

13. **18/1110/OUT: Outline Application: Demolition of offices and erection of new development of 33 flats with underground parking (matters of appearance, landscaping and scale reserved) at SCOTSBRIDGE HOUSE, SCOTS HILL, CROXLEY GREEN, HERTFORDSHIRE WD3 3BB for Millen Homes Ltd (DCES)**

Parish: Croxley Green

Ward: Dickinsons

Expiry of Statutory Period: 6 September 2018

Case Officer: Adam Ralton

Recommendation: That the Committee notes the report, and is invited to make general comments with regard to the material planning issues raised by the application. The application has been called to Committee by three Members unless officers are minded to refuse. Therefore, if the Officer recommendation is to approve, the application will be returned to a future Committee meeting for a decision.

Reason for consideration by the Committee: This application has been called to Committee by three Members of the Planning Committee.

1 Relevant Planning History

- 1.1 There are a number of historic planning applications for alterations to the building. The case below is the only recent application made relating to the site:
- 1.2 15/1979/PDR: Prior Notification: Change of use from Office (Class B1) to 30 Residential units (Class C3). Withdrawn, November 2015.

2 Description of Application Site

- 2.1 The application site contains a large detached two storey building. Part of the existing building is shown on maps dating back to 1838. There have been alterations and extensions over time with the most significant of these dating back to the 1960s. The building is currently in use as offices and has been so for a number of years.
- 2.2 The application site is to the south of Scots Hill on Rickmansworth Road, toward the bottom of the hill. The eastern boundary of the site runs alongside Lavrock Lane, which provides access down to the railway line and canal 300m to the south. The northern boundary of the site is the A412 Rickmansworth Road. The eastbound and westbound carriageways are separated in this location by a grass verge. To the north of the road are Scotsbridge playing fields and a pub/restaurant at Scotsbridge Mill. To the west of the site is Fortune Common open space.
- 2.3 The application site is located entirely within the Green Belt. The River Chess flows through the site, and therefore part of the site is within Flood Zones 2 and 3 from the river.
- 2.4 The application is supported by the following documents: Affordable Housing Viability Report, Arboricultural Impact Assessment, Design and Access Statement, Sustainability Appraisal, Biotope specification document, Ecological Appraisal with Bat Survey, Flood Risk Assessment, Heritage Assessment, Transport Statement, Specification documents for ground source heat pump, grasscrete, and living walls.

3 Description of Proposed Development

- 3.1 This application seeks outline planning permission for the demolition of the existing building and the construction of a new development of 33 flats with underground parking containing 62 spaces, with four visitor spaces above ground. Matters of Appearance, Landscaping and Scale are reserved – therefore the only matters for consideration are Access and Layout.

3.2 The submitted application form suggests that 25 two-bedroom units are proposed, and 8 three-bedroom units. The submitted Design and Access Statement makes reference to the proposal being a low carbon development with the highest levels of sustainable and renewable construction technologies including the following:

- Building would be constructed from Structurally Insulated Panels which are manufactured off site. These reduce heat loss, and reduce traffic and air pollution generally associated with a building of this size because construction is in modular form. Speed of build is increased.
- The development would be heated and cooled using ground source heat pumps which use bore holes rather than horizontal loops.
- Solar panels located along south facing slopes and flat roofs will supply almost all the required electricity for the proposal.

3.3 The application also proposes biodiversity enhancements including planting across the facades with living walls and a sedum and wildflower flat roof to encourage birds and insects.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Support]

Croxley Green Parish Council is fully supportive of this application, most notably the desire to incorporate green aspects into its design and an aim to reduce the property's carbon footprint.

4.1.2 Hertfordshire County Council – Highway Authority: [Object]

4.1.2.1 Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

4.1.2.2 Highway comments: This application requests outline permission for the demolition of the existing office building and the construction of 33 new flats. Access into the development is proposed from A412 Scots Hill. The details submitted for consideration include a Transport Statement document providing information on the following transport elements of the development proposals.

