

**4/01123/15/FUL - CONVERSION OF AN EXISTING STABLES TO FORM A SINGLE FOUR BEDROOM HOUSE WITH GARAGE AND WORKSHOP (REVISED SCHEME)..**

**FLAUNDEN HOUSE STABLES, FLAUNDEN, HEMEL HEMPSTEAD, HP3 0PW.**

**APPLICANT: Mr Smyth.**

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[Case Officer - Elspeth Palmer]

## **Summary**

The application is recommended for approval.

The proposed development is in line with recent changes to planning policies at local and national level. The Core Strategy, NPPF and the GPDO now encourage the conversion of agricultural/rural buildings to residential. The proposal will reduce the amount of development on the site and result in an overall improvement to the openness of the green belt.

## **Site Description**

The site is located on the eastern side of Birch Lane, Flaunden. This site is set back from the lane and reached via an unnamed access lane which also serves a number of stables and a dwelling. The site comprises a weatherboard timber stable building with laminate roof and timber windows, land to the north which includes an existing horse exerciser and land to the east which has been used for parking of equestrian vehicles. The western side of the site is bounded by a tall row of trees which screens the barn making it less visually prominent to the adjacent neighbours along Birch Lane. The applicant owns most of the land surrounding the site (see Site Plan with red and blue lines).

## **Proposal**

The application seeks planning permission for the conversion of an existing stables, storage room and office to form a two storey four bedroom house with garage and workshop. The proposal includes the addition of 4 roof lights in the western elevation and 6 in the eastern elevation. No extensions are proposed. The new dwelling will be finished in dark timber and the roof with plain tiles. The windows will also be of dark wood construction.

Part of the building will be demolished (92 square metres) to accommodate private amenity space and to provide storage for the dwelling. It is proposed that the horse walker at the rear of the stable would be demolished and the existing hardstanding parking area would be removed and be returned back to Green Belt. It is noted that this parking area does not have planning permission so would be unauthorised.

Floor areas for the proposal include:

Garage - 64 square metres

Workshop - 25 square metres

Stables - 26 square metres

The total floor area for dwelling excluding the above is 356 square metres.

The total floor area for the development is 471 square metres.

## Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Flaunden Parish Council.

## Planning History

### Relevant history

**Address** PES EQUESTRIAN CENTRE, BIRCH LANE, FLAUNDEN  
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4/00201/15/FU CONVERSION OF EXISTING STABLES TO FORM A FOUR  
L BEDROOM HOUSE WITH GARAGE AND WORKSHOP  
Withdrawn  
17/03/2015

4/01569/05/FU STATIONING OF CARAVAN FOR SAFETY AND WELFARE OF  
L HORSES  
Refused  
20/09/2005

4/02292/03/FU EXTENSION TO COTTAGE AND CONVERSION OF ADJOINING  
L STABLES. DEMOLITION OF TACK/FEED ROOM  
Granted  
18/12/2003

4/00567/03/FU DEMOLITION OF EXISTING TACK AND FEED ROOM,  
L CONVERSION OF STABLES AND EXTENSION TO  
ACCOMMODATION  
Refused  
09/05/2003

4/02089/01/CA REMOVAL OF BARN  
C  
Refused  
01/03/2002

4/02088/01/FU REPLACEMENT OF EXISTING BARN WITH NEW  
L DWELLINGHOUSE  
Refused  
28/02/2002

4/00848/01/ DEMOLITION OF BARN  
Refused  
28/08/2001

4/00821/01/ ONE DWELLING  
Refused  
28/08/2001

### **Related Site History**

4/01912/09/FU DEMOLITION OF EXISTING STORE AND CONSTRUCTION OF  
L STORAGE BARN  
Granted  
10/02/2010

4/01617/15/EN CONFIRMATION ON CONDITION 3 ON PLANNING  
Q APPLICATION 4/2292/03/FUL  
Unknown  
21/04/2015

### **Policies**

#### National Policy Guidance

National Planning Policy Framework (NPPF)  
Circular 11/95

#### Adopted Core Strategy

NP1 - Supporting Development  
CS5 - The Green Belt  
CS7 - Rural Area  
CS8 - Sustainable Transport  
CS9 - Management of Roads  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS14 - Economic Development  
CS17 - New Housing  
CS25 - Landscape Character  
CS26 - Green Infrastructure  
CS27 - Quality of the Historic Environment  
CS28 - Renewable Energy  
CS29 - Sustainable Design and Construction  
CS30 - Sustainability Offset Fund  
CS31 - Water Management

CS32 - Air, Water and Soil Quality  
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 13, 81,110.  
Appendices 3 and 5.

