

10. **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**
(DCES)

Parish: Croxley Green

Ward: Dickinsons

Expiry of Statutory Period: 6 September 2018

Case Officer: Adam Ralton

Recommendation: That Planning Permission be Refused.

Reason for consideration by the Committee: This application was called to committee by three Members of the Planning Committee unless Officers are minded to refuse.

An issues report was discussed by Members at the Planning Committee meeting on 19 July. At that meeting Members also requested that a site visit was arranged prior to the application being returned to Committee for determination regardless of the recommendation.

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 Withdrawn November 2015.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.

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.

3.4 The application is supported by the following documents: Affordable Housing Viability Report, Arboricultural Impact Assessment, Design and Access Statement, Sustainability Appraisal, Biotecture living wall 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.

3.5 Since the application was submitted, the following changes have been made:

- The vehicle access arrangement has been amended. Vehicles will be able to enter the site only from the existing western access (at the bottom of Scots Hill). The existing eastern access will be relocated 30m west, and used as an exit only. New tactile paving will be installed at the new entrance point, with no-entry signs and give way road markings to be added.
- The applicant's agent has confirmed that in the event Members resolve to grant planning permission, the applicant will provide a Unilateral Undertaking to provide public access along the River Chess.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [Support]

Croxley Green Parish Council are 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 (Initial Comment): [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 Hertfordshire County Council – Highway Authority (Revised Comment): [No objection]
- 4.1.3.1 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.
- 4.1.3.2 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.
- 4.1.3.3 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. Drawing No18017/101 Rev A is submitted to indicate the elements of these improvements. The Highway Authority will require that the works are extended to deliver safe crossing arrangements for pedestrians, improve signage for drivers leaving the site and minimise the potential for future highway drainage maintenance works.
- 4.1.3.4 Trip generation and distribution: The number of daily vehicular trips generated by the proposed development is not expected to exceed those using the site during its previous use. However, the nature and timing of the trips will alter and the trips associated with the residential use will be concentrated around the peak traffic flow periods.
- 4.1.3.5 Sustainable Travel Modes: The encouragement of travel by sustainable modes is an important element to the successful development of the site. A number of facilities (including Rickmansworth town centre) are within walking distance of the site. Bus stops are positioned close to the site but these are not provided with easy access kerbing to assist bus access for wheelchairs, buggies etc. The site is therefore considered to be relatively well located in terms of sustainable travel options. However the Highway Authority requests that the development delivers some access improvements to the bus services passing the site to accord with the requirements of the National Planning Policy Framework in relation to promoting sustainable transport.
- 4.1.3.6 The impact of the proposed development is not expected to be significantly detrimental to the safe flow of traffic passing the site and on the surrounding highway network. The improved access arrangements and bus stop improvements will mitigate for the additional traffic distributed to and from the adjacent section of A412 Scots Hill.

4.1.3.7 Highway Consultation Summary: The site is considered to be reasonably well located in terms of reducing the need for travel by private car. The promotion of travel by sustainable modes is an important consideration for this proposal and there are facilities local to the site to encourage travel by these modes. The Highway Authority requests receipt and approval in principle of the construction details for the site access and bus stop facilities prior to commencement of the development to ensure that there is sufficient time for the detailed checking and approval process. The approved site access details will need to be implemented in advance of the first occupation of the development. The Highway Authority will also require that formal consideration is given to all construction activities to ensure that any inconvenience to users of the site and the adjacent highway is kept to a minimum. The Highway Authority therefore does not raise any objection to the application subject to conditions and advisory note.

4.1.4 Herts and Middlesex Wildlife Trust:

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

4.1.5 Hertfordshire County Council – Lead Local Flood Authority (Initial Response): [Object]

4.1.5.1 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.

4.1.5.2 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.

4.1.5.3 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.

4.1.5.4 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.

4.1.5.5 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.

4.1.5.6 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,

4.1.5.7 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.

