

**DATE OF MEETING** 18 April 2013

**APPLICATION NO:** TP/13/0021

**DATE OF APPLICATION:** 03 January 2013

**STATUTORY START DATE:** 26 March 2013

**SITE LOCATION**

Nicoll Farm Stables, Allum Lane, Elstree, Borehamwood, WD6 3NP

**DEVELOPMENT**

Demolition of existing stables/buildings and removal of associated equestrian equipment. Erection of 5 No. detached 4 bedroom dwellings with basement accommodation and associated car parking & landscaping (Amended plans received 19/3/13, 20/3/13 & 26/03/13 Additional plan received 26/03/13).

**AGENT**

Mr C Phillips  
BIM Services  
5 Arncliffe Drive  
Heelands  
Milton Keynes  
Bucks  
MK13 7PQ

**APPLICANT**

**WARD**

Elstree

**GREEN BELT**

Yes

**CONSERVATION AREA** Not in a Conservation Area

**LISTED BUILDING** NO

**TREE PRES. ORDER NO**

**1.0 Summary of Recommendation**

1.1 That powers be delegated to the managers in Planning and Building Control to grant planning permission subject to the conditions set out in this report and receipt of an agreement or unilateral undertaking under Section 106 of the Town and Country Planning Act.

1.2 Should the agreement or unilateral undertaking under Section 106 not be completed by 21/5/2013, it is recommended that the managers in Planning and Building Control be given delegated powers, should it be considered appropriate, to refuse the planning application for the reason set out below:

*suitable provision for libraries, youth, childcare, nursery education, secondary education, Greenways, sustainable transport, parks and*

*open spaces, public leisure facilities, playing fields, allotments, cemeteries, museums and cultural facilities and monitoring fees has not been secured. As a consequence of the proposed form of development is contrary to the requirements of policies R2, L5 and M2 of the Hertsmere Local Plan adopted 2003 and CS21 of the Revised Core Strategy (for submission to the Secretary of State) November 2011 together with Parts A and B (2010) and the National Planning Policy Framework 2012.*

## **2.0 Application site / Surrounding area**

- 2.1 Nicoll Farm Stables is a private working livery centre located off Allum Lane. It is located within the Green Belt and is adjacent to Nicoll Farm which includes a number of Grade II Listed Buildings. It includes a open raised menage, horse walker, associated barns, residential premises, stable blocks and indoor riding school. These buildings are clustered to the front of the site with the menage and car parking to the rear of the site. A number of fields to the north and west are also used as part of the equestrian business currently operating from the site.
- 2.2 Nicoll Farm Stables will be divided into two, the current two storey dwellinghouse, stable blocks at the front and open fields will be separated from the development site but will utilise the same new pedestrian and vehicular access point. The development site will be used for the construction of residential properties and associated works. This area includes the open raised menage, stables, horse walker, associated barns and indoor riding school.
- 2.3 The equestrian buildings that form part of the development site are approximately 8 metres high and combined are 25 metres wide by 47 metres in depth. The equestrian menage is raised above the ground level of the rear gardens of the adjacent properties by approximately 4 metres. There are two car parking areas constructed of hardstanding to the front of the development site. There is also a large slurry heap on the boundary with Allum Lane. The topography of the site is such that it slopes down towards Elstree Hill North.
- 2.4 The boundary treatment throughout the site is mixed and is largely wooden fencing and mature trees. The majority of the mature trees on are located on the eastern boundary and are approximately 6-10 metres in height.
- 2.5 Other constraints adjacent to Nicoll Farm Stables include an area of archeology, TPO at the rear of the site and two Grade II Listed Buildings at Nicoll Farm.
- 2.6 To the east of the site is Nicoll Farm, which include a number of traditional agricultural buildings and to the west/north is open countryside. The

properties in Blattner Close were granted planning permission in the mid 1990's. These are modern detached two storey properties with small separation gaps between them. These properties have rear gardens of approximately 45 metres long. Five of these properties have a boundary with Nicoll Farm Stables.

### **3.0 Proposal**

- 3.1 The proposal seeks to erect five rural style detached dwellinghouses with an associated basement-level. Each property has four bedrooms. Each property would be served by a large, private, well screened, amenity space. Bin storage would be provided within each properties curtilage.
- 3.2 The vehicular access is to be centred within the application site with an access road that runs internally through the site. Each property has space for three car parking spaces, one space forms part of a car lift and the other two car parking spaces will be at ground level located within their respective rear gardens. Plot 5 has a single detached garage and two car parking spaces to the side. A separate disabled bay has also been provided to the front of plot 5.
- 3.3 The architectural approach of the scheme has been designed to resemble traditional rural barns with rural features such as projecting gables, low eaves details, brick plinths, wooden panelling, chimney stacks, sash windows and pitched dormer windows located in the roofspace.
- 3.4 This application has been taken to committee due to the number of proposed units and the site area.

#### **Key Characteristics**

<b>Site Area</b>	2.95 ha
<b>Density</b>	N/A
<b>Mix</b>	Residential
<b>Dimensions</b>	<u>Existing</u>

#### **applicants house**

Width = maximum 8 metres  
Depth = maximum 14.8 metres  
Height = maximum 8.4 metres

### **Combined single storey barns and stables**

Width = maximum 25.2 metres

Depth = maximum 47.8 metres

Height = maximum 8.2 metres

### **Menage**

Width = maximum 20.2 metres

Depth = maximum 54.6 metres

Height = maximum 5.6 metres

### **Horse exerciser**

Width = maximum 10.4 metres

Depth = maximum 10.6 metres

Height = maximum 3 metres

### Proposed

#### **Plot 1**

Width = maximum 15.4 metres

Depth = maximum 12.2 metres

Height = maximum 7.1 metres (7.9 metres including chimney stack)

#### **Plot 2**

Width = maximum 15.4 metres

Depth = maximum 13.2 metres

Height = maximum 7.7 metres

#### **Plot 3**

Width = maximum 15.4 metres

Depth = maximum 13.2 metres

Height = maximum 7.7 metres

#### **Plot 4**

Width = maximum 15.4 metres

Depth = maximum 12.2 metres

Height = maximum 7.1 metres (7.9 metres including chimney stack)

## Plot 5

Width = maximum 15.4 metres  
Depth = maximum 12 metres  
Height = maximum 7.1 metres (7.9 metres including chimney stack)

## Garage

4.2 metres x 5.8 metres x 5.1 metres

## Number of Car Parking Spaces

Existing car parking spaces: 24

Proposed car parking spaces: 15 and 1 separate disabled car parking space.

## 4.0 Relevant Planning History

TP/90/0654	Continued use of land as livery and conversion of stable into ancillary office.(application withdrawn 8.10.90)	Withdrawn by applicant 08/10/1990
TP/90/1147	Retention of independent livery use. Retention of hardstanding. Retention of portacabin. Change of use of stables to ancillary accommodation (office, rest room, tea room & tack room).	Grant Permission 21/01/1991
TP/92/0562	Retention of portacabin and block of 5 stables	Grant Permission 07/09/1992
TP/94/0031	Retention of first floor of barn as residential accommodation and retention of use as stud farm in association with existing authorised livery use. (Amended plans and description 28/3/94)	Grant Permission 21/04/1994
TP/96/0930	Retention of deposited soil around existing raised manege (Consultation by Hertfordshire County Council)	Refuse Permission 18/04/1997
TP/97/0565	Erection of 4 stables, feed room and toilet (Amended plans received 2/9/97)	Grant Permission 25/09/1997
TP/97/0819	Demolition of existing two storey building (incorporating flat at first floor level) and erection of two storey dwelling	Grant Permission 04/12/1997

TP/12/0384	Single storey extension to existing indoor school building to create 6 new stables & facilities	Grant Permission 28/06/2012
TP/12/2072	Use of property as a single dwelling house (C3) (Certificate of Lawful Development - Existing).	Grant Certificate (Proposed Development) 23/11/2012

## 5.0 Notifications

### 5.1 Summary:

In Support	Against	Comments	Representations Received	Petitions against	Petitions in favour
0	3	0	3	0	0

Fifteen neighbours notified, three objections received.

#### Original plans

In regards to:

- Impact on the Green Belt
- Road safety – access, increase in congestion
- Separation distances between the proposed properties
- Amenity garden space
- Affordable housing
- Scale, mass, height, materials, bulk and layout of houses
- Impact on character and visual amenity of the area
- Outlook for neighbouring properties
- Parking

Other matters raised are not material to the planning application.