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)  
Water Conservation & Sustainable Drainage (June 2005)  
Energy Efficiency & Conservation (June 2006)  
Accessibility Zones for the Application of car Parking Standards (July 2002)  
Landscape Character Assessment (May 2004)  
Planning Obligations (April 2011)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

**Summary of Representations**

Flauden Parish Council

**Flauden Parish Council unanimously recommend that this application be REFUSED on the grounds of inappropriate development in the Green Belt.**

**Reasons for recommendation to refuse:**

Contrary to Dacorum Borough Council's Core Strategy Policy CS5, The Green Belt (i) & (ii) and Policy C110 of Local Plan, as no other options have been considered in terms of related uses for recreational use or tourism.

∴ This application does not support the rural economy or maintenance of the wider countryside, as converting stables into a dwelling will take away a current rural business and related employment.

∴ It would have an adverse effect on the appearance of the countryside and the distinctive character of the landscape.

∴ No special circumstances have been put forward to support this development that would outweigh the harm to the Green Belt.

∴ Within the village of Flauden all housing is built along existing roadways, there has been no infill development within the curtilage of any single property. Consequently such development would detract from the openness and character of the village and green belt.

**BACKGROUND**

Flauden is a small village, within the green belt, with an active and thriving residential and business community. It is an area that has retained its unique character and charm as a result of careful historic planning protection.

Previous development on this site in 2003 gave permission to extend the cottage (known as The Coach House) and converted adjoining stables. 4/00292/03. This was a 'delegated' decision following FPC's refusal of the application. This property has had footings laid, and on completion this will result in a substantial four bedroom property.

4/00821/01 Application made in 2001 for 5-bedroom house turned down by Dacorum. The proposal was refused as being contrary to national and local planning policies for the area.

## GENERAL COMMENTS

There are many inaccuracies in the application i.e. :

**Site Plan** – we are confused as to why only part of the land of Flaunden House Stables is shown on the site plans, the whole site is on an area of around 16 acres, why is this not shown, does the applicant have other plans for the rest of the land?

### Application Form :

**9. Description of materials** - means of saving energy are not described

**10. Vehicle Parking** – it would seem highly unlikely that a 5-bedroom house would only require one car parking space.

**14 Existing Use** – States residential – this is misleading, the barn in question has **NOT** been used for residential purposes.

**15. Trees and Hedges** – Trees which form the western boundary of the site provide screening from neighbouring properties, we cannot see how construction could take place without removing this vegetation, which would make the barn much more visible to neighbouring properties.

**17. Residential Units** – this proposal **does** include the gain of residential units

### Design and Access Statement :

**2.1** Applicant states (page 5) that *'the access road serves Flaunden House Stables as well as other stables and barns to the south'*. This is misleading, the access road only serves as access to the property known as Flaunden House Stables, which consists of one residential property, several barns and stabling.

Applicant states (page 6) that *'the demand for equestrian usage only covers the two adjacent stables, leaving this vacant and with no need of use'*. The present owners (we believe completion takes place on 30<sup>th</sup> April) have used this barn for DIY Livery, it would appear that it is the intention of the new owners **NOT** to carry on with this business, and we believe notice has been given to all tenants at the request of the purchasers. **No evidence has been provided as to why this cannot continue as a viable business.**

**2.2** Applicant states that the *'horse walker at the rear of the stable would be demolished'* – this further reduces the viability of utilising this area as a livery business.

**2.3** Applicant states (page 10) *'There is no particular changes in terms of materials, therefore the proposed building would include the same materials as the existing stable'*. We believe that the stable was originally an open sided structure with corrugated roof, this was enclosed by the construction of side walls consisting of part

breeze block, part wooden slats. **We cannot see how this existing structure can be converted without extensive re-building and change in the appearance and character.**

**2.4** Applicant states '*access to Barnet Lane*' – we have no knowledge of a road of this name in the village.

**2.5.1.** Applicant states that the building 'is a permanent building upon previously developed land and capable of conversion without substantial alteration to the external appearance. The structure of the building is founded with solid walls but requires the construction of internal studwork and insulation to meet the Building Regulations.' We do not believe this is the case. It would appear to us that the barn would require significant external alteration to make it an acceptable residential unit.

Applicant states that '*there is evidence that an alternative use has been sought*'. **We can see no evidence of this provision.**

#### Conservation and Design

The peppering of the roof with roof lights is detrimental to the character of the building. There is a simpler and more elegant solution which would be to omit the rooflights (except possibly the two higher ones over the bedroom if essential) by including a high level strip window in each of the side walls close to the eaves to the light the voids – this might either be continuous along each side elevation or split up to sit over the proposed large windows.