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

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

4.1.5.10 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#>

4.1.6 Hertfordshire County Council – Lead Local Flood Authority (Revised Response): [No objections]

4.1.6.1 Following the review of the Flood Risk Assessment carried out by Abington Consulting Engineers, dated 09 July 2018 Rev A, we can confirm that we have no objection in principle on flood risk grounds and advise the Local Planning Authority that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

4.1.6.2 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 Flood Zone 1. The drainage strategy is based on attenuation and discharge in the River Chess restricted to 2.3l/s (Qbar). Surface water will be attenuated in lined balancing ponds for rainfall events up to the 100 year plus 40% for climate change. Post development calculations have been provided to support the proposed scheme. As the proposed scheme for Outline permission has yet to provide the final detail and in order to secure the principles of the current proposed scheme we recommend conditions to the LPA, should planning permission be granted.

4.1.7 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 lope 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.

4.1.8 Sustainability Officer: [Further information required at reserved matters stage]

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 integrated 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, grasscrete, 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

4.1.9 Herts Ecology: [No objection]

I note we previously commented on a Prior Notification application at this site (15/1979/PDR, Anita Parry 02/11/2015), when we advised a bat assessment, biodiversity enhancements, and external lighting caution. Consequently, I am pleased to see that an ecology report and biodiversity enhancements have been submitted in support of this application:

- Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (T4 Ecology, April 2018);
- Biodiversity and Riverbank Enhancement Scheme (Drawing SBH005, April 2018)

Habitats

The proposed replacement building will be on the same footprint as the existing building and there will be negligible-limited impact to semi-natural habitats within the extensive grounds. I understand no will be removed as part of the proposals; however if this changes, due diligence to nesting birds must be considered with any tree/shrub/hedgerow works.

Badgers

Three active badger setts were identified on the eastern boundary, but badgers were considered unlikely to cause a constraint to the development proposals. However, as badgers are highly mobile, it is possible they will move into the development footprint. Consequently, to safeguard any extant badgers I recommend a pre-construction walk-over survey of the site and immediate surrounds (access permitting) is undertaken prior to any vegetation clearance and this be secured by Condition of Approval.

Bats

The buildings were assessed for their potential to support roosting bats and no evidence of this was found. Notwithstanding, suitable bat foraging and commuting habitats occur along the river and around the trees on site, so I recommend a precautionary approach to the works is adopted. I advise Informatives are added to any permission granted.

Reptiles

The ecology report considers the habitats on site to be unfavourable for reptiles and does not consider any surveys are necessary. However, as reptiles have been recorded in the area in the past and the site is covered by a reptile-Local Wildlife Site, I recommend a precautionary approach to any development works is taken and advise an Informative is added to any permission granted.

Biodiversity enhancements

I am pleased to see a number of biodiversity enhancements are suggested including bat and bird boxes, new planting/hedgerows, living wall and green roof, permeable boundaries and hedgehog-friendly fencing. To ensure the biodiversity aspirations are incorporated into the development scheme, and to enable the LPA to meet the expectations of the NPPF to secure biodiversity gain, I recommend Conditions are added to any consent.

4.1.10 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.

4.1.11 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

4.1.12 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).

4.1.13 Affinity Water:

4.2.1.1 The objections received can be summarised as follows:

- The estate is special and an oasis for wildlife
- Building work will have a direct effect on the River Chess and wildlife either side
- The building should stay as office space or as a care home where the features of the area would be retained.
- Much of Rickmansworth's built heritage has been lost and it would be a shame to lose one of the few remaining.
- Many offices in the town have been converted to residential and Scotsbridge House is one of the last few commercial office spaces in the town. There is little space left for businesses of 10 or more. Loss of employment will affect the economic sustainability of Rickmansworth
- Around 500 flats have been created in Rickmansworth, and the town is in need of 2/3 bed affordable houses.
- The site is metres from the River Chess
- There has been a building on the site since 1760, and in its current guise since 1829.
- The site is in the Green Belt and the proposal is in excess of the footprint and bulk of the existing building.
- An objection has been received from the Rickmansworth and District Residents Association due to the adverse affect that would be had on the water levels from additional surface water run-off and the risk that the Town Ditch will not cope.
- The Chiltern Society have raised concern at the lack of Affordable Housing.

