment towards affordable housing. The application site is within the "The Langleys and Croxley" market area where the figure is £750 per square metre. The Council have calculated the affordable housing payment requirement to be £35,639 (plus £21,532 indexation). This is based on the average habitable floor area of the 27 proposed dwellings.
- 7.3.7 The NPPG states that the vacant building credit should be calculated by deducting the gross vacant building floorspace from the gross floorspace of the new development. The net change in floorspace in this instance is 875sqm (2380sqm proposed minus 1505sqm existing) which is 36.8% of the proposed floorspace. The VBC adjusted affordable housing contribution is therefore calculated to be £12,010 (plus indexation from June 2011) The indexation figure at the time of writing this report is calculated to be £7,547 (March 2024 RPI Figure).
- 7.3.8 The terms of a Section 106 have been agreed between the applicant and the LPA to secure this amount as a contribution towards affordable housing. The Section 106 agreement at the time of writing this report has not been executed therefore any recommendation for approval would be subject to the completion of the Section 106.
- 7.3.9 In summary, the proposed development, subject to the completed of the Section 106, is acceptable in accordance with Policy CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing Supplementary Planning Document (approved June 2011).
- 7.4 Impact on the character and appearance of the locality, the Conservation Area and on Heritage Assets
- 7.4.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP3 of the Core Strategy (adopted October 2011) stipulates that the Council will promote high quality residential development that respects the character of the District and caters for a range of housing needs. Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.

- 7.4.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) set out that new residential development should not be excessively prominent in relation to the general street scene and should respect the character of the street scene, particularly with regard to the spacing of properties, roof form, positioning and style of windows and doors and materials.
- 7.4.3 For new residential development, Policy DM1 states that the Council will protect the character and residential amenity of existing areas of housing from forms of “backland”, “infill” or other forms of new residential development which are inappropriate for the area. Development will only be supported where it can be demonstrated that the proposal will not result in:
- i. Tandem development
 - ii. Servicing by an awkward access drive which cannot easily be used by service vehicles.
 - iii. The generation of excessive levels of traffic
 - iv. Loss of residential amenity
 - v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)
- 7.4.4 The application site is located within the Abbots Langley Conservation Area. In relation to development proposals in Conservation Areas, Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the area. Furthermore, it states that development should not harm important views into, out or within the Conservation Area.
- 7.4.5 The Abbots Langley Conservation Area Appraisal (2014) refers to Margaret House. The Appraisal states that *there are several modern developments within the boundaries of the Conservation Area, many of which sit comfortably alongside the historic properties of the village’s core and help contribute to Abbots Langley’s sense of place* including Margaret House Residential Home. The Appraisal further states that *although not enhancing the character and appearance of the Conservation Area, most of the modern infill and additions do not significantly harm its special historic and architectural interest. Examples of low-key modern additions to the Conservation Area include Margaret House.*
- 7.4.6 The application site is also situated in close proximity to a Grade I Listed Building (Church of St Lawrence the Martyr - List entry no. 1296433) which is approximately 70m to the south of the site.
- 7.4.7 In terms of the proposed site layout, the proposed development would include a continuation of Parsonage Close in an eastern direction to provide vehicular access. A secondary road would be located off this main access drive, projecting in a southern direction to serve the houses. The layout includes appropriate 1.5m spacing between the dwellings in the southern portion of the site. Furthermore, the proposed dwellings and flatted block would be appropriately located, well within the site and away from the site boundaries. As such, it is considered that the proposed layout of built form would maintain the character of the area in terms of its general spaciousness and harm would not arise due to overdevelopment of the plot. Green spaces are positioned throughout the development and provide amenity space and allow for views through the site. The parking bays are acceptably arranged throughout the site and adequately broken up with landscaping and tree planting. The layout of the site and the individual units and their associated curtilages is acceptable.
- 7.4.8 The Conservation Officer was consulted on the proposed development and stated that the application site, as existing, makes a limited contribution to the setting of listed church and the setting and significance of the Conservation Area. As set out within the Principle of Development section of this report, the existing building is modern and of low architectural

interest and there would be no in principle objection to its demolition and appropriate replacement. The Conservation Officer considers that the low height of the existing building limits its visual impact within the Conservation Area and the setting of the Church.