4.1.2.3 Site Access: The existing highway access to the site is from A412 Scots Hill and is formed as a kerbed priority junction. Scots Hill is a Principal Road and is classified as a Main Distributor Road within Hertfordshire's road hierarchy. The road is laid out as a dual carriageway and is subject to a 30mph speed restriction with safety cameras on the immediate approach to the site. The Transport Statement records that the traffic movements to and from the site will be separated and indicates that highway improvements will be delivered to facilitate these. However, the wording of the relevant section of the document is unclear and there is confusion around how the traffic movements will operate and the extent of the proposed highway improvements. The existing western access is very close to the junction with Lavrock Lane and any increase in traffic movements associated with it will need to be carefully considered. The Highway Authority will require that the access arrangements are clarified and that the nature and extent of improvements on the highway are accurately defined.

4.1.2.4 Highway Summary: In consideration of the status of Scots Hill and the history of injury collisions on the road close to the site, the Highway Authority will require that traffic movements to and from that road are given particular attention. The Highway Authority considers that the details submitted do not demonstrate that these traffic movements can

be undertaken without creating obstructions and conflicts to the safe and free flow of traffic along the highway network. It is therefore unable to recommend the granting of the application in its current form.

4.1.3 Herts and Middlesex Wildlife Trust:

No response received. Any response received will be reported at Committee.

4.1.4 Hertfordshire County Council – Lead Local Flood Authority: [Object]

4.1.4.1 Following the review of the Flood Risk Assessment carried out by Abington Consulting Engineers, first issue, dated 30/04/2018, the LLFA objects to this planning application and recommends the refusal of the planning permission. As the LLFA we consider that the information provided to date does not provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development.

4.1.4.2 We acknowledge that a large part of the site lies within Flood Zone 1 and other parts of the site are located within Flood Zones 2 and 3. The residential building is proposed to be located in a low flood risk site - Flood Zone 1.

4.1.4.3 The applicant has identified, through the EA run off flooding maps, the flooded areas within the boundary and we are pleased that he intends to convert one of these sites that currently is an impermeable tarmac car park into a garden area.

4.1.4.4 We also understand that the applicant aims to reduce the development's impermeable area in 33% and therefore reduce the run off from the site.

4.1.4.5 According to the applicant, surface water is currently discharged to the main river, River Chess, via an existing drainage system without any attenuation, and it is the applicant's intention to maintain it for the proposed drainage strategy for the new development. It is our perspective that by maintaining the current situation, the applicant is not managing the surface water from the site. We therefore require clarification of how the surface water arising from the site will be managed prior to discharging into the River chess.

4.1.4.6 We expect the surface water run-off to be limited to greenfield run off rates and we remind the applicant that all rainfall events up to 1 in 100 years + 40% for climate change should be managed within the site boundary,

4.1.4.7 For this reason, calculation/modelling should be provided as an evidence to support the proposed drainage strategy. We require the overall run off rates and the required storage volumes to ensure that the proposed drainage strategy can attenuate for all rainfall events up to and including the 1 in 100 year plus climate change event.

4.1.4.8 The applicant should clearly show on a plan an outline drainage scheme where it identifies the SuDS elements and the discharge point.

4.1.4.9 Considering that the discharge point is to the main river, we would advise the applicant to contact Environment Agency for water quality issues.

4.1.4.10 For further advice on what we expect to be contained within the surface water drainage strategy 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-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#>

4.1.5 Environment Agency: [Object]

Thank you for referring the above application. We object to the planning application, as submitted, because the risks to groundwater from the development are unacceptable. The

applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis in line with paragraph 109 of the National Planning Policy Framework.

Our approach to groundwater protection is set out in “The Environment Agency’s approach to groundwater protection” (Feb 2018 V1.2). In implementing the position statements in this guidance we will oppose development proposals that may pollute groundwater especially where the risks of pollution is high and the groundwater asset is of high value. In this case the following positions apply:

- A4-Responsibility for assessment.
- A5-Supply of adequate information.
- N7-Hydrogeological risk assessment.
- N8-Physical disturbance of aquifers in SPZ1.