4.2.1.2 Following the receipt of an amended site layout plan, a new consultation period has been opened and expires on 15 August. Any additional comments received will be verbally reported at the committee meeting.

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 24 July 2018 the new National Planning Policy Framework was published. This is read alongside 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 2018 NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to

the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. 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 is relevant.

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 CP11 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 145 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; or
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute toward meeting an identified affordable housing need within the area of the local planning authority.

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 land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development.

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 than the existing development.

7.2.5 The submitted existing site layout plan shows the existing building to occupy a footprint of approximately 1300 square metres, with three outbuildings (proposed to be demolished) 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 agent has advised that the volume of the existing building is approximately 10,100 cubic metres, and the proposed would have a volume of approximately 11,960 cubic metres. This represents an increase of 18.3%. It is important to note that this application only seeks approval of layout and access. The appearance and scale of the proposed building is shown on submitted illustrative drawings but is not for consideration as part of this application. Nevertheless these details provide an indication of the increased size of the proposal when compared to the existing.

- 7.2.6 The submitted site plan 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 entire site from 2882 square metres to 826 square metres (71.3% reduction).
- 7.2.7 As noted above, this application is submitted in outline. Illustrative elevations have been submitted which indicate the possibility to construct a building which when viewed from the front would have four storeys (including one within the roofspace) and a basement. The front section would have a hipped roof with a large flat crown. A rear projection would have four storeys and a flat roof. It would be of a more contemporary design than the front portion and a roof set only slightly below the roof of the main frontage building. Whilst the majority of the existing frontage buildings have more traditional roof forms, with hipped roofs and a small sunken crown area, the modern additions have flat roofs. The varying roof heights and projections of the building act to break up the massing of the existing. In contrast, the layout of the proposal appears to propose a building with less articulation to break up its potential massing. The submitted illustrative elevations show the elevations would have fairly consistent heights without the articulation the existing building benefits from. This results in the potential for a larger mass of building extending further rear into the site, albeit following the removal of an existing subordinate pitched-roof front projection.
- 7.2.8 It is acknowledged that the proposed site layout would achieve a reduction in hardstanding by approximately 71%. However, given that this relates to the reduction in existing ground level hard surfacing, much of which borders the existing building, it is considered that only limited benefits are achieved in terms of improvements to the openness of the Green Belt by the loss of this hardstanding. Furthermore, the LPA would question whether the layout without much of this hardstanding would be practical or workable, for example the drawings imply the ground floor units would have access straight onto the side and rear garden areas which would be laid to grass, whereas some patio area would generally be anticipated here for practical reasons. Overall, limited weight is attached to the reduction in hardstanding as comprising a significant benefit to the openness of the Green Belt.
- 7.2.9 As set out above, this application relates to a building (excluding the demolished outbuildings) with a 9% increase in footprint when compared to the existing, 60% increase in floor area and 18% increase in volume. The frontage building would have a greater depth than the existing primary frontage building, and the rear projection would have a greater width than the existing rear projection. Combined with the massing a building would need to accommodate 33 flats plus leisure facilities, it is considered that the proposed development would have a greater impact on the openness of the Green Belt than the existing development on site.
- 7.2.10 It is acknowledged that the proposal includes the demolition of three buildings within the curtilage of the site. It is noted that these include one derelict building, one substantially overgrown greenhouse, and a third storage building. These buildings are so far removed from the primary built form on the site that it is considered only limited benefits would be brought to the openness of the Green Belt by their removal. Furthermore, it is not clear whether there would be a future pressure to provide replacement storage buildings for garden maintenance equipment, and buildings for the storage of refuse and recycling containers, given the size of the grounds of the building and the number of flats proposed.
- 7.2.11 On the basis of the above, it is not considered that the proposed development would fit into an exception to the general presumption against inappropriate development in the Green Belt. Therefore, the proposal would comprise inappropriate development in the Green Belt.