- 7.4.9 The Conservation Officer raises concerns regarding the visual impact upon the Conservation Area and setting of the Church given the loss of trees proposed, however they do acknowledge that there is a substantial distance of 90 metres between the application site and the Church. While the concerns of the Conservation Officer are noted in respect of the loss of trees to the site, the site would still maintain a significant degree of landscaping and screening, particularly to its western and southern edges. There would be landscaping in the form of mature and semi-mature trees and hedges maintained adjacent to the High Street which would continue to contribute to the street scene and existing atmosphere of rurality at the entrance to the Conservation Area. Furthermore, the proposal also introduces new planting within the proposed layout. On balance, it is not considered that the proposed loss of landscaping would result in a harmful impact on the setting of the Listed Building, given the significant distance from it to the site, or the Conservation Area, given the extent of landscaping to be maintained around the edges of the site adjacent to it. The proposed development is therefore considered acceptable in terms of the impact upon the landscape character of the site and its impact upon the Conservation Area and setting of the Listed Building.
- 7.4.10 The Conservation Officer provided written comments on the originally proposed scheme that are included in full above, raising concerns and an overall objection to various aspects of the proposal. Amended plans were submitted during the application which sought to overcome these concerns.

Flats

- 7.4.11 The Conservation Officer stated that the proposed flatted development, by virtue of its scale, form, and appearance, would be uncharacteristic of the Conservation Area. This part of the development would be visible from the High Street due to the building's positioning and proximity to the boundary wall. While the concerns of the Conservation Officer regarding scale are noted, it is considered that the principle of a three-storey flatted block, given its footprint and proximity to the boundaries, would not equate to automatic harm. The position in which the flatted development is sited is partially within the Conservation Area, and partially outside of it. It is acknowledged that the general character of the Conservation Area, along the High Street, is largely limited to two-storey however there are examples of three-storey development to the west on Parsonage Close, outside the Conservation Area. There would be glimpsed and longer distance views of the proposed flats from inside the Conservation Area however, the principle of three storeys, given the proposed footprint and siting, is not considered to dominate or appear prominent within the Conservation Area.
- 7.4.12 The Conservation Officer expressed concerns regarding the original flat building having a flat roof form. This was considered to appear overly bulky and relate poorly to the traditional duo pitched roof forms that are prevalent within the Conservation Area. The amended design has incorporated a hipped roof form, with a concealed flat section, to the proposed flats. The proposed roof would also contain gable features to the front and rear of the building. While the amendment would add additional mass to the building, overall it would appear more traditional in character and would respond more positively to the Conservation Area. Furthermore, while the roof would contain a flat section, this would be relatively well concealed by more a traditional pitched roof than an obviously flat roof. In summary, it is considered that the proposed flat building would be acceptable in terms of its overall scale and design, including roof form.
- 7.4.13 The Abbots Langley Conservation Area Appraisal states that there are various important characteristics and architectural features which contribute to the character of the area, including a mixture of materials such as flint, brick, and timber. The Appraisal also refers throughout to a strong Victorian and Edwardian character, found predominantly within and

around the High Street. The Conservation Officer expressed concerns regarding the proposed materials and stated that, the originally proposed design detailing to the flatted block was bland and had no regard to the characteristics of the Conservation Area. The amended design has incorporated significantly more traditional detailing and elevation interest to the flat building. These details include brick banding of a contrasting colour to the first and second floors of the building, which is a characteristic feature of the Conservation Area. The window detailing has been improved by the incorporation of white framed windows with glazing bars and brick courses above and below the windows. The amended roof form is proposed to have a grey tiled finish. Further elevation interest has been added in the form of “bricked-up” windows to the parts of the elevations which previously had significant breaks. Overall, it is considered that the proposed materials and detailing, as amended, appears more traditional in character, and would respond positively to the Conservation Area. In summary, it is considered that the proposed flat building would be acceptable in terms of its external appearance including external finish materials and detailing.

Houses

- 7.4.14 The Conservation Officer notes that the proposed dwellings would be of a reduced footprint when compared to the existing care home building but would be of greater height. The existing building is single-storey, and the proposed dwellings would be a mix of two-storey and two and a half storeys, where roof accommodation served by dormer windows is included. The Conservation Officer stated that there is a preference for the two and half storey houses to be reduced to two-storeys to limit their visual impact. It is considered that the proposal for two-storey dwellings is acceptable in principle, as is two and a half storeys, subject to appropriate design. While this part of the development would represent an increase in height relative to the existing care home building, two-storey development is reflective of the character found locally throughout the Conservation Area. Furthermore, the inclusion of pitched roofs to the proposed dwellings is acceptable in principle and reflective of the Conservation Area.
- 7.4.15 In terms of their individual scale and design, the proposed two-storey dwellings are relatively well proportioned in terms of scale and relative roof mass. The amended arrangement of the proposed two-storey and two and a half storey dwellings is more rational and articulated. The amended dormer windows are considered to sit comfortably within the front roof slopes, and their design is considered to integrate acceptably with the roof. It is noted that the Conservation Officer states that rooflights visible from within the Conservation Area would not be supported however it is not considered that this would be harmful in principle subject to them being of conservation style.
- 7.4.16 Concerns regarding proposed external materials and detailing were originally raised by the Conservation Officer to the original scheme. The amended design has incorporated significantly more traditional detailing and elevation interest to the houses. The window detailing has been improved by the incorporation of white framed windows with glazing bars and brick courses above and below the windows. Features such as storm porches and chimney stacks have also been added. The houses would also have a grey tiled finish and conservation style rooflights. The proposed dormers have also been amended to have a more traditional, hipped roof appearance. Overall, it is considered that the proposed materials and detailing, as amended, appears more traditional in character, and would respond positively to the Conservation Area. In summary, it is considered that the proposed houses would be acceptable in terms of its external appearance including external finish materials and detailing.
- 7.4.17 It is considered appropriate to apply a condition on any permission granted for material samples to the proposed flat building and houses.
- 7.4.18 In summary, the proposed development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy, Policies DM1, DM3 and Appendix 2 of the

Development Management Policies document and the Abbots Langley Conservation Area Appraisal (2014).

7.5 Impact on Neighbours and future occupants

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

7.5.2 It is not considered that the residential amenity of existing adjoining neighbours would be unduly affected by the proposed development in terms of overlooking, loss of light or overbearing impact. The closest adjoining neighbours are on Parsonage Close to the west some 25m from the application site. It is acknowledged that the works may cause some degree of construction disturbance however it is considered that this could be mitigated by suitable conditions relating to construction management.

7.5.3 In terms of the proposed flatted development, it is considered that this would be of an acceptable arrangement in terms of its layout and stacking so as not to cause an unacceptable impact upon the residential amenities of future occupiers. It is not considered that these occupiers would be harmfully overlooked. It is noted that there would be a spacing of 17m between the face of the three-storey flatted development and the flank of the dwellings at Plots 1 and 10. It is considered that the proposed flatted development would not harmfully overlook these neighbours given that there would be additional evergreen screening and tall close boarded fencing to the flank and rear of Plots 1 and 10. This would mitigate any overlooking into the private area of the amenity garden of these dwellings.

7.5.4 The proposed dwellings within the southern portion of the site would be arranged in a linear manner therefore would not intrude the 45-degree splay line with one another thus not resulting an overbearing impact or loss of light. The proposed dwellings are also not considered to harmfully overlook one another or any other surrounding neighbour. Any permission can be effectively controlled by the inclusion of conditions for obscure glazing to flank windows to the proposed dwellings.

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

7.6 Highways & Parking

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

7.6.2 Appendix 5 of the Development Management Policies DPD sets out the following parking standards:

- 1-bedroom dwellings - 1.75 spaces per dwelling (1 assigned space)
- 2-bedroom dwellings - 2 spaces per dwelling (1 assigned space)
- 3-bedroom dwellings - 2.25 spaces per dwelling (2 assigned space)
- 4 or more-bedroom dwellings - 3 spaces per dwelling (3 assigned spaces within curtilage)

7.6.3 The application proposes 50 total car parking spaces, which includes 2 accessible visitor bays. The proposed development consists of 11 one-bedroom dwellings, 10 two-bedroom

dwelling and 6 three-bedroom dwellings. This would result in a parking demand for 52.75 spaces (33 assigned spaces). The parking spaces meet the adopted standard size and are shown on the submitted parking plan. The proposed development also makes provision for communal cycle parking of up to 20 spaces, serving the flats. The dwellings would have their own private amenity gardens for cycle storage provision. The planning statement notes that proposed development makes provision for 27 EV charging spaces which equates to 1 space per dwelling.