#### Trees and Woodlands

No objection to proposal and unlikely to affect nearby trees. As trees are not visible from the main road public amenity of the trees is not high. Unlikely to warrant a Tree Preservation Order.

#### Hertfordshire Biological Records Centre

Informatives in respect of bats and birds should be sufficient should the application be approved, given the nature of the existing stable building.

#### Contaminated Land Officer

The site has a potentially contaminative use; it is also located within the vicinity of potentially contaminative former land uses (infilled ponds, former burial ground). Consequently there may be land contamination issues associated with this site. I recommend that the standard contamination condition be applied to this development should permission be granted.

#### Thames Water

*Surface Water Drainage* - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

## Affinity Water

*Water Comments- none received as yet - will be reported to the Committee.*

## Building Control

I can confirm that the layout all appears fine from a Building Regulations aspect. The only possible change may be the escape route from the second bedroom (possible amendment required to windows) but options will be discussed when we have detailed plans.

## Response to Neighbour Notification / Site Notice / Newspaper Advertisement

15 Objections were received for the following reasons:

impact on the wider Flaunden Village and its current residents;

∴∅β7 the proposal contravenes the current Government and Dacorum planning guidelines and policy;

∴∅β7 The Department for Communities and Local Government's Planning Practice Guidance states that "local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide ... opportunities for outdoor sport and recreation". If this and other barns/stables on Flaunden House Stables were turned into houses, this would be contrary to this policy.

∴∅β7 contrary to Green Belt Policy for the following reasons;

(1) It does not protect the character and local distinctiveness of Flaunden.

(2) This building is not 'substantial', it was originally a simple, open sided shelter, with a corrugated shallow pitched roof, wooden cladding was added later.

(3) This development does not support the rural economy as closing the stables and converting the building into a dwelling will take away a current rural business and related employment.

(4) Existing facilities should not be built upon unless assessment is that they are surplus to requirements. This is clearly not the case as the stables have been traditionally well used.

(5) Local planning authorities should plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities for outdoor sport and recreation. Taking away existing, well used, equestrian facilities that are used by a significant number of people stabling their horses there and riding out from, Flaunden goes against this policy;

∴∅β7 no special circumstances have been put forward;

∴∅β7 there are misleading or inaccurate statements in the application;

∴∅β7 although the submitted plans of the existing barn structure show four roof windows in the shallow pitched roof, these are not visible from Birch Lane House and are assumed to be simple, clear corrugated Perspex panels to allow light in, which, if they do exist, are completely covered in moss, algae etc and do not in any way overlook our property.

∴∅β7 site plan shows the conversion as a potential separate property from the remainder of the land;

∴∅β7 when planning granted for Coach House 4/02292/03/FUL condition 3 stated:  
"The occupation of this dwelling shall be limited to a person solely or mainly

working at Flaunden House Stables." It would seem to me that this condition should be taken into consideration when considering the development of the site.

No mention has been made of applying for separate title for the new property, but it has been delineated separately on the site plan;

∴β7 no evidence provided as to the structural soundness of the existing building.

The stables were originally a simple open sided structure that was boarded up. It is of a lightweight construction, and not the substantial construction required by planning policy;

∴β7 no attempts have been made to investigate suitable re-use of the building other than for residential;

∴β7 the site was a thriving equestrian use and has been run and managed as an equestrian business for 25 years (30 individual stables for rent);

∴β7 These particular stables have been home to several quality horses and trainers and riders well known in the horse fraternity, amongst whom Tim Stockdale the Olympic competitor and the recent past owner, a world famous carriage driver can be counted. The area as a whole is well known for its equine activity and Bovington itself has a shop in the village devoted to riding requisites.

∴β7 the liveries were given notice to vacate then the stables were sold to the current owner;

∴β7 the inevitable future encroachment of agricultural land for garden area;

∴β7 the non suitability of the current building and foundations for a simple change with no cosmetic changes or removal of trees;

∴β7 although the current proposal does not include this, a large, four bedroom house which will typically be lived in by a family, would need an area of garden and outside space beyond the two 'amenity spaces' and one parking space, detailed within the current curtilage. Use in this way of the field between the new proposed property and Birch Lane House's existing garden would clearly significantly adversely affect the current privacy of our house, existing patio area and garden.

∴β7 Loss of privacy for dwellings on the western side of the site eg. The Old Chapel and Birch Lane House;

∴β7 trees on the western side of the stables currently provide a visual buffer between the houses and the stable - these will most likely be removed as a result of the development;

∴β7 It should be noted that in another Relic Homes application at Frithsden Copse, Ref 4/03131/14/FUL drawing 14.141.P2.101A, much effort was made by the planners to protect existing trees as part of the approval process. However, once building commenced the trees, protected under the approval granted, have been removed by the builders, with little regard for the protection afforded. If this were to happen in this case, even if fines were levied, apologies offered and additional planting of new trees insisted upon after the event, this would not be able to reinstate the privacy that we, and neighbouring properties, will have lost.

∴β7 If this proposal is approved, there are many other buildings within the recently acquired Stables complex that Relic Homes, as owners and developers, will, in all likelihood, seek to convert further, as well as numerous other buildings situated within Flaunden that will be similarly redeveloped. All of which will change the historic 'small settlement' nature and character of Flaunden.



- ∴ creating a precedent for similar second tier building behind existing buildings, not currently evident in Flaunden.
- ∴ Flaunden is a small, picturesque historic village with a Conservation Area and much Green Belt land. This is designed to protect it and help keep its distinct rural character. A large house, in an area that has mainly smaller properties, would do nothing to enhance this, and if the developer intends to convert the other buildings on the livery yard into houses as well, it would spoil the character of the area. The livery yard is part of the character of the village; a housing estate would not be.
- ∴ The scale of the proposed dwelling will be out of proportion with the surrounding properties;
- ∴ the openness and local distinctiveness will be changed by the addition of a very large house and loss of stable amenities;
- ∴ will impact negatively on the character and beauty of the village which relies on the typical old buildings including stables, farms and farmland.
- ∴ the closure of the stables will be detrimental to the local economy and lead to a loss of employment;
- ∴ Flaunden is not an area identified for housing development by Dacorum;
- ∴ Flaunden has no retail shops and virtually no bus service. It is the wrong place to build new homes.
- ∴ The proposal would reduce the amenities available to residents of Flaunden and the surrounding area.

## **Considerations**

### Policy and Principle

#### *National Planning Policy Framework*

Paragraphs 89 and 90 state the following:

The re-use of buildings provided that the buildings are of permanent and substantial construction is not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green. Paragraph 55 states that, in rural areas, local planning authorities should normally avoid isolated dwellings unless there are special circumstances. One such special circumstance identified is where the development would re-use redundant or disused buildings and result in an enhancement to the immediate setting.

#### *The Town and Country Planning (GPD) (England) Order 2015.*

In 2014, the Government introduced new permitted development rights to allow the conversion of certain agricultural buildings to housing through a prior approval process. Up to 450 sq. metres of agricultural buildings can now be converted to provide a maximum of three homes without the need for planning permission. Where applicable the permission would not be affected by the site being within the Green Belt. Whilst the building in question is an equestrian building, these recent changes illustrate the Government's stated desire to increase significantly the supply of housing, including through making use of suitable rural buildings.

*Policy NP1: Supporting Development* states that the Council will take a positive approach to the consideration of development proposals, reflecting the presumption in

favour of sustainable development contained in the National Planning Policy Framework

*The Core Strategy Settlement Hierarchy* (p41) states that the village of Flaunden is classified as falling within the "Other small village and the countryside" category and is therefore an area of most development constraint within the Borough.

*Core Strategy Policy 5 Green Belt* states that within the Green Belt, small scale development will be permitted. This includes the appropriate reuse of permanent, substantial rural buildings provided that:

1. it has no significant impact on the character and appearance of the countryside; and
2. it supports the rural economy and maintenance of the wider countryside.

*Saved Local Plan Policy 110 Agriculture and Re-use of Rural Buildings* states that permission will not be granted for residential reuse unless every reasonable effort has been made to secure business, recreation or tourism-related reuse.

#### Local Plan Policy 81 Equestrian Activities

It is important to note that Local Plan Policy 81 and 110 were saved following adoption of the Core Strategy and have not therefore been checked for compliance with the NPPF. Policy 110 has essentially been superseded by the policies of the NPPF when considering the re-use of rural buildings, and only limited weight can be applied to this policy as a result. This has been confirmed with SPAR.

The Government has taken a number of steps to encourage the re-use of rural buildings for residential and other purposes. Given the thrust of national policy, coupled with the proposed development having no adverse impact on the openness of the Green Belt, it is considered that a robust reason for refusal could not be substantiated when considering the impact of the proposed development on the rural economy alone. The building is vacant and has not been used for stable use for at least 6 months. It is therefore considered that the proposed conversion is acceptable in principle.

#### Impact on Green Belt

The Structural report submitted with the application concludes:

- ∴β7 that the structures of the main building, and that of the feed store and tack room are free from defect and are of substantial and permanent type constructions.
- ∴β7 the building is capable of being converted to a residential dwelling without any major demolition works being necessary.

The proposal will not have any significant impact on the character and appearance of the countryside for the following reasons:

- ∴β7 the footprint of the new dwelling will be smaller than the barn, resulting in an improvement to openness;
- ∴β7 the volume of the new dwelling will be smaller than the barn, resulting in an improvement to openness;

- ∴ the amenity space for the dwelling will be within the footprint of the original barn and hidden behind fencing so any residential paraphernalia will be not be visible and will not impact on the openness of the green belt;
- ∴ the car parking and garage space will be included in the footprint of the original barn;
- ∴ the existing car parking area will be removed and returned to grassland, resulting in a visual improvement to the site;
- ∴ the dwelling will be serviced by an existing access; and
- ∴ minimal changes to the exterior of the barn ie. addition of windows and doors.

The Solicitor for the owner who sold the property in October 2009 advised that the reason the owner sold the site was because the equestrian business was not profitable. It should be noted that this owner will benefit from any increase in value to the site as per a legal agreement attached to the sale of the site.

The view of the owner in between is unknown.

The applicant has advised that the site had been on the market for 6 months without any takers.

Based on the above advice it is difficult to sustain an argument that the proposal will have a negative impact on the rural economy. The proposal will have limited economic benefits in terms of future occupiers supporting local services.

The principle of development is therefore considered acceptable in light of the relevant policies.

#### Effects on appearance of building

The proposal will change the exterior of the barn by adding windows and doors but the building does not have any special character which needs to be preserved.

#### Impact on the Conservation Area

The proposal is adjacent to the Conservation Area but the barn does not have any historical value.

The comments made by the Conservation Officer will be achieved via a condition.

#### Impact on Trees and Landscaping

To convert the barn should not detrimentally affect the adjacent trees. It is considered that the tree screen along the western boundary of the site is very important as a visual buffer between the new dwelling and the neighbours on the western side. Retention will be secured by condition.

#### Impact on Neighbours

The nearest neighbours are Birch Lane House (61 metres away), The Old Chapel (62 metres away) and Flaunden House (101 metres away). Due to the distances it is not

considered that there will be any loss of privacy or loss of sunlight and daylight for any of these neighbours.

### Amenity Space

Saved Appendix 3 Layout and Design of Residential Areas states that private gardens should have an average minimum depth of 11.5 metres. The proposals garden area falls short of this but has direct access onto the open countryside so this shortfall is not considered significant.

### Parking Requirements

Saved Appendix 5 Parking Provision requires that a four bedroom dwelling has 3 parking spaces. The proposal now has 3 parking spaces.

### Sustainability

Policy CS29: Sustainable Design and Construction requires that new development will comply with the highest standards of sustainable design and construction possible. The applicants have been asked to prepare an Energy Statement and a Sustainability Statement.

### CIL

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

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

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development.

3 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [1 year] from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998: 1989 Recommendations for Tree Work.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

4 Notwithstanding the details shown on the approved plans a revised roof plan and elevations shall be submitted and approved prior to commencement of development showing no rooflights (except possibly the two higher ones over the bedroom if essential) by including a high level strip window in each of the side walls close to the eaves to light the voids – this might either be continuous along each side elevation or split up to sit over the proposed large windows.

Reason: To comply with CS Policies 5, 11 and 12 and in the interests of visual amenity.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:

Schedule 2 Part 1 Classes A, B, C, D, E, F and G  
Part 2 Classes A, B, and C.

Reason: In the interests of safeguarding the openness of the Green Belt; the rural character of the building and the site; and the visual amenity of the surrounding countryside. The proposed development comprises of the conversion of a stable building in a rural area and it is important for the local planning authority to retain control over certain future development which would normally represent permitted development, in order to safeguard the rural character of the surrounding countryside.

- 6 **Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

**For the purposes of this condition:**

**A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.**

**A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.**

**A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

- 7 **In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.**

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

## Article 31 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

### INFORMATIVE:

It is possible that bats may be using areas of the existing building.

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;  
Recklessly disturb bats;  
Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

If bats or evidence of them are found to be present a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

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

Design and Access Statement  
Existing Site Plan 15.149.P2.100B  
Existing Plans and Elevations 15.149.P2.200A  
Proposed site plan 15.149.P2.300B  
Proposed Plan 15.149.P2.400B  
Proposed Elevations 15.149.P2. 500B  
Energy Statement  
Sustainability Statement  
CIL Liability forms  
EIA Screening Opinion Form

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