## Amended plans

No objection letters received currently.

### **6.0 Consultations**

Elstree & Borehamwood  
Green Belt Society

Object

6/2/2013

The location is unsuitable for 6 urban dwellings and an incursion into Green Belt where housing has not existed previously. Application is for change of use and a case of urban sprawl.

The position of the entrance/exit road would be a hazard for traffic on Allum Lane which is at times extremely heavy and will increase further with new development.

Nicoll Farm site borders the green field land between Radlett and Elstree which provides the division which is necessary to prevent one town from joining on to the next.

Elstree & Borehamwood Town Council

Object

28/1/2013

The Committee did not support the proposal to develop on a Green Belt site so as to change the character of the area away from agricultural use of land. Concerns raised about setting a precedent for future applications. Possible risk of flooding should development proceed.

Drainage Services

No objection

2/4/2013

See below

22/1/2013

CG01 applies

Highways, Hertfordshire  
County Council

No objection

25/3/2013

See below

5/2/2013

The proposed access will enable refuse and large service vehicles to enter and exit. The visibility splays are considered to be satisfactory.

Do not consider the development will materially increase traffic movements from the site and therefore the development is unlikely to result in a significant impact on the safety and operation of the adjacent highway. No objection to the grant of planning permission subject to the following conditions: the existing access, construction management, the proposed access, surface water runoff, Section 106 Agreement and vegetation.

Hertfordshire Fire & Rescue  
Service

No objection

11/2/2013

Fire appliances and provision of water supplies appears to be adequate.

Herts Biological Records

No objection

31/1/13

The buildings proposed for demolition do not support a bat roost or roosts. Therefore, the application can be determined accordingly.

Secured by Design

No objection

29/1/13

Requested the completion of an SBD Application form.

County Planning Archeologist

No objection

8/2/2013



The site lies adjacent to Nicoll Farm. The farmhouse (LB1642040), barn and byre (LB164205) are Listed as having architectural and historic interest. The Historic Environment Record notes that the farmhouse is a timber-framed open hall house dating to c.1500. A bay was added at the east end c1600. Further alterations were made in the 17th, 18th and 19th centuries. The barn and byre date from the 17th and 18th centuries. The name comes from the family of Susanna Nicoll, recorded in Elstree in 1659 (HER13587). Also post medieval farms in Hertfordshire are frequently found to have medieval origins.

Area of Archaeological Significance no.22 as identified in the Local Plan lies approximately 60m to west of the site. This notes that evidence of the manufacture of Roman pottery has been found.

The proposed development is likely to have an impact on heritage assets with archaeological interest from the Roman, medieval and post-medieval periods. Therefore recommend that archaeological conditions are attached, should you be minded to grant consent.

This recommendation is both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. These recommendations closely follow the policies included within Policy 12 (para. 141, etc.) of the National Planning Policy Framework.

*NPPF paragraph 141 states, "Local planning authorities should....require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible."*

If planning consent is granted, will be able to provide a design brief detailing the requirements for the investigations and provide information on professionally accredited archaeological contractors

who may be able to carry out the investigations. Please allow 5-10 working days for this document to be issued and a further 5-10 working days for consideration of any submitted archaeological Written Scheme of Investigation.

Details of our charging policy can be found at <http://www.hertsdirect.org/services/envplan/archaeology/archserv/>

Campaign to Protect Rural England

No objection

18/2/2013

Concerns regarding affordable housing

Thames Water

No objection

18/1/2013

Surface water drainage: with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within three metres of these pipes we recommend that you contact Thames Water to discuss their status in

more status and to determine if a building over/near to agreement is required. You can contact Thames Water on 08458502777.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result in construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and remediation. Groundwater permit enquires should be directed to Thames water's risk management team on 02085074890. Any discharge made without a permit is deemed illegal and may result in persecution under the provisions of the Water Industry Act 1991.

No objection to sewerage infrastructure.

EDF Energy Networks	No comments received.
National Grid Company Plc	No comments received.
Affinity Water	No comments received.
Hertsmere Waste Management Services	No comments received.

## 7.0 Policy Designation

- Green Belt
- Adjacent to Listed Building

## 8.0 Relevant Planning Policies

1	Site specific constraint	GB	Green Belt
2	Hertsmere Local Plan Policies	C1	Green Belt
3	Hertsmere Local Plan Policies	C4	Development Criteria in the Green Belt
4	Hertsmere Local Plan Policies	C6	Elstree & Shenley Village - Infilling
5	Hertsmere Local Plan Policies	D3	Control of Development Drainage and Runoff Considerations
6	Hertsmere Local Plan Policies	D16	Renewable Energy Sources
7	Hertsmere Local	D17	Pollution Control

8	Plan Policies Hertsmere Local Plan Policies	D20	Supplementary Guidance
9	Hertsmere Local Plan Policies	D21	Design and Setting of Development
10	Hertsmere Local Plan Policies	E3	Species Protection
11	Hertsmere Local Plan Policies	E7	Trees and Hedgerows - Protection and Retention
12	Hertsmere Local Plan Policies	E8	Trees, Hedgerows and Development
13	Hertsmere Local Plan Policies	E27	Conservation Areas - Adjacent Development
14	Hertsmere Local Plan Policies	H8	Residential Development Standards
15	Hertsmere Local Plan Policies	M2	Development and Movement
16	Hertsmere Local Plan Policies	M12	Highway Standards
17	Hertsmere Local Plan Policies	M13	Car Parking Standards
18	Hertsmere Local Plan Policies	K1	Sustainable Development
19	Hertsmere Local Plan Policies	B8	Re-use/Redvlpt of Emplymnt Sites Locatd Outside Emplymnt Are
20	Revised Core Strategy	REV_CS12	Protection and Enhancement of Natural Environment
21	Revised Core Strategy	REV_CS15	Environmental Impact of development
22	Revised Core Strategy	REV_CS16	Energy and CO2 Reductions
23	Revised Core Strategy	REV_CS21	High Quality Development
24	Revised Core Strategy	REV_CS24	Accessibility and parking
25	Supplementary Planning Document	PS	Parking Standards Supplementary Planning Document
26	Hertsmere Planning & Design Guide	PartD	Guidelines for Development
27	Hertsmere Local Plan Policies	E16	Listed Buildgs - Devlpmnt Affectng Setng of a Listed Buildg
28	Hertsmere Local Plan Policies	H16	Affordable Housing Provision
29	Hertsmere Local	H17	Affordable Housing Provision in Rural

30	Plan Policies Revised Core Strategy	REV_CS13	Villages & Settlements Protection and Enhancement of Historic Assets
31	Supplementary Planning Document	AH	Affordable Housing Supplementary Planning Document
32	Supplementary Planning Document	PO	Planning Obligations Supplementary Planning Document Parts A
33	Hertsmere Local Plan Policies	R2	Developer Requirements
34	Hertsmere Local Plan Policies	H1	Housing Land - overall supply
35	Hertsmere Local Plan Policies	L5	Recreational Provision for Residential Developments
36	Revised Core Strategy	REV_CS1	Location and Supply of new Homes
37	Revised Core Strategy	REV_SP1	Creating sustainable development
38	Revised Core Strategy	REV_CS21	High Quality Development
39	Hertsmere Local Plan Policies	E9	Archaeology - Assessment of Sites

## 9.0 Key Issues

- Background
- Principle of development in the Green Belt
- Height, Size, Mass and Appearance
- Spacing and Setting
- Spatial layout
- Materials
- Car Parking design
- Car Parking, access and highway implications
- Privacy and amenity of neighbouring residents
- Amenity
- Provision for refuse and emergency vehicles
- Trees and Soft Landscape Works
- Biodiversity
- Section 106
- Affordable housing
- Other matters

## 10.0 Comments

### Background

- 10.1 There have been no previous residential schemes granted on this site, except for that associated with the use of the stables. Earlier in the year, a pre-application was submitted to the Local Planning Authority for the erection of 10 two and a half storey detached properties.
- 10.2 During pre-application process a number of changes were requested by the Case Officer, these are as follows:
- A case of very special circumstances if the impact on the Green Belt was greater;
  - Reduction in the number of units from 10 to 6 and reduced site area of the developed area;
  - Relocation of the properties so that they are facing outward with outlooking views to the Green Belt and internalised rear gardens thereby ensuring a new perimeter Green Belt boundary is created;
  - Reduction in the height, width and depth of all properties;
  - Improvement of the design approach of the buildings and garages;
  - Ensure that there is not an adverse impact on residential amenity;
  - Reduction in the extent of hardstanding by removing unnecessary hard surfacing and promoting greater use of green permeable surfacing;
  - Ensure adequate levels of separation between properties;
  - and further details were requested for car parking provision, amenity space, refuse, landscaping, biodiversity, lighting, renewables and S106 contributions.
- 10.3 During consideration of this planning application, further amendments have been sought to improve the development. The main amendments achieved are as follows:
- A further reduction in the number of dwellinghouses from 6 to 5;
  - Improved spatial layout and separation gaps between properties;
  - Improvements by reducing the level of hardstanding further;
  - Full soft landscaping and boundary treatment;
  - Provision of a pedestrian footpath; and
  - Improvements to design approach.
- 10.4 This planning application and the resultant scheme is a result of extensive positive and proactive discussions from both parties.

## Principle of development in the Green Belt

### *Green Belt*

- 10.5 The National Planning Policy Framework (NPPF 2012) has now superseded the previous Planning Policy Guidelines and Planning Policy Statements. A key change in the NPPF (2012) specifically relates to Green Belt and development sites such as Nicoll Farm Stables. This key change is fundamental to the assessment of the development and how the Local Planning Authority views considers it's acceptabilty. Paragraph 89 of the NPPF (2012) states that:

*“A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”.*

- 10.6 Therefore, given the above, the principle of development on this previously developed site, whether redundant or in contining use, is acceptable subject to having no greater impact on the openness of the Green Belt.
- 10.7 In general terms, the NPPF has made exceptions in brownfield developed sites within the Green Belt if the proposed development has no greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

### *Green Belt considerations*

- 10.8 Having considered the works and the significant amendments, the proposal would provide significant benefits to the Green Belt. In general terms, the proposal be would contained within the site under a structured perimeter spatial layout with units facing outwards. This layout would provide a new strong defensible Green Belt boundary avoiding a visual sprawl to Green Belt views and to deter further outward view development. The consequence is that the development will have a settled and quieter relationship to the Green Belt when comparing to the existing situation of chaotic sprawling development. Therefore, the proposed relationship benefits the openness of the Green Belt. There will be a significant reduction in volume and hard standing overall. The key starting point is to establish, in quantitative terms, whether the proposed development would have a greater impact on the openness of the Green Belt. It is clearly recognised that the level of hardsurfacing has been reduced by 972 sqm (54%) and volume has also been reduced by 3221 cubic metres (45%). However, the footprint has

slightly increased by 3%, namely 52 sq metres. Whilst it is acknowledged that the proposal seeks to increase the amount footprint that currently exists on the site by 3% it is considered in this case that the overall development clearly has no greater impact, and in this case improve the openness of the Green Belt for the following reasons:

- The existing buildings have a greater volume on the site by 45% being cluttered together creating a significant amount of bulk and mass sprawled out.
- The proposed buildings are contained across the site being more evenly distributed creating important significant sky gaps between buildings whereby views through the site can be afforded from the Green Belt.
- The siting of the proposed buildings has created a stronger defensible boundary to the Green Belt that has a more settled visual appearance.
- The mass and bulk of the proposed buildings have a built form that has traditional rural proportions with far greater articulation than the existing buildings.
- The proposal would remove the menage and manure heap which are manmade structures of considerable height and impact on the openness of the Green Belt even though they do not form within the red line of the development site.
- Overall there is a significant reduction in the level of hardsurfacing by 54 % with the intent of significant soft landscape works to take place around the proposed buildings to help assimilate the public space and development with the wider rural Green Belt.

Therefore, it can be safely concluded that the development has no greater impact on the Green Belt and is in accordance with Green Belt policy. In addition, there are clear benefits and improvements to the openness of the Green Belt particularly given the significant reductions in volume and hardstanding. Therefore the proposal is acceptable in regards to the National Planning Policy Framework 2012, Policies C1 and C4 of the Local Plan 2003 and Policy CS12 of the Revised Core Strategy 2011.

#### *Impact on the adjacent listed building*

- 10.9 Nicoll Farm Stables is adjacent to Nicoll Farm which includes a number of Grade 2 Listed structures. Some of the listed structures adjoin the boundary of Nicoll Farm Stables, also being visible from it. At the moment, Nicoll Farm Stables is served by a number of existing structures of various sizes with a significant expanse of hardstanding for car parking. At the moment this is considered to detract from the character and appearance of the Listed Buildings. Given that the structures are generally prominent, unattractive, and out of character from the neighbouring properties and wider street scene. The front of the site with its large area of hardstanding and large single storey buildings are disjointed from the rest of the street due to their scale and large



set back.

- 10.10 The proposed rural barn style properties have been designed in regards to the location at the edge of the Green Belt and adjoining listed buildings. The properties would have a common architectural character with the scale and mass broken up through the various roof designs, chimneys and projecting gables. The properties are to be constructed of traditional and high quality materials. The various units introduce design features to reinforce the traditional rural barn approach. The car parking has been incorporated into the individual plots whenever possible to avoid prominence.
- 10.11 It is considered that the proposed scheme would improve the impact on the character and appearance of the adjoining Listed Buildings which is considered to be a material consideration that has planning merits . The proposal is therefore in accordance with planning policy.

*Impact on wider landscape*

- 10.12 The existing structures make no positive contribution to the surrounding landscape. The existing structures are generally unattractive, degrading and out of character from the neighbouring properties and wider street scene. The proposed development will open up views from the surrounding area
- 10.13 The proposed properties are small in scale and mass through their rural barn themed design. They also create a more natural settled edge to Elstree and the Green Belt, which is more appropriate than the existing structures. This is reinforced by the proposed soft landscape works that involve the following:
- 106 trees to be planted;
  - existing trees to be retained, particularly on boundary line with Blattner Close;
  - no adverse impact on TPO's that fall outside the application site;
  - soft boundary treatments such as hedgerow to be utilised, particularly on the western boundary;
  - creation of green landscaped front and rear gardens;
  - removal and regrading of land to natural slope for both manure heap and ménage, which are significant structures.
- 10.14 Overall, the proposed scheme is considered to improve the wider landscape and will be an improvement on the openness of the Green Belt. The proposal is therefore in accordance with Policy C9 of the Local Plan 2003.

Height, size, mass and architectural detailing

- 10.15 Policy H8 of the Local Plan 2003 requires that design and layout of proposed development should be of a high standard which complements the character

of existing development in the vicinity of the site and maintains a harmonious street scene. Criterion (i) of Policy H8 requires that the size, height, mass and appearance of the new dwellings should be harmonious with and not over dominate the scale or adversely affect the character of adjacent development. The Hertsmere Planning and Design Guide, Part D of the Planning and Design Guide 2012 develops this policy further and states that careful design solutions should be applied to higher density development to ensure that proposals do not overly dominate the surroundings.

### Height

- 10.16 The proposed dwellings have adopted an overall design concept of modest, vernacular, rural, barn like dwellinghouses. Above ground level are 1 1/2 storeys in height with traditional roof-pitched gable end roofs. The proposed height of the units is approximately between 7.1 and 7.7 metres high, which is between 1.1 and 1.7 metres lower than the existing dwelling house ridge line and the associated single storey stable buildings. The proposed properties would also be lower than the neighbouring properties in regards to height as these properties are two storeys in height. The surrounding properties have a higher ridge line than the proposed development. To the north east of the site, the properties located in Blattner Close are a traditional height of two storeys as is the property in Nicoll Farm and the properties opposite. The flats in Knowl Park are three storeys in height.
- 10.17 The height of the proposed properties would also have a lower impact than the existing properties as viewed from Elstree Hill North, Allum Lane and Watling Street than the existing buildings. A condition is recommended on any permission granted to ensure that the levels are adhered to. The proposed properties height is acceptable terms of adopted rural architectural style and in term of retaining the openness of the Green Belt. Overall, the proposed height would not be visually detrimental to the Green Belt, and wider area.

### *Size and Mass*

- 10.18 The built form of dwellinghouses in Allum Lane are generally detached, two storey structures, with widths greater than their depths, incorporating a range of design characteristics. The built form of the existing dwellings along Allum Lane tend to be more suburban given that they are on the urban edge of Borehamwood. The built form of the proposed dwellings replicates that of a rural context. The proposed dwellings have an articulated facade and roofline incorporating slim gable features, and dormer windows. The proposed elevations adopt the built form of rural barns with various set backs of the front building line and set downs from the main ridge height. The use of the vertical fenestration detailing and dormer windows are also utilised. These elements have broken up the mass of the built form successfully and is

considered to have an acceptable relationship to the wider Green Belt, street scene and access road.

- 10.19 The dimensions of the each proposed dwelling are similar to the overall footprint of the applicants property and has a width and depth less than the equestrian buildings as demonstrated in the dimensions section above. The proposed depth is lower than the existing property whereas the width is slightly greater. The size and mass of each dwelling has been designed visually to include an articulated facade and roofline incorporating gable features which reduces the overall bulk and size of the proposed dwellinghouses. The incorporation of a pitched roof also reduces the overall mass of the roof form. The size and mass of the proposed works would not dominate the neighbouring properties to an unacceptable level. The properties would not be visually unacceptable within the street and wider area.
- 10.20 Overall the proposed mass and size would not be visually detrimental to the Green Belt and wider area.

#### *Appearance*

- 10.21 The architects have adopted a traditional rural, barn like approach in the architectural detailing. The window design and size is considered to be appropriate and traditional. This has been illustrated throughout the proposed development. The introduction of low eaves line, low ridge height, brick plinth detailing, pitched dormers roofed windows and traditionally proportioned gable wings to the front/rear on the proposed dwellings reiterate this view. The simple roof design and introduction of chimneys compliment this approach.
- 10.22 The immediate context has variation but generally consist of much larger units of modest or limited architectural merit that clearly do not necessarily reflect a typical rural setting within the Green Belt. A good example being the block of 3-storey flats that sit almost opposite to the site. The proposal has successfully sought to promote and help reinforce the rural nature and characteristics of the Green Belt.
- 10.23 Part D of the Planning and Design Guide 2012 states entrances should front onto the main street and can be a focal point. Entrances should be in keeping with the scale and design of the building and should not be an overbearing feature within the streetscene. The proposed front entrance on each property adopts a modest simple design approach. This is centrally located and in proportion to the proposed built. Therefore, the proposed works are considered acceptable in regards to Part D of the Planning and Design Guide 2012 when it comes to the position of the entrance way.

- 10.24 The garage design is also rural in nature incorporating an undercroft design. The garage would be brick built with a tiled roof. This design is considered acceptable in regards to Part D of the Planning and Design Guide 2012.
- 10.25 Overall, in architectural terms there is a slight variation to the unit types to give the site greater visual interest. However, identical materials are being used to ensure an element of continuity throughout the scheme to bind the development together. The balance between variety and continuity is a difficult one, but it is considered that the proposal has achieved the right balance. In order to protect the appearance of the proposed dwellinghouses, permitted development rights shall be removed from side extensions and any roof extension or alteration. Therefore the overall appearance of the proposed development is considered to achieve high quality and is therefore acceptable in accordance with Part D of the Planning and Design Guide 2012.

#### Spacing and setting

- 10.26 Part D of the Planning and Design Guide 2012 requires that in areas where there are generous separation distances these should be maintained. Separation distances between buildings in Allum Lane generally range from 1 to 3 metres. Therefore, separation distances between buildings can be considered to be significant and a 2 metre separation distance to side boundaries would be expected.

#### *Distance between proposed properties*

- 10.27 The level of separation between the proposed plots is two metres to the nearest boundary line point and therefore four metres between the proposed units. These separation gaps are generous in the Green Belt as other newer properties such as those in Blattner Close have very small levels of separation nearer to one metre and fail to replicate a rural setting. The Case Officer requested that two metre separation gaps were important within the scheme and this was amended. The separation gaps are more than sufficient to allow for adequate breathing space for views through and prevent terracing between properties. Thereby helping to reinforce that rural open setting.

#### *Distance between development site and existing properties*

- 10.28 The level of separation between the nearest edge of a proposed property (plot 5) and the neighbouring properties in Blattner Close is approximately 55 metres away whilst the relationship with the house at Nicoll Farm 5 and plot 5 is 46 metres away approximately. The relationship between plot 1 and the nearest block of flats in Knowl Way is 96 metres. These separation distances exceeds the maximum separation gap as outlined in Part D of the Planing

and Design Guide 2012 and is considered to allow sufficient views through the site and prevent terracing between properties

- 10.29 The setting of the proposed rural style dwellings is considered acceptable due to compliance with planning policy and given the smaller separation distances of other residential properties within the wider area.

### Spatial layout

- 10.30 The proposal is located on a complex site heavily constrained. In general terms the spatial form needs to be based on the perimeter block. The units need to face the public realm to create active frontages (give life to the façade) and to make a clear distinction between public fronts and private backs. They also need to ensure continuity to the public realm frontage by adopting continuous building lines and creating enclosure (close the gaps between buildings), which help frame the development and reinforce active frontages. It is important to position the units to respect privacy and not to undermine natural light to neighbouring properties. There is also the need for buildings to turn corners (i.e. enclosure). It is important that houses face two ways. It is recognised that many standard building types used by developers rarely achieve this. More tailored designs would be required.
- 10.31 The current proposal has been positively amended in terms of the general design, layout and orientation of the units. Overall the principles behind the perimeter block layout have been successfully incorporated into the overall design philosophy. The units, where possible, face onto the Green Belt creating strong continuous building line/frontage to their respective outlook. This provides a new strong defensive Green Belt boundary with the front elevations being exposed to the Green Belt to provide a more settled appearance rather than having fussy cluttered rear boundary treatment. Importantly the corner units face two-ways, which is particularly important given best practice and the exposed nature of the site from the Green Belt. This approach has been successfully achieved around the edges of the proposed site particularly fronting onto the proposed new Green Belt boundary thereby reinforcing this important boundary to deter further development sprawl and create a clear visual full stop to protect the Green Belt. Overall, the spatial layout seeks to replicate the more traditional pattern of development that currently exists in Elstree. The proposed layout achieves best practice and is therefore acceptable and in compliance with the policy aspirations of Part D of the Planning and Design Guide 2012.

### Materials

- 10.32 National Planning Policy Framework 2012, Part D of the Hertsmere Planning and Design Guide 2012, Policy CS21 of the Council's Core Strategy 2011 and Policies D21 and H8 of the Local Plan 2003 seek good urban design.

- 10.33 The architects have adopted a traditional rural approach in the architectural design and the materials proposed create a positive place identity. Special attention has been made to ensure that the materials used in the development reflect the local architectural vernacular. The proposal has sought to promote and enhance the rural nature and characteristic of the area. Identical materials are being used to ensure an element of continuity throughout the scheme and bind the development together.
- 10.34 The exterior of the houses are designed to create a barn-like appearance and a rural feel throughout the development. In order to achieve this, the exterior walls should be finished with a black weatherboarding treatment as suggested in the architectural drawings. The brick plinth detailing around the house is expected to be textured, rustic and of mixed stock brick type. Similarly, the materials used in the internal boundary wall should assimilate the brick plinth of the house. In terms of the roof, open soffits with exposed rafters reiterate the barn style of the house and high quality clay plain type tiles should be used to reflect this feel.
- 10.35 Further detail of the materials to be used is required and a condition is recommended that the materials are submitted to the planning department prior to the commencement of construction.

#### Car parking design

- 10.36 It is acknowledged that parking arrangements have a major impact on the quality of a development. Where and how cars are parked has major consequences to the quality of the development. Once the level of parking provision has been confirmed, the main consideration is how to incorporate parking in the development without allowing it to dominate everything around. Therefore parking should be behind, under, above or to the side of the buildings or sensitively incorporated into the street.
- 10.37 It should be noted that the car parking approach has been given careful consideration to reduce its impact on the quality of the development and to avoid harm to the openness of the Green Belt, which is a key consideration in this case. The car parking has been introduced as sensitively as possible being hidden internally within the site and their respective plots they serve. Where car parking is not strictly defined, indiscriminate parking takes place which adversely dominates the street scene and undermines the achievement of high quality. The proposal includes:
- In ground parking systems.
  - Defined parking spaces on driveways, sensitively located and constructed within soft landscape works.
  - Undercroft.

10.38 The car parking approach is varied and a deliberate attempt is made to minimise the impact of parking on the development and the surrounding Green Belt area. The road and driveways have been integrated within the development and car parking spaces located to the rear of the properties. The spaces have been clearly defined and allocated to avoid ambiguity and prevent indiscriminate car parking. Overall, the proposal has adopted parking arrangements which are sensitively incorporated into the development and therefore complies with Part D of the Hertsmere Planning and Design Guide 2012 and the Council's Parking Standards SPD 2010.

#### Car Parking, access and highway implications

10.39 The National Planning Policy Framework (2012) states transport policies have an important role to play in facilitating sustainable development. The Council's Car Parking Standards SPD 2010 (as amended) outlines the parking requirements for each type of development. Policy CS24 of the Revised Core Strategy (for submission to the Secretary of State) November 2011 and Part D of the Planning and Design Guide 2012 are also relevant.

#### *Car parking*

#### *Existing car parking*

10.40 The site is not located within a non-residential accessibility zone and therefore there would be no reduction in the number of car parking spaces required for the site. A D2 use such as an equestrian centre does not have specific car parking requirements and the car parking arrangement would appear from the case officers site visit and aerial maps to be informally laid out. The case officer under the pre-application requested exact details of the parking facilities for the equestrian use and the applicant dwellinghouse. There are 24 car parking spaces for the equestrian use including those for the staff and three car parking spaces for the applicants house located on the frontage. It is considered that the number of car parking spaces are considered acceptable for the use.

#### *Proposed car parking*

10.41 The Council's Car Parking Standards (Revised 2010) sets the standard for parking requirements for all forms of development within the Borough. It has a maximum residential off-street parking standard of 3 spaces for a 4 bedroom unit. The proposal meets these requirements and Units 1-4 have an in ground parking lift system for one car and two further surface off-street parking spaces. Unit 5 has an open parking undercroft and two further off-street parking spaces set to its frontage. In addition, a disabled parking space is included on the site. It is considered that the development provides adequate car parking facilities in accordance with the Council's Policy. In

addition the car parking spaces and in ground parking lifts measure 2.4m x 5m which meets the car parking dimension standards, 2.4m x 4.8m. Also, the open parking undercroft measures 3.4m x 5.5m which meets the internal dimensions of a garage required, 3m x 4.8m. It is considered that the development provides adequate car parking facilities in accordance with the Council's policy.

- 10.42 In order to ensure that there are adequate car parking facilities for all dwellinghouses, permitted development rights have been removed from the undercroft for plot 5 to ensure that it is not converted. This would ensure that there was not pressure to park outside of the curtilage of the dwellinghouses. Based on the plans, the proposed car parking meets the requirements set out the Council's Parking Standards 2010 (as amended).

#### *Cycle parking*

- 10.43 There are no cycle spaces for the equestrian use. Proposed cycle spaces have been provided within the basements of each of the new dwellinghouses. The cycle parking is therefore considered acceptable.

#### *Access*

- 10.44 The proposal seeks to construct a new access to be located approximately 8 metres west of the existing access point. The cross over serving the existing access road measures about 6 metres in width and is located adjacent to the eastern boundary whereby there is restricted vehicular and pedestrian visibility given existing vegetation and its restricted width. The proposed crossover is to be centrally placed on the southern boundary and will have a width of about 14 metres. Thereby allowing adequate manoeuvrability and ensuring adequate vehicular and pedestrian visibility splays. The Highways Department have commented that the new access road is about 4.8 metres wide with 6 metres of radius kerb, which would enable cars and service vehicles to pass. As noted above there is a bell mouth access (crossover) at the entrance to the site and no objection was raised by the Highways Department with regards to the visibility splays shown in the application (Drawing P1302-02). There is a 1 metre wide pedestrian access / footpath that will run parallel along the complete length of the new access road which would reduce any conflict with vehicular traffic. The access is considered acceptable.

#### *Turning within the site*

- 10.45 The proposal shows a turning head within the site. The Highways Department considers that this will enable refuse and large service vehicles to enter the site, turn and exit in a forward gear. Based on this information and having assessed the details it is considered that there is adequate ability



to turn within the site and such arrangement are acceptable.

#### *Highway implications*

- 10.46 The Highways Department does not consider the proposed development to materially increase traffic movements from the site. The commercial operation of the site would be replaced by the proposed residential development. A consequence of this is that the number of parking spaces would be reduced from 24 to 15. As such it is unlikely that there will be a significant impact on the safety and operation of the adjacent highway. Therefore the impact on the adjacent highway is considered acceptable.
- 10.47 Concerns have been raised in regards to construction traffic. The Highways Department have requested a condition for construction management. This would require details such as car parking, wheel cleaning etc to be confirmed prior to commencement of works. The Highways Department have also requested a drainage condition is added to protect against surface water runoff on to Allum Lane. Conditions have also been added for details for the existing access, the proposed access, Section 106 Agreement, and vegetation. Subject to these conditions, the proposal is considered acceptable and in accordance with the National Planning Policy Framework 2012, the Council's Parking Standards (Revised 2010), Policy CS24 of the Revised Core Strategy (for submission to the Secretary of State) November 2011 and Policies M2, M12 and M13 of the Local Plan 2003.

#### Privacy and amenity of neighbouring resident

##### *45 degree line*

- 10.48 Firstly, with regards to the protection of residential amenity, Part D of the Planning and Design 2012 advises that developments should be orientated so that their front and rear building lines fit comfortably within a line drawn at 45 degrees from the nearest edge of the neighbouring front or rear facing windows. There are existing residential properties opposite the site, and on the eastern boundary. The nearest breach of the 45 degree line has a separation distance of 25 metres between the rear windows of the applicants house and plot 2. It is considered there would be no loss of light, loss of daylight or overbearing between properties. Between that, the next nearest breach is 46 metres. At 46 metres again, it is considered there would be no loss of light, daylight and overbearing impact.

##### *Separation distances*

- 10.49 Policy H8 of the Local Plan 2003 and Part D of the Planning and Design Guide 2012 requires that new development does not adversely impact on neighbouring residential amenity in terms of loss of natural light, outlook,

privacy and noise disturbance.

#### *Residential Amenity for Neighbouring Occupants*

10.50 Part D of the Planning and Design Guide 2012 states that where there are directly opposing elevations within new developments containing windows to habitable rooms, one and two storey buildings should be a minimum of 20 metres apart. The distances between properties are:

- Plot 5 and the applicants house = 54.2 metres (approx)
- Plot 3 and rear elevation of the properties in Blattner Close = 108 metres (approx).

10.51 Where such elevations directly oppose a side elevation containing windows to habitable accommodation buildings should be a minimum of 10 metres apart. There is one such relationship with Nicoll Farm and the plots 1 and 2, the distance between these properties is approximately 48 metres away.

10.52 It is considered that there would not be a loss of privacy, overlooking, daylight or sunlight to these properties

#### *Residential amenity for future occupiers*

10.53 In regards to proposed buildings that face onto proposed buildings within a new development. There is not a specific separation distance for properties that face flank to flank with one another. However, Part D of the Planning and Design Guide 2012 states that there should be a minimum of 2 metres separation gaps to ensure that there are clear visual breaks between houses. All properties have a two metre separation gap between them which is considered acceptable in regards to Part D of the Planning and Design Guide 2012.

10.54 In regards to plot 4 and 5, there is no specific policy in regards to the front of a new property on the flank of a new property. The rear of plot 4 would face the side elevation of plot 5. The agent has designed this relationship so that there are no main habitable windows in the flank elevation of plot 5. Therefore, it is considered that there would not be a loss of residential amenity to either of these properties.

10.55 Overall, the proposed development would not have a detrimental impact on the residential amenities of the neighbouring properties in terms of loss of privacy, outlook, light or overlooking. The proposed development would therefore be acceptable with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Part D of the Planning and Design Guide 2012.

10.56 Due to the site being located within an existing residential area with other dwellings in nearby and fronting onto a relatively busy street, a condition in regards to external lighting has been included as part of any permission approved as no details have been provided.

#### Amenity

10.57 Policy H8 of the Local Plan 2003 and Part D of the Planning and Design Guide 2012 require all new residential developments to have adequate private useable amenity space. Part D determines the amount of private amenity space to be provided based on the number of bedrooms per residential unit. A residential unit of 4 bedrooms requires 80m<sup>2</sup> of private amenity space.

10.58 The private amenity space to be provided for each plot far exceeds 80m<sup>2</sup> which is the maximum amount of private amenity space required for dwellings of 4 bedrooms or more. The gardens are also useable and large in shape being appropriately contained and screened within the site to maximise privacy and security and therefore desirability. As the houses back onto the access road it would not be necessary to condition outbuildings and rear extensions as such works would require express consent anyway. Also, there is a soft landscape condition to ensure the intent illustrated is delivered.

10.59 The proposal would comply with policy H8 of the Local Plan 2003 and Part D of the Hertsmere Planning and Design Guide 2012 with regard to the provision of private amenity space.

#### Provision for refuse and emergency vehicles

10.60 The Council's Technical note: Waste provision requirements 2010 for new developments relating to the collection of domestic refuse requires each household in the Borough to have the following provision for general waste and recycling:

- 240 litres (L) for general waste
- 240L for green waste
- 38L for paper
- 55L for plastic / cans
- 55L for possible future waste storage requirements

For dwellings with individual storage provision the above provision normally constitutes:

- 3 x 240L wheelie bins for general and green waste and plastic / cans / glass
- 1 x 38L box for paper

- 1 x 55L box for possible future waste storage requirements
- 10.61 The agent has shown that the refuse collection will be available from the rear, and side of the parking areas. There is some concern by the case officer that the level of provision does not meet the above standards. Details of the refuse storage shall therefore be conditioned as part of any planning application approved.
- 10.62 The Fire Safety Department have confirmed that access for fire appliances and the provision of water supplies appears to be adequate.

### Trees and Soft Landscape Works

#### *Policy*

- 10.63 The National Planning Policy Framework 2012 states that the government attaches great importance to the design of the built environment, which should aim to make places better for people. Policy CS12 of the Core Strategy 2011 and Policy D21 of the Local Plan 2003 state that developments should respect or improve the character of their surroundings. Policy E7 of the Local Plan 2003 requires trees and hedgerows which contribute to visual amenity to be retained and protected. Policy E8 of the Local Plan 2003 states that on sites where existing trees and/or hedgerows are to be retained, proposals must provide sufficient space between trees and/or hedgerows and buildings to avoid affecting the existing and proposed landscape features.

#### *Trees*

- 10.64 The site is not protected by a Tree Preservation Order but it is located in the Green Belt. The improvement and visual enhancement of the overall landscape setting of a brownfield site within a rural context is an important aspect of good planning in this case.
- 10.65 There are currently no trees on the existing site. There are a number of mature trees which near the eastern boundary of the site and provide a screening of the site area from the east and a verdant backdrop from the west. The proposal seeks to protect these trees by providing sufficient space between them and the new development. Thereby protecting this important green screen and backdrop. The landscaping plan (drawing P1301-02) shows that 66 new trees and high quality hedgerows will be introduced to replace the existing external boundary. Within the site, a further 40 trees will be planted to promote the soft landscaping of the development. In total 106 new trees will be planted, which will provide a significant visual enhancement to a brownfield set within a rural green belt context.

- 10.66 Details of the proposed new trees have not been provided and therefore as part of any planning application approved, a condition will be attached for these details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of works.

#### *Boundary treatment*

- 10.67 The existing boundary treatment to the site comprises of sporadic poor quality, overgrown hedgerow to the majority of the site. The eastern boundary of the site is bordered by mature vegetation and trees. At the front of the site the access is bordered by brick wall which extends to the adjacent property. There is limited boundary treatment within the site itself other than some poor quality fencing and overgrown hedgerow.
- 10.68 The proposed boundary treatment is demonstrated on the landscaping plan (drawing P1301-02). Where the access is moved at the front of the site, the entry would be blocked and walled to match that of the neighbouring property. The proposal seeks use soft boundary treatment by retaining the existing mature vegetation and by introducing high quality hedgerows and a significant number of new trees.
- 10.69 Within the development, the units and their respective rear gardens will be bounded by high quality brick walls with gated entrances and rural timber fences used to separate the individual properties. The style of the fencing and walls promote a traditional rural approach to the development and are designed to match the exterior of the houses thereby being a complimentary element to the overall scheme.
- 10.70 The retention and improvement of the soft boundary treatment along the exposed frontage seeks to minimise the impact of the boundary treatment and will improve the impact on the adjoining Green Belt area, providing a natural verdant relationship with the Green Belt and wider views. Thereby providing a soft rural edge that will redefine the green belt boundary. However, details of all proposed boundary treatment as shown on the landscape plan have not been provided and therefore as part of any planning application approved a condition will be attached for these details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of works

#### Hard landscaping

- 10.71 The majority of the existing site consists of different forms of hard surfacing. There is a large concrete area to the front of the site which leads to two large car parking areas of a compressed mud and gravel mix. The rear of the site

is dominated by a large concrete ménage, raised approximately 4 metres above the ground. There are small areas of poor quality vegetation and grass verges throughout the site.

- 10.72 The proposal seeks to remove significant areas of hardstanding and includes an increase in the level of soft landscaping. The units are fronted by grassed areas and a number of new trees. Paving is used only for small pathways leading to the main entrances to each unit and the introduction of a number of car lifts reduces the area of driveway required. The proposal introduces grass verges planted with new trees to be introduced beyond the formal boundaries of each unit's rear garden.
- 10.73 The road and driveways are confined to the centre of the development to ensure that it is screened from the Green Belt thereby minimising harm to its openness. The proposal seeks to use grasscrete in the construction of the road and driveway which will help to promote the countryside feel of the development and ensure sustainable drainage.
- 10.74 The landscaping plan proposes the removal of the existing ménage to be restored to agricultural land enhancing significantly the landscape quality of the surrounding Green Belt. This will be guaranteed via the Section 106 Agreement.
- 10.75 The proposal minimises the use of hard surfacing and introduces soft landscaping to compliment the character and appearance of the area and to improve the setting of the proposed buildings and openness of the Green Belt.

#### *Lighting*

- 10.76 The landscaping plans show five street lights to be built on the pavement to the front of each of the proposed houses. The use of this low level lighting helps to promote safety and prevention of crime.

#### Conclusion

- 10.77 The proposed landscaping of the development seeks to positively conserve and enhance the natural and rural environment of both the site and the surrounding Green Belt area. This has been achieved successfully and the works illustrated are considered to be significant. Subject to the boundary details, the proposal subject to conditions would be acceptable in regards to the NPPF 2012, Policy CS12 of the Council's Core Strategy 2012 and Policies E8, E7 and D21 of the Hertsmere Local Plan 2003.

## Biodiversity

10.78 Policy E3 of the Local Plan 2003 looks at species protection of development sites. Within and along the boundaries of the site there are several trees. Hertfordshire Biological Records have provided comments that the the buildings proposed for demolition do not support a bat roost or roosts. Therefore the proposal is in accordance with Policy E3 of the Local Plan 2003.

## S106

10.79 Should planning permission for this development be granted, the following sums should be sought by way of Unilateral Undertaking or Legal Agreement to mitigate the wider impacts of the development.

Hertsmere BC		
	Proposed contributions	Agreed contributions
Public Open Space	£ 3,849.88	£ tbc
Public Leisure Facilities	£ 441.50	£ tbc
Playing Fields	£ 13,580.54	£ tbc
Greenways	£ 872.05	£ tbc
Shortfall of amenity space	£ 0.00	£0.00
Allotments	£0.0	£ tbc
Cemeteries	£ 547.46	£ tbc
Museums	£ 1,820.00	£ tbc
S106 monitoring contribution	£693.00	
HCC		
	Proposed contributions	Agreed contributions
Primary education	£ 18,605	£ tbc
Nursery education	£ 2,295	£ tbc
Secondary Education	£ 22, 115	£ tbc

Childcare	£ 995	£ tbc
Youth	£ 410	£ tbc
Libraries	£ 1,205	£ tbc
Sustainable transport	£ 6,000	£ tbc

### Affordable housing

10.80 Revised Core Strategy 2011 and the Affordable Housing SPD 2008 are relevant. Policy CS4 of the Revised Core Strategy 2011 states residential sites of more than 0.3 hectares should make provision for an element of affordable housing. It should be noted that the site area for Nicoll Farm does not meet this threshold and therefore affordable housing is not required.

### Other matters

10.81 The Council's Engineering Services Department has stated that a standard drainage criteria should be implemented as a condition to this application to address surface water drainage to ensure the proposed development does not overload the existing drainage system resulting in flooding and/or surcharging. Subject to the condition, the proposal would be in accordance with Policy D3 of the Local Plan 2003 and Policy CS15 of the Revised Core Strategy 2011.

10.82 Policy D16 of the Local Plan 2003 looks at renewable energy sources. The proposed dwellinghouses would have renewable energy sources located within the development. In the design and access statement, these are listed as:

- all materials incorporated into the construction will be from environmentally sustainable sources;
- all materials will be recyclable wherever possible;
- proposed solar panels;
- ground source heat system;
- water harvesting system;
- 100% low energy lighting;
- use of grasscrete or similar permeable surfacing.

No details have been provided of these methods or the hardstanding materials. Therefore conditions will be included as part of the applications



decision.

- 10.83 Policy E9 of the Local Plan 2003 looks at archeological areas of interest. The site is near to such an area. The County Archeologist has requested that conditions are included as part of any planning application approved.
- 10.84 Policy D17 of the Local Plan 2003 states planning permission will be refused for development in locations where there is a potential health risk to the occupiers of the proposed development as a result of the land being contaminated, or pollutants being emitted from land or existing premises in the vicinity or it would give rise to unacceptable levels and types of pollution which would adversely affect the use of other land, natural resources or the environment in general. It may be that due to the equestrian use, that there are areas of contamination on the site. No details have been provided of any level of contaminated land. A condition will therefore be included on any planning permission granted.
- 10.85 Concerns have been raised in regards to flooding of the site. Guidance has been sought from the Environment Agency's website. Based on guidance it is not considered that there would be an adverse impact on flooding of the area. Finally the agent has sought to retain the surface water within the site which is an improvement of the current which is largely hardstanding.

## **11.0 Conclusion**

- 11.1 The proposed development subject to conditions would not result in inappropriate development in the Green Belt or have a greater impact on the openness of the Green Belt through the partial redevelopment of the previously developed site. The proposal would not impact on the setting of the adjacent listed buildings at Nicoll Farm or on the adjacent Article 4 (Directive) opposite the site. The proposal would not have a detrimental impact on the visual amenities of the area, amenity of the neighbouring properties or the living conditions for the future occupants of the site. The access to the site along with the level of off street car parking and highway implications is considered acceptable subject to conditions. The scheme is in accordance with refuse and emergency vehicle provision, and S106 contributions, affordable housing, biodiversity, trees and landscaping. The development therefore complies with the following policies: National Planning Policy Framework 2012, Circular 11/95, Hertsmere Local Plan adopted 2003 policies C1, C4, C6, E27, D3, B8, E16, H16, H17, D16, D17, D20, D21, H8, M2, M12, M13, E7, E8, E3, R2, K1, H1 and L5. Revised Core Strategy (for submission to the Secretary of State) November 2011 policies SP1, CS1, CS12, CS13, CS15, CS16, CS20, CS21 and CS24. Part D of the Planning and Design Guide 2006. The Council Parking Standards SPD 2010 (as amended), Interim Technical Note on refuse, Planning Obligations SPD Parts

A and B. Affordable Housing SPD 2011.

## **12.0 Recommendation**

### **12.0 Summary of Recommendation**

12.1 That powers be delegated to the managers in Planning and Building Control to grant planning permission subject to the conditions set out in this report and receipt of an agreement or unilateral undertaking under Section 106 of the Town and Country Planning Act.

12.2 Should the agreement or unilateral undertaking under Section 106 not be completed by 21/5/2013, it is recommended that the managers in Planning and Building Control be given delegated powers, should it be considered appropriate, to refuse the planning application for the reason set out below:

*suitable provision for libraries, youth, childcare, nursery education, secondary education, Greenways, sustainable transport, parks and open spaces, public leisure facilities, playing fields, allotments, cemeteries, museums and cultural facilities and monitoring fees has not been secured. As a consequence of the proposed form of development is contrary to the requirements of policies R2, L5 and M2 of the Hertsmere Local Plan adopted 2003 and CS21 of the Revised Core Strategy (for submission to the Secretary of State) November 2011 together with Parts A and B (2010) and the National Planning Policy Framework 2012.*

### **Conditions/Reasons**

1 **CA01** Development to Commence by - Full

**CR01** Development to commence by - Full

### **2 Prohibited Activities**

The following activities must not be carried out under any circumstances:

- a, No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
- b, No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
- c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- d, No mixing of cement or use of other materials or substances shall take place within Root Protection Areas, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause them to enter a Root Protection Area

- e, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason:

To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS21 of the Revised Core Strategy (for submission to the Secretary of State) November 2011.

3 **CB13** Prior Submission - Fencing etc (General)

Reason:

To ensure that the finished appearance of the development will enhance the character and visual amenities of the area. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS21 of the Revised Core Strategy (for submission to the Secretary of State) November 2011.

4 **CH17** No External Lighting

Reason:

To satisfactorily protect the character and appearance of the area and the residential amenities of nearby occupiers. To comply with Policies H8, D20 and D21 of the Hertsmere Local Plan 2003 and Policy CS21 of the Revised Core Strategy (for submission to the Secretary of State) November 2011.

- 5 **NO DEVELOPMENT SHALL TAKE PLACE UNTIL** samples of the materials to be used in the construction of the external surfaces of the development which are outlined in the report shall be exterior walls finished with a black weatherboarding treatment. The brick plinth detailing around the house is expected to be textured, rustic and of mixed stock brick type. Similarly, the materials used in the internal boundary wall should assimilate the brick plinth of the house. In terms of the roof plain type tiles should be used to reflect this feel. Further details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**CR08** Visual Amenity - Residential

- 6 **NO DEVELOPMENT SHALL TAKE PLACE BEFORE** details of all materials to be used for hard surfaced areas within the site including roads, driveways and car parking area which have noted on drawing number 02 date stamped 19/3/2013 as blockwork to paths, grasscrete blocks to parking bays and road and permeable cobble setts for the highway have been submitted with further details to and approved in writing by the Local

Planning Authority. Development shall be carried out in accordance with the details so approved.

**CR08** Visual Amenity - Residential

7 **CE16** Construction Management

**CR37** Wheel Cleaning

8 **CG01** Prior Submission - Surface Water Run-Off

**CR32** Drainage Overload

9 **CC05** No Garage Alterations/Conversions

**CR22** Highway Alterations

10 The windows to be created as shown on the proposed elevations which are annotated shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. All ensembles and bathrooms shall also be obscurely glazed and non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

**CR11** Residential Amenity (includes privacy)

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

Existing site (drawing number P1301-04) date stamped 19/3/2013

Site plan (drawing number P1301 Rev 01) date stamped 19/3/2013

Site plan (drawing number P1301 Rev 02) date stamped 19/3/2013

Site sections (drawing number P1301 Rev 03) date stamped 19/3/2013

House type C (drawing number P1301 Rev 05) date stamped 19/3/2013

House type A (drawing number P1301 Rev 05) date stamped 19/3/2013

House type B (drawing number P1301 Rev 06) date stamped 19/3/2013

Sun study (drawing number P1301 Rev 07) date stamped 19/3/2013

Roof plan (drawing number P1301 Rev 08) date stamped 19/3/2013

Site sections (drawing number P1301 Rev 09) date stamped 19/3/2013

Images (drawing number P1301 Rev 10) date stamped 19/3/2013

Landscape (drawing number P1301 Rev 11) date stamped 19/3/2013

Areas (drawing number P1301 Rev 13) date stamped 19/3/2013

Block plan (drawing number P1301 Rev 14) date stamped 19/3/2013  
Existing images (drawing number P1301 Rev 15) date stamped 19/3/2013  
Vehicular movement (drawing number P1301 Rev 16) date stamped  
19/3/2013

Reason: For the avoidance of doubt and in the interests of proper planning.

- 12 THE DEVELOPMENT SHALL NOT COMMENCE UNTIL details of the proposed accesses onto the public highway have been approved in writing by the Local Planning Authority. The building shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians including people with disabilities. To comply with Policies M2 and M12 of the Hertsmere Local Plan 2003 and Policy CS21 of the Hertsmere Core Strategy 2011.

- 13 Within one month of the new access being brought into use, all other existing access points not incorporated in the development shall be stopped up by raising the existing dropped kerb and reinstating the footway verge and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary.

Reason: To limit the number of access points onto the highway where vehicular movements can occur for the safety and convenience of the highway user.

- 14 PRIOR TO COMMENCEMENT OF WORKS, contact shall be made with the County Planning Archeologist. The design brief produced shall be submitted to the Local Planning Authority and approved in writing. The works shall be signed off by the County Planning Archeologist.

Reason: to protect the historical and archeological importance of the site. In accordance with Policy E9 of the Local Plan 2003.

- 15 **CB04** Prior Submission - Levels

**CR38** Levels

- 16 **NO DEVELOPMENT** (including any demolition, earthworks or vegetation clearance) **SHALL TAKE PLACE BEFORE** a scheme of landscaping including 106 trees, phased in relation to any phasing of the development, which shall include details of both hard and soft landscape works including

any pots/terraces and earthworks, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation.

#### **CR27** Landscape/Trees Provision

- 17 Prior to commencement of works, details of the refuse storage shall be submitted in writing and approved in writing by the Local Planning Authority.

#### **CR08** Visual Amenity - Residential

- 18 **NO DEVELOPMENT SHALL BE COMMENCED** until a contaminated land assessment and, if necessary, associated site investigation, and remedial strategy, together with a timetable of works, has been submitted to the Local Planning Authority for approval. The details shall be submitted (two copies of each report) and approved in separate phases, as required, taking full account of the following: a) The Contaminated Land Assessment shall include a desk-top study and site reconnaissance exercise (Phase 1) to establish whether the site is potentially contaminated and to produce a conceptual model of the site indicating sources of potential contamination and possible pathways to receptors of concern. If findings demonstrate it is necessary, a site investigation strategy shall be produced, which should be discussed with the Environmental Health Department. b) The site investigation (Phase 2) shall consider relevant soil, soil gas, surface and groundwater sampling, in accordance with the quality assured sampling and analysis methodology of the Contaminated Land Reports as well as other appropriate guidance where necessary. This shall include risk assessment based on the Contaminated Land Exposure Assessment Model or where appropriate other guidance providing adequate justification can be provided for such use. The site investigation report shall detail all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy. c) The Local Planning Authority shall approve this remediation strategy (Phase 3) as proposed prior to any remediation commencing on site. The work shall be of such a nature so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The remediation work as outlined in the approved strategy shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. Any laboratories used for sampling shall be compliant with UKAS/MCERT or an equivalent approved accredited quality

control system as appropriate. If during any works contamination is encountered which has not previously been identified, including new hotspots uncovered by demolition then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for approval. All works will be made available for witnessing by an appropriate Council Officer. A minimum a level 1 hydro-geological risk assessment in line with the Environment Agency's 'Remedial Target Methodology' should be carried out to demonstrate that no list 1 substances will discharge to groundwater.

Reason:

To ensure the development does not give rise to unacceptable levels and types of pollution and to comply with Policy D17 of the Hertsmere Local Plan 2003.

- 19 Prior to commencement of works, details of all renewable technologies shall be submitted to and approved in writing in the Local Planning Authority.

Reason: to protect the visual amenity of the scheme in accordance with the National Planning Policy Framework 2012, Policy CS21 of the Core Strategy 2011 and Policies H8 and D21 of the Local Plan 2003.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be side extensions, additions or alterations to the roof including roof lights, without the prior written approval of the Local Planning Authority.

**CR08** Visual Amenity - Residential

- 21 Prior to commencement of foundations of the development, the menage and manure heap shall be removed from Nicoll Farm in there entirety. A timeframe which will be monitored by the Case Officer shall be submitted to the Local Planning Authority and approved in writing.

**CR12** Visual & Residential Amenities

### **General Reason(s) for Granting Permission**

- 1 The proposed development subject to conditions would not result in inappropriate development in the Green Belt or have a greater impact on the openness of the Green Belt through the partial redevelopment of the previously developed site. The proposal would not impact on the setting of the adjacent listed buildings at Nicoll Farm or on the adjacent Article 4 (Directive) opposite the site. The proposal would not have a detrimental impact on the visual amenities of the area, amenity of the neighbouring properties or the living conditions for the future occupants of the site. The access to the site along with the level of off street car parking and highway

implications is considered acceptable subject to conditions. The scheme is in accordance with refuse and emergency vehicle provision, and S106 contributions, affordable housing, biodiversity, trees and landscaping. The development therefore complies with the following policies: National Planning Policy Framework 2012, Circular 11/95, Hertsmere Local Plan adopted 2003 policies C1, C4, C6, E27, D3, B8, E16, H16, H17, D16, D17, D20, D21, H8, M2, M12, M13, E7, E8, E3, R2, K1, H1 and L5. Revised Core Strategy (for submission to the Secretary of State) November 2011 policies SP1, CS1, CS12, CS13, CS15, CS16, CS20, CS21 and CS24. Part D of the Planning and Design Guide 2006. The Council Parking Standards SPD 2010 (as amended), Interim Technical Note on refuse, Planning Obligations SPD Parts A and B. Affordable Housing SPD 2011.

### **13.0 Background Papers**

- 1 The Planning application (TP/13/0021) comprising application forms, certificate, drawings and any letters from the applicant in support of the application.
- 2 Replies from Statutory consultees and correspondence from third parties.
- 3 Any other individual document specifically referred to in the agenda report.
- 4 Published policies / guidance

### **14.0 Informatives**

This application was determined having regard for the guidance of the following policies: National Planning Policy Framework 2012, Circular 11/95, Hertsmere Local Plan adopted 2003 policies E9, C1, C4, C6, E27, D3, B8, E16, H16, H17, D16, D17, D20, D21, H8, M2, M12, M13, E7, E3, R2, K1, H1 and L5. Revised Core Strategy (for submission to the Secretary of State) November 2011 policies SP1, CS1, CS12, CS13, CS15, CS16, CS20, CS21 and CS24. Part D of the Planning and Design Guide 2006. The Council Parking Standards SPD 2010 (as amended), Interim Technical Note on refuse, Planning Obligations SPD Parts A and B. Affordable Housing SPD 2011.

## **INFORMATIVES**

### **Proactive and positive statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country



Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### **Building Regulations**

To obtain advice regarding current Building Regulations or to submit an application, applicants should contact the Building Control Section Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, WD6 1WA, telephone 020 8207 2277. For more information regarding Building Regulations visit the Building Control Section of the Councils web site [www.hertsmere.gov.uk](http://www.hertsmere.gov.uk)

- To obtain Building Regulations Approval the applicant should apply to obtain either:
- Full Plans approval – this will give approval prior to the work commencing and may take up to 5 weeks, or
- Building Notice approval - this requires 48 hours' notice prior to the commencement of work.

Both of these approvals will require the submission of the requisite fee and 2 copies of drawings and relevant calculations. Having applied for Building Regulations approval, the works applied for will be subject to inspection by Building Control Officers at specific stages to ensure compliance. The applicant has a statutory duty to inform the Council of any of the following stages of work for inspection:

Excavation for foundations  
Damp proof course  
Concrete oversite  
Insulation  
Drains (when laid or tested)  
Floor and Roof construction  
Work relating to fire safety  
Work affecting access and facilities for disabled people  
Completion

Any work that affects a party wall will require approval from the adjoining owner(s). This aspect of the work is a civil matter and does not come within the remit of the Council. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available from the Council Offices, Borehamwood, Hertfordshire. More information is available on the Council's web site or for further information visit the Department of Communities and Local Government website at [www.communities.gov.uk](http://www.communities.gov.uk).

### **Associated S106 Obligations**

This decision is also subject to a planning obligation under section 106 of the Town and Country Planning Act 1990 the purpose of which is to exercise controls to

secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

### **Highways**

Works to be undertaken on the adjoining Highway will require the applicant to enter a Section 278 Agreement with the Highway Authority. The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. The applicant will need to contact HCC HIGHWAYS either via the Web site

<http://www.hertsdirect.org/services/transtreets/highways/> or ring (Telephone 0300 1234047) to arrange this.

2) It is the policy of the County Council to collect a financial contribution towards sustainable transport measures.

This will require a Section 106 Agreement as identified in the Borehamwood and Eltree Transport Plan, which should be completed before planning permission is granted. The contributions would be based on six additional four bedroom dwellings within Zone 3&4. This would therefore require a contribution of £9,000.00 (nine thousand pounds).

3) The creation of the proposed access will require cutting and reducing of vegetation adjacent to the bell mouth to provide the required visibility splay. HCC as the Highway Authority has no objections. However, it will be for HBC as the Planning Authority to grant consent.

### **Case Officer Details**

**Louise Sahlke ext - Email Address** [louise.sahlke@hertsmere.gov.uk](mailto:louise.sahlke@hertsmere.gov.uk)