- 7.6.4 The proposed development would represent a shortfall of 2.75 total spaces. Appendix 5 states that a zonal reduction cannot be applied to C3 residential use. Notwithstanding, weight can be given to the good location of the application site, close to Abbots Langley High Street, an approximate three minute (200m) walk from shops, services and public transport links such as bus stops. It is considered, given the site locational circumstances, that the minor shortfall can be accepted, and the development is acceptable on parking grounds.
- 7.6.5 Hertfordshire County Council as Highway Authority were consulted on the application and raise no objection to the impact on the safety and operation of the surrounding highway subject to the inclusion of planning conditions and informatives and the applicant entering into a Section 278 Agreement to cover the technical approval of the design, construction and implementation of the necessary highway and access works. HCC consider that the proposed access road is acceptable, stating that the vehicle access arrangements are acceptable for a development of this size with the minimum width acceptable to provide access for a fire tender whilst the remainder of the site would enable two vehicles to safely pass one another.
- 7.6.6 Given the scale of development and location of the site, it is considered reasonable to include a condition on any permission granted for the submission of a Construction Management Plan. A condition will also be included on any permission granted for the parking provision to be implemented prior to the occupation of any dwellings and permanently maintained for the use of residents. In the absence of detailed information submitted with the application, it is considered appropriate to condition details of the design, scale and siting of the proposed EV equipment.
- 7.6.7 The proposed development is acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

7.7 Trees & Landscape

- 7.7.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.' Policy DM6 of the Development Management Policies LDD advises that 'development proposals should demonstrate that existing trees, hedgerows, and woodlands will be safeguarded and managed during and after development in accordance with the relevant British Standard.
- 7.7.2 The application site is within the Abbots Langley Conservation Area. There are no individual or group TPOs within the site. The application was accompanied by a Tree Survey & Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Landscaping Scheme.
- 7.7.3 The Landscape Officer was consulted on the proposed development and raised no objection. The Landscape Officer notes that several small, predominantly poor quality and self-set trees would need to be removed within the core of the site, however detailed plans have been submitted which indicate extensive relandscaping of the site, including replacement tree planting. Officers note that the Arboricultural report states that of 102 trees within the site that 54 are proposed to be removed. The Landscape Layout plan (DR-0001)

indicates a total of 56 new trees to be planted across the site. The Landscape Officer states that compliance conditions should be applied requiring the applicant to follow the tree protection method statement submitted and implement the landscaping scheme as per the submitted plans. The proposed tree protection, including protective fencing within the application site, close to the perimeter, would protect trees around and outside of the immediate site perimeter.

7.7.4 Any recommendation for approval would be subject to a condition requiring the development to be carried out in accordance with the proposed tree protection measures and landscaping scheme.

7.7.5 In summary, the proposed development is acceptable in accordance with Policy CP12 of the Core Strategy (2011) and Policy DM6 of the Development Management Policies LDD (2013).

7.8 Drainage & Flooding

7.8.1 Policy CP1 of the Core Strategy (adopted October 2011) recognises that taking into account the need to (b) avoid development in areas at risk of flooding will contribute towards the sustainability of the district. Policy CP12 of the Core Strategy (adopted October 2011) also acknowledges that the Council will expect development proposals to build resilience into a site's design considering climate change, for example through flood resistant design.

7.8.2 Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD (adopted July 2013) advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDS). A SuDS scheme for the management of surface water has been a requirement for all major developments since April 2015.

7.8.3 Hertfordshire County Council Flood Risk Management Team (Lead Local Flood Authority) were consulted on the application and raised an objection to the application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy. The LLFA states that the supporting information relating to Infiltration testing has not been provided to support the use of soakaways on site; drainage calculations have not been provided for the appropriate return period events; a drainage layout has not been provided; insufficient evidence has been provided to demonstrate that the four pillars of SuDS have been met; and that the development does not comply with NPPF, PPG and Policies DM8 and DM9 of the Development Management Policies DPD.

7.8.4 An updated Drainage Report and a response to the LLFA's comments was submitted during the application following receipt of comments from the LLFA. This report included further information and appendices which may address the reasons for the LLFA objecting. The LLFA have been re-consulted on this information. The recommendation will be subject to no objection from the LLFA and the inclusion of any conditions they request.

7.9 Rear Garden Amenity Space

7.9.1 Policy CP12 of the Core Strategy states that development should consider the need for adequate levels and disposition of privacy, prospect, amenity and garden space. Appendix 2 of the Development Management Policies LDD sets out standards for the provision of amenity space and states the following indicative levels:

- 1 bed dwelling – 42 square metres
- 2 bed dwelling – 63 square metres
- 3 bed dwelling – 84 square metres

- 7.9.2 The proposed dwellings would each have private amenity gardens which would exceed the above standards in size and provide a good useable area of private amenity space.
- 7.9.3 All the proposed flats would contain an outdoor private patio or balcony area of between 8-12sqm. The flats would be one and two-bedroom dwellings which would have a policy requirement of 42 and 63 square metres respectively. There would also be grass amenity space, of approximately 400sqm, surrounding the flatted development for further outdoor amenity use. This would work out at approximately 25sqm per flat. There would be a shortfall in amenity space provision of between 5sqm and up to 26sqm per flat.
- 7.9.4 While the total amenity space provision would fall short of the above standards in terms of size, the balconies would provide a good useable area of private amenity space for the flats. The outdoor space surrounding the flat building would provide additional useable amenity space. On balance, it is considered that the proposed development is acceptable in this regard given the provision of an individual balcony space and supplementary outdoor green space. Furthermore, weight can also be given to good local access to public open space such as Manor House an approximate nine minute (0.6km) walk away.

7.10 Refuse & Recycling

- 7.10.1 Core Strategy Policy CP1 states that development should provide opportunities for recycling wherever possible. Policy DM10 of the Development Management Policies document sets out that adequate provision for the storage and recycling of waste should be incorporated into proposals and that new development will only be supported where the siting or design of waste/recycling areas would not result in any adverse impact to residential or workplace amenities, where waste/recycling areas can be easily accessed (and moved) by occupiers and waste operatives and where there would be no obstruction to pedestrian, cyclist or driver sight lines.
- 7.10.2 Hertfordshire County Highways raised no objection to the layout of the site being accessible for waste vehicles to enter and exit. The proposed dwellings each have their own private bin stores sited within the rear gardens while the flats have a communal ground floor bin area.
- 7.10.3 The proposed development is acceptable in this regard in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

7.11 Energy & Sustainability

- 7.11.1 Policy DM4 of the Development Management Policies document states that applications for new residential development will be required to demonstrate that the development will meet a zero-carbon standard (as defined by central government). However the government are not pursuing zero carbon at this time and therefore the requirements of DM4 to achieve a 5% saving in CO₂ over 2013 Building Regulations Part L would continue to apply.
- 7.11.2 The application is accompanied by an Energy Strategy, prepared by Van Zyl & de Villiers Ltd Consulting Engineers. The report confirms that the proposed development would incorporate a range of energy saving measures which would result in a 13.8% reduction in CO₂ over the 2013 Building Regulations Part L.

7.12 CIL

- 7.12.1 Core Strategy Policy CP8 requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) came into force on 1 April 2015. The levy applies to new dwellings and development comprising 100sq. metres or more of floorspace (net gain), including residential extensions, although exemptions/relief can be sought for self-build developments and affordable housing. The

Charging Schedule sets out that the application site is within 'Area B' within which there is a charge of £120 (plus indexation) per sq. metre of residential development.

7.13 Biodiversity

- 7.13.1 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.
- 7.13.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. This application was originally submitted in August 2023. Biodiversity Net Gain was introduced in 2024 as mandatory for full applications. Given the date of submission of this application, it is exempt from BNG.
- 7.13.3 The application was accompanied by an Ecological Appraisal, by ELMAW Consulting, dated June 2023. The report includes a bat survey to the building and confirms that it does not contain any evidence that it supports bats. The report notes that the loss or damage to existing grassland, shrubs and hedges is acceptable given that it is of negligible ecological value and is not considered to significantly impact on important or protected species and they do not present a significant redevelopment constraint for the application site.
- 7.13.4 The report recommends that a precautionary approach is taken to site clearance including checking trees for nesting birds and hand searching shrubs for hedgehogs. The proposed loss of habitat through the loss of trees and hedges is considered to be appropriately mitigated through the proposed planting and landscaping which will be secured by condition.
- 7.13.5 In summary, subject to condition to secure appropriate mitigation, the proposed development is acceptable in accordance with Policy CP9 of the Core Strategy (adopted 2011) and Policy DM6 of the Development Management Policies document (adopted 2013).

7.14 Planning Balance

- 7.14.1 The LPA cannot currently demonstrate a 5-year housing land supply, and therefore the requirements of the NPPF (2023) is required to be considered. Paragraph 11 and footnote 7 clarifies that in the context of decision-taking that if the policies which are most important for determining the application are out-of-date (which includes where the LPA cannot demonstrate a five year supply of deliverable housing sites) then planning permission should be granted unless i) the application of policies in this Framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed or ii) 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.
- 7.14.2 In respect of part (d)(i), the development is not considered to result in any demonstrable harm when assessed against all material planning considerations and therefore would not conflict with the NPPF in respect of promoting sustainable development. It is also recognised that the development would contribute to the shortfall in housing. In view of the above, it is considered that in relation to paragraph 11 part (d)(ii) of the NPPF that there are no adverse impacts that significantly and demonstrably outweigh the benefits of the development.

8 Recommendation

That subject to the recommendation of approval and/or no objection from the Lead Local Flood Authority (LLFA) and the completion of a Section 106 Agreement (securing an affordable housing monetary contribution), that the decision be delegated to the Head of Regulatory Services to **GRANT PLANNING PERMISSION** subject to the conditions set out below, and any conditions requested by the LLFA:

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

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

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

534 002 C (Location Plan), 8396-VGA-01-ZZ-DR-A-PL0026 P05, 8396-VGA-01-ZZ-DR-A-PL00245 P05, 8396-VGA-01-ZZ-DR-A-PL0024 P05, 8396-VGA-01-ZZ-DR-A-PL0023 P05, 8396-VGA-01-ZZ-DR-A-PL0022 P05, 8396-VGA-01-ZZ-DR-A-PL0021 P05, 8396-VGA-01-ZZ-DR-A-PL0020 P05, 8396-VGA-01-ZZ-DR-A-PL0013 P06, 8396-VGA-01-ZZ-DR-A-PL0012 P05, 8396-VGA-00-ZZ-SA-A-PL0030 P04, 8396-VGA-00-ZZ-DR-A-PL0006 P04, 8396-VGA-00-ZZ-DR-A-PL0005 P04, 8396-VGA-00-XX-DR-A-PL0008 P06, 8396-VGA-00-XX-DR-A-PL0007 P06, 8396-VGA-00-XX-DR-A-PL0004 P05, 8396-VGA-00-XX-DR-A-PL0003 P05, 8396-VGA-00-XX-DR-A-PL0002 P08, 8396-VGA-00-XX-DR-A-0001 02,, 48455NOLS-02, 48455NOLS-01, 33833NOLS-03, 3182-5-2/DR-0017/S4-P1, 3182-5-2/DR-0011/S4-P1, 3182-5-2/DR-0010/S4-P1, 3182-5-2/DR-0009/S4-P1, 3182-5-2/DR-0008/S4-P1, 3182-5-2/DR-0007/S4-P1, 3182-5-2/DR-0006/S4-P1, 3182-5-2/DR-0005/S4-P1, 3182-5-2/DR-0004/S4-P1, 3182-5-2/DR-0003/S4-P1, 3182-5-2/DR-0002/S4-P1, 3182-5-2/DR-0001/S4-P3, 3182-5-2-DR-0015 REV S4-P1, 3182-5-2-DR-0015 REV S4-P1, 3182-5-2-DR-0014 REV S4-P1, 3182-5-2-DR-0013 REV S4-P1, 3182-5-2-DR-0012 REV S4-P1, 2397-VZV-ZZ-ZZ-D-E-0630 REV P1, 1692-KC-XX-YTREE-TPP01 REV A, 1692-KC-XX-YTREE-TCPO1 REV A

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the character and appearance of the Conservation Area and the residential amenity of neighbouring occupiers, in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12. of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM5, DM6, DM7, DM8, DM9, DM13, Appendix 2, Appendix 4 and Appendix 5 of the Development Management Policies LDD (adopted July 2013), the Abbots Langley Conservation Area Appraisal (2014) and the NPPF (2023).

- C3 Prior to the commencement of works above ground level, samples and details of the proposed external materials and finishes, including details of external brick, roof tiles, cladding, windows, doors, and rooflights, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed only in accordance with the details approved by this condition.

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

- C4 No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- a) Tactile paving and pedestrian dropped kerbs on either side of the bell mouth access into the Watford Day Care Centre.

- b) A vehicle crossover / pedestrian priority access for the access into the northern residential car park to give priority to pedestrians using the proposed footway on the northern side of the access road.

Reason: To ensure construction of a satisfactory development in the interests of highway safety and amenity in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C5 Part A: 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 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- Realignment of the highway footway on the north side of Parsonage Close at the entrance into the site.
- Conversion of part of the highway footway to carriageway at the entrance point into the site.
- Reinstated highway verge where the highway footway is no longer required.
- Any other associated and necessary works identified.

Part B: 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 interests of highway safety and amenity in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C6 Prior to the first occupation of the development hereby permitted the proposed internal access roads, on-site car parking and turning area shall be laid out, demarcated, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development in the interests of highway safety and amenity in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C7 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) Access arrangements to the site;
- c) Traffic management requirements
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of construction activities (including delivery times and removal of waste);

Reason: To protect highway safety and the amenity of all users of the public highway and rights of way in accordance with Policies CP1 and CP10 of the Core Strategy

(adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

- C8 The protective measures, including protective fencing in accordance with BS 5837:2012 standards, detailed on drawing 1692-KC-XX-YTREE-TPP01 A shall be erected and maintained on site throughout the entire course of the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: To prevent damage 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 The development hereby permitted shall be implemented in accordance with the hard and soft landscaping details (3182-5-2/DR-0001/S4-P3, 3182-5-2/DR-0002/S4-P1, 3182-5-2/DR-0003/S4-P1, 3182-5-2/DR-0004/S4-P1, 3182-5-2/DR-0005/S4-P1, 3182-5-2/DR-0006/S4-P1, 3182-5-2/DR-0007/S4-P1, 3182-5-2/DR-0008/S4-P1, 3182-5-2/DR-0009/S4-P1, 3182-5-2/DR-0010/S4-P1, 3182-5-2/DR-0011/S4-P1, 3182-5-2/DR-0017/S4-P1) prior to the occupation of the development and shall be permanently maintained thereafter.

If any trees become severely damaged or diseased within five years of the completion of development, they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (i.e., November to March inclusive).

Reason: To ensure the completed scheme has a satisfactory visual impact on the character and appearance and landscape character of the area in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C10 The development hereby permitted shall be implemented in accordance with the details of the energy statement prepared by Van Zyl & de Villiers Ltd prior to the occupation of the development and shall be permanently maintained thereafter.

Reason: 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 make as full a contribution to sustainable development principles as possible.

- C11 Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1, Class A – enlargement, improvement, or alteration

Part 1, Class E – buildings etc

Reason: To ensure adequate planning control over further development having regard to the visual amenities of the locality, the residential amenity of neighbouring occupiers in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

- C12 The windows hereby permitted in the flank elevations above ground floor level, to the houses within Plots 1-10, prior to the first use of the rooms, shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor

level of the rooms in which the window is installed and shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential properties 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).

- C13 The parking spaces serving the development hereby permitted, shall be constructed in accordance with drawing number 8396-VGA-00-XX-DR-A-PL0008 P06 prior to the first occupation of the dwellings. The parking spaces shall thereafter be kept permanently available for the use of residents and visitors and for no other purpose.

Reason: To ensure that adequate off-street parking space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways 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).

- C14 Before first occupation of the dwellings hereby permitted details indicating the positions, design, materials, and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation and carried out in accordance with the approved details.

Reason: To safeguard the visual 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).

- C15 Before first occupation of the dwellings hereby permitted details indicating the positions, design, and siting of the proposed EV Charging points and associated equipment shall be submitted to and approved in writing by the Local Planning Authority. These shall be erected prior to occupation and carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory and in the interests of highway safety in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

- C16 The refuse and recycling storage serving the development hereby permitted, shall be constructed in accordance with drawing number 8396-VGA-00-XX-DR-A-PL0002 P08 prior to the first occupation of the dwellings.

Reason: To ensure that the external appearance of the development is satisfactory and in the interests of highway safety in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

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 £145 per request (or £43 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 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

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

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

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

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

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

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site

and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the district.
- 14 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 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
- 16 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
- 17 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
- 18 The applicant is reminded that this permission is subject to a Section 106 agreement.