7.2.12 Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 explains 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 of the Core Strategy 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. The South West Hertfordshire Economic Study (2016) has forecasted the need for an increase of 40,000 to 60,000 square metres of employment floorspace in Three Rivers up to 2036. The study also predicts a significant increase in demand for office space across the South West Herts area. 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.

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. The applicant has made reference in their submission to the conversion of the existing building under Class O of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended. However, it is noted that no application seeking to utilise permitted development rights to convert the existing building from offices to residential has been submitted. Furthermore, even if such an application were submitted and approved, the LPA has not been supplied with any evidence to demonstrate a more than theoretical prospect of the implementation of that scheme. The applicant has confirmed that evidence will be provided in the form of a letter to state their intention to look to utilise their Permitted Development rights at the site should the current application be refused.

7.3.3 On this basis, it is considered that only very limited weight can be attached to the potential for a change of use of the existing building under permitted development, and such a scheme would in any instance be materially different to the proposal subject of the current application. Therefore, it is considered that the proposal would not support employment and economic development, as it would result in a loss of office floorspace without any evidence of that floorspace being 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.

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.

7.5.2 The applicant's appraisal has been reviewed by the LPA's independent assessor. They have concluded that this scheme could afford to provide 10 shared ownership units. However, no formal conclusion or agreement has been reached in respect of affordable housing provision.

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:

- i) Tandem development
- ii) Servicing by an awkward access drive which cannot easily be used by service vehicles
- iii) The generation of excessive levels of traffic
- iv) Loss of residential amenity
- v) Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)

7.6.3 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. Furthermore, matters of access are considered at Section 7.12 below.

7.6.4 In respect of layout, the submitted proposed site layout drawing shows a building with a slightly larger footprint than the existing. The proposal would be set further back from Scots Hill than the existing building, with the multiple forward projections being replaced by a building with a flatter front façade and a layout comprising a fairly consistent set-back from Scots Hill. This set-back, having regard to the site's topography, has the potential to

reduce the prominence of the new building when compared to the existing. It should be noted that scale and appearance are not to be formally considered as part of the current application. The indicative elevations indicate a building of a considerable scale and massing would be required in order to accommodate the quantum of development proposed by this application (ie 33 flats plus leisure facilities). The illustrative elevations suggest the use of green walls, however evidence would need to be supplied to demonstrate the maintenance regime for these to ensure a satisfactory external appearance in perpetuity. The elevations shown the use of a green roof, however this does not take into account the number of solar panels that would be required to meet the energy efficiency aspirations of the scheme. Furthermore, the illustrative drawings are considered to demonstrate a disjointed design approach which fails to take the opportunities available for improving the character and quality of an area and the way it functions. This is in part due to the design of the frontage building, and the lack of a coherent design strategy to link the front and rear buildings. The rear projection appears to have a horizontal emphasis which would not align or integrate satisfactorily with the design features on the frontage building.

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. The landscaping Reserved Matter would be expected to set out full details of the amenity space arrangements, and how the application site would be enclosed and separated from the remaining land.

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. Subject to conditions relating to the management of construction activities to prevent harm to wildlife, a biodiversity management plan and a badger walkover survey, Herts Ecology raise no objections to the proposal.

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 initially raised objections to the proposal, raising concerns with confusion within the submitted Transport Statement regarding how traffic movements will operate. The applicant has subsequently provided an amended Transport Statement. This clarifies that the site entrance will be at the existing lower entrance at the bottom of Scots Hill. The site exit would be at a new vehicular access 30m west of (ie further down Scots Hill from) the existing access point. The Highway Authority has confirmed that this arrangement would be safe and acceptable.