Groundwater is particularly sensitive in this location because the proposed development site is within a Source Protection Zone (SPZ) 1 for the Batchworth public water supply. It is located upon a Secondary Aquifer A, within superficial alluvial deposits which overlie the Principal Aquifer within the Lewes Nodular Chalk Formation. Data held by the Environment Agency indicates that the groundwater within the Chalk is shallow and likely to be in hydraulic conductivity with the alluvial deposits. To ensure development is sustainable, applicants must provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed. In this instance the applicant has failed to provide this information and we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because:

- No preliminary risk assessment which has identified potential pollution linkages existing due the sites historic use has been submitted. In sensitive groundwater locations, the Environment Agency requires that such an assessment is carried to demonstrate that any ongoing risks from land contamination to groundwater have been identified and can be adequately addressed.
- The proposed development includes the excavation of a basement and the installation boreholes to be used for ground source heat pumps. These have the potential to cause physical disturbance of a principal aquifer within an SPZ1 and, depending on the design of the ground source head pumping system, there are additional pollution risk (i.e leakage from closed loop systems).

In addition, the Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could result in further deterioration of groundwater quality within the Mid Chilterns Chalk WFD groundwater body.

4.1.6 Sustainability Officer: [Further information required]

The Sustainability Appraisal section 2 states ‘Each dwelling will have 1 electric car charging point fitted to allow for electric vehicles to charge reducing greenhouse gas emissions.’ Further it states that ‘The development will meet the highest levels of sustainability through low carbon design, user friendly layout and extensive ecological planning for the existing and proposed foliage surrounding the buildings and their curtilages and extensive communal Areas. The buildings will provide resilience to the impact of climate change and support the delivery of renewable and low carbon energy. This is central to the Economic, Social and Environmental dimensions of Sustainable Development. With the dwellings collecting rain water and sunlight, and requiring minimal energy for heating and hot water, this low carbon development and its surrounding

gardens will showcase the applicant's commitment to supporting community led initiatives for renewable resources and low carbon developments.'

The Sustainability Appraisal section 3.1 states:

- Walls to be made of internal skin of 142mm thick structural insulated panels (SIPs) kingspan TEK system. Walls to be externally clad in Brick and sustainably sourced Birch
- Roof to be made of 172mm thick structural insulated panels (SIPs) kingpin TEK system
- Tiles to be interlocking slate with intergrated Solar.
- An insulated concrete slab ground floor system with steel reinforcing, including: continuity of insulation, no thermal bridging, airtightness of the concrete slab, and no issues with thermal bypass. In principle, achieving a 'thermal bridge free' junction with the walls. Floors to have 150mm Kingspan to achieve U values
- Use sliding doors instead of bifolds as sliding doors have a better air tightness. Increase overhangs over soffits to protect window areas from summer sun but still allow winter sun (lower) to come in. Minimum overhang to windows to be 300mm. All windows to be Triple Glazed units

Whilst the proposed elements seem to be energy efficient there is no specific information on each elements thermal value. It is also not indicated how much energy the solar tiles are expected to generate, particularly as the Proposed Views and Front View in the Hydroponic Living Wall Proposals (page 31) indicate that a large proportion of the roof will be green and a majority of the tiles will be north or north east facing, the roof is sharply pitched and there is potential shading from nearby trees. Further information is required on how the fabric elements, energy demand and energy generation from the proposals will combine and the resultant predicted energy demand for the development in kWh/year.

Further the application includes technical specifications for a number of elements, including ventilation heat recovery units, various heat pumps, rainwater collection systems, turf, wildflower matting, hydroponic living walls, grass crete, recycled plastic paving grids. However it does not set out clearly how, or if, they will be included in the development and the resulting impact on the energy or water demand.

As such the outline planning documents proposals do not specifically set out how the development will meet the requirements. To prove compliance with the policy, the developer is required to submit an Energy Statement

4.1.7 Herts Ecology:

No response received. Any response received will be reported at Committee.

4.1.8 Herts Property Services: [No objection]

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Three Rivers' CIL Area and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

4.1.9 Herts Fire Protection: [No objection]

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance

4.1.10 Development Plans: [Comment]

The site has not been allocated as a housing site by the Site Allocations Local Development Document and as such is not currently identified as part of the District's housing supply. The site should therefore be considered as a windfall site. The application site is currently being used for offices (Use Class B1) and as such, it is on previously developed land.

Policy CP11 of the Core Strategy (adopted 2011) states that 'there will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it.' The National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (paragraph 87). Policy DM2 of the Development Management Policies LDD (adopted 2013) states that the construction of new buildings in the Green Belt is inappropriate, with certain exceptions listed in the NPPF. According to the NPPF, very special circumstances will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations. One exception is the limited infilling or the partial or complete redevelopment of previously developed sites (i.e. the proposal site), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it, than the existing development. It is recognised that three buildings to the south of the site are proposed for demolition and that the development is proposed on the original footprint area; on this basis, it is considered that the layout of the development may not have a significantly greater impact on the Green Belt when considered in isolation of footprint terms only. However, when considering that the proposed building will be larger in bulk and mass than the existing building, it is considered that the proposal would have a negative and greater impact on the openness of the Green Belt. Therefore, the exceptions to inappropriate development in the Green Belt do not apply to the proposal.

Policy CP2 of the adopted Core Strategy (2011) states that applications for windfall sites will be considered on a case by case basis having regard to:

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

Policy CP3 of the Core Strategy states that the Council requires housing proposals to take into account the district's range of housing needs, in terms of the size and type of dwellings as identified by the Strategic Housing Market Assessment (SHMA). The most recent SHMA was published in January 2016 and has identified the indicative targets for market sector dwelling size within the Three Rivers District, as follows:

- 1 bedroom 7.7% of dwellings
- 2 bedrooms 27.8% of dwellings

- 3 bedrooms 41.5% of dwellings
- 4+ bedrooms 23.0% of dwellings

These proportions should form the basis for the housing mix of development proposals. The application proposes 76% of its housing provision to be 2 bedroom dwellings and 24% to be 3 bedroom dwellings, indicating a shortfall in the provision of 1, 3 and 4+ bedroom dwellings. Therefore, the proposal is not consistent with Policy CP3 in providing the necessary size of dwellings identified in the SHMA (2016). However, it is recognised that the proportions of housing mix may be adjusted for specific schemes to take account of market information, housing needs and preferences and specific site factors. If adjustment to the proportions of housing mix set out in the SHMA (2016) is sought, sufficient information should be provided on how relevant factors have contributed to the mix of housing proposed.

Policy CP4(a) of the Core Strategy states that the Council seeks 'an overall provision of around 45% of all new housing as affordable housing'. Policy CP4(b) goes on to state that as a guide, the Council seek 70% of all the affordable housing provided to be social rented and 30% to be intermediate. The proposal should meet these targets to ensure compliance with Policy CP4. The application form indicates that the development does not propose any affordable housing provision, therefore raising an objection to the proposal. The shortfall in meeting the affordable housing target set out in Policy CP4 should be adjusted to comply with Policy CP4. However, site circumstances and financial viability can be taken into account when assessing affordable housing provision.

Policy CP6 of the Core Strategy states that the Council will support development that sustains parts of the District as attractive areas for business location and provides for a range of small, medium and large business premises. The proposed development would result in the loss of 3,000sq meters of B1(a) floorspace, raising concerns regarding the proposal's compliance with Policy CP6. Policy CP6(n) goes on to state that the sustainable growth of the District's economy will be supported by releasing office space from employment use where this is expected to be surplus to employment needs across the plan period, as indicated by an up to date Employment Land Study. The South West Hertfordshire Economic Study (SWES) (2016) has forecasted the need for an increase in 40,000-60,000sq meters of employment floorspace in Three Rivers up until 2036. The Economic Study also predicts a significant increase in demand for office space across the South West Herts area (a demand for 460,000sq meters up until 2036). These figures indicate that the level of existing office floorspace in the District is not surplus to future employment needs and highlight a need to safeguard existing employment floorspace in the District. Subsequently, the proposal does not comply with Policy CP6(n).

4.1.11 Affinity Water:

No response received. Any response received will be reported at Committee.

4.1.12 National Grid: [Comment]

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified. Should you be minded to approve this application please include Informative notes for the applicant.

4.1.13 Landscape Officer:

No response received. Any response received will be reported at Committee.

4.1.14 Thames Water: [No objection]

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

4.1.15 Environmental Health:

No response received. Any response received will be reported at Committee.

4.1.16 Environmental Protection:

No response received. Any response received will be reported at Committee.

4.1.17 London Underground: [No objection]

No objection to this planning application provided London Underground right of way along Lavrock Lane is reserved and no obstructed at any time.

4.1.18 Canal and River Trust: [No comment]

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 1 No of responses received: 0

4.2.2 Site Notice: Displayed 15/6/18, expired 6/7/18

4.2.3 Press notice: Published 22/6/18, expired 13/7/18

5 Reason for Delay

5.1 N/A

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

On 27 March 2012, the framework of government guidance in the form of Planning Policy Statements and Planning Policy Guidance Notes was replaced by the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. 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.

6.2 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development

Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM11, DM13 and Appendices 2 and 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA1.

6.3 Other

Open Space, Amenity and Children's Playspace Supplementary Planning Document (December 2007).

Affordable Housing Supplementary Planning Document (adopted June 2011).

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

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

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.

7 **Planning Analysis**

7.1 Principle of Development

7.1.1 The principle of this development is dependent on two key factors. The first is whether the proposed development would represent appropriate development in the Green Belt. The second is whether the loss of employment floorspace would be acceptable.

7.2 Principle – Impact on the Green Belt

7.2.1 Policy CS11 of the Core Strategy sets out that the Council will maintain the general extent of the Green Belt in the District and will encourage appropriate positive use of the Green Belt. There will be a presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it. Policy DM2 reflects in part the NPPF, stating that the construction of new buildings in the Green Belt is inappropriate with some exceptions. In respect of New Buildings, DM2 refers back to national policy. Therefore, this proposal falls to be assessed under the NPPF's approach to Green Belt. Paragraph 89 of the NPPF sets out that exceptions to the presumption of new buildings as being inappropriate development include:

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- 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.

7.2.2 The proposed development would not comply with the first of these above, as the replacement building would not be in the same use as the existing. In respect of the second, it is not considered that the proposed development is located within a village, as the application site is located in open Green Belt land between two distinguishable built up areas of Rickmansworth and Croxley Green. It is surrounded on all sides by open land such that it is not considered to be within a village.

7.2.3 Therefore this proposal would not be considered as inappropriate development if it comprises 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.

7.2.4 The application site contains one main building, Scotsbridge House, and a number of smaller buildings including a bungalow to the west, and a workshop with two further outbuildings to the south. The submitted layout plan shows a proposed replacement building to be in approximately the same position within the site as the existing Scotsbridge House. On this basis, it is considered that the site is previously developed. Therefore it will be necessary to assess whether the proposed development would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

7.2.5 Three outbuildings to the south of Scotsbridge House and within the application site are proposed to be demolished. The submitted existing site layout plan shows the existing building to occupy a footprint of approximately 1300 square metres, with three outbuildings having a combined footprint of approximately 188 square metres. The proposed building would have a footprint of approximately 1423 square metres (9% increase in footprint over the existing building). The submitted CIL form shows the existing building to contain 3000 square metres of floorspace, and the proposed building to contain 4791 square metres (60% increase). The submitted site plan also shows the amount of hardstanding to the west of the site providing a surface car park would be reduced from approximately 1289 square metres to 115 square metres with the majority of car parking being provided within a basement. The submission details that overall the proposal would reduce hardstanding across the site from 2882 square metres to 826 square metres (71.3% reduction). The benefits of the reduction in hard standing area would need to be weighed against the overall volume, footprint and floor area changes, and the impact of the proposed building as compared to the existing building. Given that this is an outline application with matters of appearance and scale reserved, it may only be possible to make a judgement based on the site's layout and the submitted indicative drawings.

7.2.6 If it is concluded that the proposal constitutes inappropriate development in the Green Belt, it cannot be recommended for approval except in very special circumstances. The NPPF is clear that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.3 Principle – Impact of the Loss of Employment floorspace

7.3.1 Policy CP6 sets out that the Council will support development that sustains parts of the District as attractive areas of business location. It sets out that the sustainable growth of the Three Rivers economy will be supported by releasing office space from employment use where this is expected to be surplus to employment needs across the plan period as indicated by an up to date Employment Land Study.

7.3.2 The application has not been accompanied by any reports or supporting statements demonstrating that the proposed office space is surplus to employment needs.

7.4 Housing Mix

7.4.1 Policy CP3 of the Core Strategy states that the Council requires housing proposals to take into account the district's range of housing needs, in terms of the size and type of dwellings as identified by the Strategic Housing Market Assessment (SHMA). The most recent SHMA was published in January 2016 and has identified the indicative targets for market sector dwelling size within the Three Rivers District as being:

- 1 bedroom 7.7% of dwellings
- 2 bedrooms 27.8% of dwellings
- 3 bedrooms 41.5% of dwellings
- 4+ bedrooms 23.0% of dwellings

7.4.2 The application proposes 76% of its housing provision to be 2 bedroom dwellings and 24% to be 3 bedroom dwellings, indicating a shortfall in the provision of 1, 3 and 4+ bedroom dwellings. Therefore, the proposal is not consistent with Policy CP3 in providing the necessary size of dwellings identified in the SHMA (2016). It is recognised that the proportions of housing mix may be adjusted for specific schemes to take account of market information, housing needs and preferences and specific site factors. Such information has not been submitted as part of this application.

7.5 Affordable Housing

7.5.1 Policy CP4(a) of the Core Strategy states that the Council seeks 'an overall provision of around 45% of all new housing as affordable housing'. Policy CP4(b) goes on to state that as a guide, the Council seek 70% of all the affordable housing provided to be social rented and 30% to be intermediate. The application form indicates that the development does not propose any affordable housing provision. The application has been accompanied by an Affordable Housing Viability Appraisal and this sets out that the proposed development would generate a surplus of £649,424 which would fund an affordable housing contribution. The Appraisal will be assessed by the LPA's independent assessor.

7.6 Impact on Character and Street Scene

7.6.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) 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'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.6.2 In terms of new residential development, Policy DM1 of the DMLDD advises 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:

7.6.3 As previously noted, this application has been submitted in outline with only matters of access and layout to be considered. Matters of appearance, scale and landscaping are reserved for later consideration.

7.7 Impact on amenity of neighbours

7.7.1 The Design Criteria as set out in Appendix 2 of the DMLDD state that new development should take into consideration impacts on neighbouring properties and visual impacts generally. Oversized, unattractive and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the area.

7.7.2 The proposed development would be located over 60 metres from the nearest neighbouring residential property. On this basis, it is not considered that the proposed development would have an adverse impact on the privacy or amenities of the occupants of any neighbouring property.

7.8 Quality of accommodation for future occupants

7.8.1 This outline application does not include detailed floor plans showing the internal layout of the proposed building. Such matters would be reviewed as part of a reserved matters submission.

7.9 Amenity Space Provision for future occupants

7.9.1 The building and application site benefit from substantial grounds which include lawns and a large number of trees. This space would all provide for a considerable area of useable amenity space. However it is noted that the application site (land within the red edge on the site location plan) does not cover the entirety of the land surrounding Scotsbridge House, for example it excludes a large amount of land to the south of the house.

7.10 Wildlife and Biodiversity

7.10.1 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.

7.10.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.10.3 The application has been submitted with a Biodiversity Checklist and an Ecological Appraisal. This acknowledges that the site comprises existing buildings within managed grounds. The report acknowledges that the proposed replacement building would be situated on the same footprint as the existing, and that the trees and bat features within the wider site would be retained. There is no evidence of bats within the buildings on site. The potential for bats to forage along the River Chess or the tree lines is noted, however the proposed development would not interfere with this. The Appraisal notes that it is not reasonably likely that newt or reptile species would be adversely affected by the proposal, and that the tree badger sets could be protected by condition.

7.11 Trees and Landscaping

7.11.1 In ensuring that all development contributes to the sustainability of the District, Policy CP12 of the Core Strategy advises that development proposals should: "i) Ensure that development is adequately landscaped and is designed to retain, enhance or improve important existing natural features; landscaping should reflect the surrounding landscape of the area and where appropriate integrate with adjoining networks of green open spaces". Policy DM6 (Biodiversity, Trees, Woodlands, Watercourses and Landscaping) of the DMLDD advises that development proposals for new development should be

submitted with landscaping proposals which seek to retain trees and other landscape and nature conservation features. Landscaping proposals should also include new trees to enhance the landscape of the site and its surroundings as appropriate.

- 7.11.2 This application has been submitted in outline form, with landscaping to be considered as part of a later submission. The submitted Arboricultural Impact Assessment shows 10 trees proposed to be removed for the development. The majority of the front boundary trees are proposed to be retained. The Landscaping Reserved Matter application would provide the opportunity to assess any proposed replacement planting and other landscaping enhancement works.

7.12 Highways, Access and Parking

- 7.12.1 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes. Policy CP10 of the Core Strategy (adopted October 2011) states that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District and demonstrate that it provides a safe and adequate means of access.

- 7.12.2 Hertfordshire County Council as Local Highway Authority have raised objections to the proposal, raising concerns with confusion within the submitted Transport Statement regarding how traffic movements will operate. The applicant is aware and will look to address these concerns.

- 7.12.3 Policy DM13 of the Development Management Policies LDD (adopted July 2013) advises that development should make provision for parking in accordance with the parking standards set out in Appendix 5. For Use Class C3, the standards require 2 spaces per dwelling (with one assigned space) for 2 bedroom dwellings, and 2.25 spaces per dwelling (2 assigned spaces) for 3 bedroom dwellings. The 25 two bedroom flats would therefore require a total of 50 parking spaces (25 assigned) and the 8 three-bedroom flats would require a total of 18 parking spaces (16 assigned). Therefore the proposal is required to provide a total of 68 parking spaces, of which 41 should be assigned.

- 7.12.4 The application sets out that four visitor car parking space would be provided at ground level, with 62 car parking spaces to be within the basement.

7.13 Sustainability

- 7.13.1 Paragraph 93 of the NPPF states that “Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure”.

- 7.13.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

- 7.13.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains

that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

- 7.13.4 The submitted application form refers to the proposed development as a proposed 'passive development' and the Design and Access Statement refers to 'Low Carbon Apartments'. It refers to the proposal to install a Ground Source Heat Pump, and the provision of solar panels along the south facing slopes and flat roofs to provide almost all the required electricity for the proposed development. A specification for the installation of living walls has been submitted.
- 7.13.5 No evidence has been submitted that the solar panels that could be installed on a building, or that the eventual design for this site would be capable of providing almost all of the required electricity for the proposed development, whilst also providing a building of acceptable design and appearance. As noted by the Sustainability Officer at 4.1.6, the submitted documents do not specifically set out how or whether the proposed development would be low carbon, passive, or how sustainable the building would be.

7.14 Flood Risk and Drainage

- 7.14.1 The application site includes areas within Flood Zone 2 and 3. Core Strategy Policy CP1 sets out that development should avoid areas at risk from flooding. Policy DM8 of the Development Management Policies document sets out that in accordance with National Policy, the Council will only permit development if it is demonstrated that there will be no adverse impact on areas at risk of flooding. Development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risk of flooding elsewhere. Where practicable, existing flood risks should be reduced. The application has been accompanied by a Flood Risk Assessment, and the Environment Agency has objected to the proposal.
- 7.14.2 Policy CP1 of the Core Strategy states that there is a need to avoid development in areas at risk from flooding and to minimise flood risk through the use of Sustainable Drainage Systems (SuDS). This policy also states that there is a need to manage and reduce risk of and from pollution in relation to quality of land, air and water and dealing with land contamination. Policy DM8 of the Development Management Policies LDD states that development will only be permitted where it would not be subject to unacceptable risk of flooding, and would not unacceptably exacerbate risk of flooding elsewhere, and that development must protect the quantity and quality of surface and groundwater resources from aquatic pollution and that there must be sufficient surface water drainage. Policy DM9 refers to contamination and pollution control. The Flood Risk Assessment has been reviewed by the Lead Local Flood Authority (Hertfordshire County Council) and objections have been raised.

7.15 Refuse and Recycling

- 7.15.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:
- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
 - ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
 - iii) There would be no obstruction of pedestrian, cyclists or driver site lines

8 **Recommendation**

- 8.1 Member should note that there is no recommendation for approval or refusal at this stage. It is recommended that the Committee notes this report, and is invited to make general comments with regard to the material planning issues raised by the application.
- 8.2 If the Officer Recommendation is to refuse, the application will be determined under delegated powers. If the Officer Recommendation is to approve, the application will return to Committee for Members to make a decision.