7.12.3 The comments of the Highway Authority regarding bus stop improvement works are noted. However, these works are not considered necessary to make the development acceptable and are not considered proportionate to the scale of the development

proposed. As such it is not considered that it would be appropriate to secure such works as part of this application as they would not be compliant with Paras 55 or 56 of the NPPF.

- 7.12.4 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.
- 7.12.5 The submitted site layout plan shows eight parking spaces at ground level, and the submission states 62 car parking spaces will be provided within the basement. The proposed development would therefore provide adequate car parking to comply with the parking standards at Appendix 5.

7.13 Sustainability

- 7.13.1 Paragraph 148 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 have objected to the proposal. Additional information has been submitted to the Environment Agency in response to their objection, however at the time of completing this report a response had not been received.

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). Following the receipt of additional information, no objections are raised by the LLFA subject to conditions.

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

7.15.2 The Transport Assessment includes a tracking drawing to demonstrate that a refuse vehicle could access and exit the site in a forward gear without significant manoeuvring required. No details have been provided of the location of any refuse or recycling container stores. It is considered, notwithstanding the Green Belt concerns set out above, that such details could be dealt with in detail as part of the reserved matters stage.

7.16 Very Special Circumstances and Conclusion

7.16.1 As noted above, the NPPF is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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. The assessment above identifies that the proposed development would cause harm to the supply of employment floorspace in the District, and would not provide for sufficient affordable housing or an adequate mix of unit sizes.

7.16.2 In terms of other considerations, the application has set out its intended sustainability credentials and these are a positive benefit of the scheme, albeit it is not considered that sufficient information has been provided to demonstrate how these would interact with the

need to ensure any proposed building is of appropriate design and appearance. Only limited weight is attached to this as a benefit. The improvements suggested to the ecological value of the site with riverbank enhancements are also noted. The applicant has suggested that in the event Members resolve to grant planning permission, the applicant will provide a Unilateral Undertaking to provide public access along the River Chess. No further information regarding the detail of how this access might be provided has been submitted. Notwithstanding this, officers consider that such additional access would only attract limited additional weight in favour of the proposal.

- 7.16.3 Taking into account all of the considerations forming part of this application, it is considered that the harm to the Green Belt would not be outweighed by other considerations. Therefore, it is not considered that a case for very special circumstances exists.

8 Recommendation

- 8.1 That PLANNING PERMISSION BE REFUSED for the following reasons:

- 8.1.1 The proposed development is considered to constitute the complete redevelopment of previously developed land which would have a greater impact on the openness of the Green Belt than the existing development. It would therefore constitute inappropriate development within the Green Belt. No Very Special Circumstances exist to outweigh the harm that would be caused by the proposed development by virtue of its inappropriateness and actual harm. The proposed development would therefore be contrary to Policies CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2 and DM7 of the Development Management Policies LDD (adopted July 2013) and the NPPF.
- 8.1.2 The proposal would result in a loss of Use Class B1 (office) floor space. Insufficient information has been submitted to demonstrate that this loss would not harm the aims of CP6 to sustain parts of the District as attractive areas for business location and to release office space from employment use where this is expected to be surplus to employment needs as indicated by an up to date Employment Land Study. The proposal would result in an unacceptable loss of employment floorspace contrary to Policy CP6 of the Core Strategy (adopted October 2011).
- 8.1.3 Agreement regarding the level of affordable housing provision has not been reached at this time and the application has not demonstrated that it would not be viable to meet the Council's affordable housing policy requirement. Accordingly the development conflicts with the requirements of Policy CP4 of the Core Strategy (adopted October 2011) and SPD: Affordable Housing (approved June 2011).
- 8.1.4 The risks to groundwater arising from the proposed development are unacceptable and insufficient information has been submitted to demonstrate that the risks posed can be satisfactorily managed. The proposal is therefore contrary to Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF.