

4/02876/16/MFA - CONSTRUCTION OF A FREE STANDING BUILDING TO PROVIDE 30 GUEST BEDROOMS, 8 STAFF BEDROOMS, SPA, LEISURE CLUB AND ADDITIONAL FUNCTION FACILITIES WITH CAR PARKING, TOGETHER WITH LANDSCAPING RESTORATION FOR THE HISTORIC GROUNDS.. SHENDISH MANOR, LONDON ROAD, APSLEY, HEMEL HEMPSTEAD. APPLICANT: MR HUNG.

[Case Officer - Ross Herbert]

Summary

The application is recommended for approval. Should the Committee agree with the recommendation it should be noted that the Secretary of State will need to be notified to see whether they want to call in the application.

The Town and Country Planning (Consultation) (England) Direction 2009 sets out the applicable criteria and arrangements that must be followed for consulting the Secretary of State once the local planning authority has resolved to grant planning permission for certain types of development that are set out in paragraphs 3-8 of the Direction. The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application under section 77 of the Town and Country Planning Act 1990. The use of the call in power requires that the decision be taken by the Secretary of State rather than the local planning authority. This application meets two of those criteria in relation to Green Belt development and out of centre development thresholds.

Green Belt

Whilst substantial weight is given to the harm to the Green Belt, in this instance very special circumstances are considered to exist which clearly outweigh the harm to the Green Belt though inappropriate development, as well as the modest other harm to the Green Belt, as assessed in the LVIA and summarised above. The proposed development is therefore considered to be acceptable in the Green Belt in this instance, in accordance with para. 88 of the NPPF and Policy CS5 of the Core Strategy, which supports national Green Belt policy.

Heritage

The site forms part of the setting of Shendish manor, together with its associated service buildings and makes a contribution to its significance. There would be harm as noted above to varying degrees to the designated assets ranging from medium adverse harm to the manor and summerhouse, low level to the walled garden and coach house and negligible to the forecourt wall and gate posts. Against this there would be moderate enhancement to the significance of the Manor and summerhouse, substantial enhancement to the forecourt wall and gate posts and low level benefit to the walled garden and coach house. These benefits and harms need to be weighed against the public benefits of the proposal under terms of paragraph 134 of the framework whilst giving great weight to the preservation of the setting of the listed building. A high level of harm will occur to the non-designated asset of the landscape however this would need to be balanced against the moderate level of enhancements provided by the scheme. This impact would need to be weighed against the public benefits under terms of paragraph 135 of the Framework. We believe that the proposed building is of a high quality design and would enhance the architectural canon of Dacorum. The proposals would cause harm to the designated and non-designated heritage assets although attempts to mitigate this have been arrived at through enhancement of listed features and to the landscape and setting of the heritage assets. Overall the harm and benefits to the designated assets would appear to balance each other out. Given the identified harm this needs to be weighed against the public benefits which would result from the proposals as per para's 134 and 135 of the Framework.

Having carefully assessed the application and its suite of supporting documents, it is clear that

the proposals would have significant public benefits which must be weighed against the harm to the designated and non-designated heritage assets at the site. These include:

- Securing the optimum viable use of the site;
- Wider economic benefits which would result;
- Improved health/leisure offer for the local community.

It is considered that the public benefits which would result from the proposed development are sufficient in this instance to outweigh the less than substantial harm which has been identified to the designated and non-designated heritage assets at the site. The proposals are therefore considered to be acceptable from a heritage point of view.

Highways

The proposed access, parking and servicing arrangements are considered to be acceptable and they comply with Core Strategy Policy CS12.

Impact on Neighbours

The location of the proposed building is such that it would be located on the far side of the Shendish manor grounds when considering the location of the residential properties immediately to the north and north-west of the hotel. The building would be located a significant distance away from these properties, on the other side of the hotel. It would also be located a significant distance from the properties to the south on Rucklers Lane and Lady Meadow, with the building being extremely well screened by the existing mature tree belt on the boundary regardless. As such, it is considered that there would be no adverse effects on the residential amenity of the neighbouring properties in terms of loss of daylight, sunlight, privacy or visual intrusion as a result of the proposals. There would also be no significant impact in terms of noise and disturbance, with the proposed building and its function suite being located so far away from the neighbouring properties. Functions would be subject to conditions restricting hours of use in line with the conditions in place for the existing hotel, and its license. The proposals accord with Core Strategy Policy CS12.

Impact on Landscape/Trees

It is considered that the proposals have been carefully designed to minimise the impact on trees and landscaping, in accordance with Core Strategy Policy CS25, as well as saved policies 99 and 100 of the Dacorum Borough Local Plan.

Design

The design process has taken account of the design policies of the NPPF, along with the relevant policies of the Core Strategy and saved Local Plan. Officers are satisfied that the proposed building is of an extremely high standard of design which reflects the skill of the architect in understanding the sensitive context of the site, and also the hard work of the project team and officers in working together to find a high quality design solution. As stated above, it is considered that the proposals would result in an elegant building which would sit comfortably within the grounds of the listed manor house. The building would not compete with the grandeur of the manor house, but would instead offer an impressive counterpoint through its high quality, lightweight design, full of visual interest, together with its creation of fitting a sense of place. The proposals are considered to be in compliance with the design policies of the Framework, together with Core Strategy Policy CS12, providing a building of truly outstanding design in this sensitive setting.

Other Considerations

The proposed scheme is also considered to be acceptable when considering: archaeology; flood risk; drainage; ecology; and sustainability.

Site Description

The application site comprises of Shendish Manor Hotel, a Grade II listed manor house located within the Metropolitan Green Belt to the south west, Hemel Hempstead, within the Parish of Kings Langley. In terms of designations, as well as being located within the Metropolitan Green Belt, the site is also located within an Area of Archaeological Significance (Apsley Manor). The site is also covered by Tree Preservation Orders (TPO) 240/1993 and 256/1994. TPO 240/1993 is an Area Order (A1) that covers all of the trees within the Site.

The grounds are located on a sloping plateau immediately to the south west of the Gade valley, with levels falling to the north east towards the West Coast main line railway. This is a broad valley, the existence of the river having influenced the historical development of industry within the valley floor and provided a corridor which has been adapted to provide various forms of transportation including the West Coast main line railway, the Grand Union Canal and London Road (the former A41).

The site occupies much of the open land which lies between Two Waters Primary School and High Ridge Road to the north and Rucklers Lane to the south. The A41 bypass forms a defining feature of this general area to the west whilst to the east the urban edge of Hemel Hempstead extends hard up to the railway.

The eastern part of the site is crossed by public footpaths; Kings Langley 17 heads generally north from Rucklers Wood Road, joining FP19 to the south of the chosen location for the new building, then passing in front of the mansion towards Apsley village with a branch (FP18).

The application site is accessed off London Road (A4251) between Kings Langley and Apsley and is situated approximately 800 metres to the west along a private access road, which also gives access to the associated golf course and adjacent residential properties. The 950m long private access road varies in width and crosses over the West Coast main line railway via a single carriageway bridge. There are traffic calming measures on the hotel side of the bridge accordingly. The access driveway branches at a point beyond the bridge as you approach the hotel with one spur serving the majority of the residential development to the north and eight new dwellings, and the other serving the hotel and golf club . There is a good hedge and tree screen along the northern side of the access road, as well as some sections on the southern side.

Shendish Manor forms part of the wider Apsley Manor Farm estate and is a 19th century, Victorian, Grade II listed building constructed in a Jacobean style vernacular. The original manor house dates from 1854 and is a grade II listed building. It is constructed of a light grey brick with limestone detailing under a slate roof. The estate and associated landscaped gardens also fall within a locally designated Area of Archaeological Significance. The house has a Jacobean style with prominent gabled dormers and tall chimney stacks. Details of the listing and origins of the building together with a full description of its historical development are provided in The Significance Statement which supports the application (further detail is set out in the heritage/listed building section later in this report). A rectangular walled garden and octagonal summerhouse which lie to the west are also recorded in the listing description.

The house was used as an army camp during WWI and then became a private school during the 1930's. It was then purchased by John Dickinson) as a leisure centre for the employees of the local paper mill, becoming known as The Dickinson Guild of Sport, at which time tennis courts and a bowling green were added. It was sold in 1994, sometime after which it became an hotel. Subsequently extended (see planning history), the hotel currently has 70 bedrooms.

Proposal

The proposal is to provide:-

- 30 additional guest bedrooms;
- 8 staff bedrooms;
- a self-contained leisure centre comprising indoor swimming pool, gymnasium with two associated studios, six treatment rooms, associated café/juice bar, separate male and female sauna and changing facilities;
- a conference/function facility comprising one large hall (part of which will function as a breakfast area for hotel guests), associated breakout seating areas, four meeting rooms, kitchen and servicing functions, separate cloakrooms and entrance/reception;
- administration offices;
- a new internal access road taken from the car parking area in front of the existing hotel towards the new building where it divides a) to provide a turning head directly outside the main reception for the extension and b) to pass to the side and rear of the extension to reach the service yard;
- a new 36 space car park (including 8 spaces to disability standards) sited either side of the new service road;
- an extension to the main car park located to the north east of the existing hotel to bring it to a total of 264 spaces. When added to the 36 spaces proposed adjacent to the spa/leisure complex total additional parking provision is 128 spaces to serve the new facilities, giving total parking provision across the site of 300 spaces; and
- a “wedding garden” located immediately outside the new function hall;
- the restoration of the grounds.

Hotel Extension

The amount of development is summarised in the Design and Access Statement and confirm that the proposed building has a foot print (GEA) of 2,782.5 sq m which is considerably less than the previous footprint of 3,946 sq m. However, total floor area remains broadly similar (7,083 sq m proposed compared with 7,101 sq m for the scheme that was withdrawn in November 2015). This is because the current proposal introduces a more extensive basement of 2,087.4 sq m which accommodates the pool and its associated changing and other wet facilities, gymnasium and associated studio rooms, self-contained entrance for the spa/leisure centre and an associated seating area. Additionally a sizeable space (approximately 200 sq m) will provide a dedicated area for all the associated plant and equipment which the building requires to function. The previous scheme only provided a basement under the longest of the projecting wings of just 889 sq m which was illustrated as providing 8 staff bedrooms plus various storage rooms.

The first floor covers a lesser area than the ground floor - 2,213.2 sq m – because the pool element is effectively single storey in terms of its height above adjacent ground level. This is also somewhat smaller than the previous scheme which had a first floor of 2,266 sq m. A total of 30 additional guest bedrooms continue to be provided at first floor level together with three meeting rooms and a seating area sited directly above main reception.

In terms of uses the total gross external floor area of 7,083 sq m is divided up as follows:

Spa/leisure club - 2,241.8 sq m

Function facility - 2,163.9 sq m leaving

Remaining space – 2,677 sq m – in use for guest bedrooms and ancillary space.

Car Park

The existing main car park to the north-east of Shendish Manor would be extended to provide additional parking spaces, bringing it up to a total of 264 spaces. When added to the 36 spaces proposed adjacent to the spa/leisure complex total additional parking provision is 128 spaces to serve the new facilities, giving total parking provision across the site of 300 spaces.

Pre-application

The proposals have been the subject of extensive pre-application discussions with officers from Development Management, Conservation, Strategic Planning and Regeneration, the Highway Authority and the Lead Local Flood Authority (pre-app ref 4/00096/16/PRE). Officers have worked proactively with the applicants, their agent and architect in order to resolve the issues identified during the previous application, with a focus on improving the design of the proposed building, and reducing the impact on both the Green Belt and the setting of the listed building.

Community Involvement

The pre-application phase has included community engagement in the form of community consultation events for both the residents of the Shendish estate and the wider community. There was also a consultation event for members which was also attended by the Mayor and Portfolio Holder. All three events were held at Shendish and feedback from attendees has been taken on board and incorporated into the scheme where practicable. Details are set out in the Statement of Community Involvement submitted in support of the application.

EIA

The proposed development has been subject to a request (4/03068/14/SCE) for a Screening Opinion under Part 2 (5) of the EIA Regs 2011. The Council responded on 17th November 2014 that it considered that the proposal did not comprise EIA development, stating that:

“The Local Planning Authority has taken into account the size and nature of the development, the location of the site and the likely impact, including cumulative, of the proposals on the character and appearance of the landscape, the potential increase in traffic, emissions, the ecology, archaeology and hydrology and potential flooding of the area, the implications for noise and air quality. It is concluded that the proposed development would not have a significant effect on the environment and hence that an EIA would not be required in this instance. To conclude the matter of the EIA screening, the LPA considers that the proposal does not constitute EIA development, nor does the cumulative impact of the development of this area”.

Referral to Committee

The application is referred to the Development Control Committee as it has been called in by the Ward Councillor Alan Anderson.

Planning History

4/02808/15/MFA CONSTRUCTION OF NEW BUILDING TO PROVIDE 30 GUEST BEDROOMS, SPA/LEISURE CLUB AND ADDITIONAL FUNCTION FACILITIES WITH CAR PARKING, LANDSCAPE RESTORATION.
Withdrawn
16/11/2015

4/03068/14/SCE EXTENSION TO HOTEL
Raise no objection
17/11/2014

4/01541/07/FUL NEW PLANT ROOM EXTENSION AT FIRST FLOOR/ROOF LEVEL
ENCLOSURE TO THE MECHANICAL PLANT
Granted
15/08/2008

4/00484/07/FUL NEW LOBBY
Granted
19/06/2007

4/00491/06/TPO FELL TWO TREES
Granted
12/04/2006

4/02674/05/FUL REPOSITIONING OF SINGLE STOREY REAR RESTAURANT
EXTENSION AND ALTERATIONS TO EXISTING BASEMENT
Granted
13/09/2006

4/02681/05/LBC REPOSITIONING OF SINGLE STOREY REAR RESTAURANT AND
ALTERATIONS TO EXISTING BASEMENT
Granted
14/07/2006

4/01239/05/LBC CONVERSION OF HOUSE TO 18-ROOM HOTEL, CONSTRUCTION OF
ORANGERY AND EXTENSION TO PROVIDE ADDITIONAL 52
BEDROOMS TO HOTEL (AMENDED SCHEME)
Granted
05/06/2006

4/01241/05/FUL CONVERSION OF HOUSE TO PROVIDE 18 HOTEL BEDROOMS AND
CONSTRUCTION OF BLOCK OF 52 HOTEL BEDROOMS (AMENDED
SCHEME)
Granted
05/06/2006

4/00819/05/LBC INTERNAL ALTERATIONS TO FORM HOTEL (AMENDED SCHEME)
Granted
18/08/2005

4/00076/05/FUL CONVERSION OF HOUSE TO 18-ROOM HOTEL AND CONSTRUCTION
OF ORANGERY AND 52-ROOM HOTEL BLOCK
Withdrawn
12/04/2005

- 4/00077/05/LBC CONVERSION OF HOUSE TO 18-ROOM HOTEL AND CONSTRUCTION OF ORANGERY
Withdrawn
11/04/2005
- 4/01693/04/FUL CONVERSION OF MANOR HOUSE AND COACH HOUSE TO PROVIDE SIX DWELLINGS AND CONSTRUCTION OF SEVEN FURTHER DWELLINGS
Refused
02/09/2004
- 4/01694/04/LBC CONVERSION OF MANOR HOUSE AND COACH HOUSE TO PROVIDE SIX DWELLINGS
Refused
02/09/2004
- 4/01447/04/RET RETENTION OF TERRACE FOR TEMPORARY PERIOD OF THREE YEARS
Refused
26/07/2004
- 4/00734/04/TPO WORKS TO TREES
Granted
21/05/2004
- 4/02044/03/FUL CONVERSION OF MANOR HOUSE AND COACH HOUSE TO PROVIDE SIX DWELLINGS AND CONSTRUCTION OF SEVEN DWELLINGS
Refused
08/01/2004
- 4/02045/03/LBC CONVERSION OF MANOR HOUSE AND COACH HOUSE TO FORM SIX DWELLINGS
Refused
08/01/2004
- 4/00735/01/LBC ENLARGED BASEMENT, NEW STAIRS, LIFT EXTENSION, NEW DOORS, EXTENSION TO HEALTH CLUB AND NEW PLANT ROOM
Refused
03/12/2001
- 4/02064/00/FUL REVISED PROVISION OF PARKING/GARAGING FOR PLOTS 1-3
Granted
30/01/2001
- 4/02065/00/FUL REVISED PROVISION OF PARKING/GARAGING FOR PLOTS 1-3
Granted

30/01/2001

- 4/01538/00/ CONSTRUCTION OF FREE STANDING MARQUEE
Withdrawn
09/03/2001
- 4/00791/98/4 ERECTION OF TWO MARQUEES AND ANCILLARY PAVING FOR A
PERIOD OF 5 MONTHS
Refused
18/06/1998
- 4/01792/97/LBC EXTENSION AND ALTERATIONS TO EXISTING BUILDING TO FORM A
HOTEL WITH CONFERENCE AND LEISURE FACILITIES.
DEMOLITION OF GARDEN BOUNDARY WALL
Granted
05/08/1998
- 4/01791/97/FUL EXTENSION AND ALTERATION OF EXISTING BUILDING TO FORM
HOTEL WITH CONFERENCE AND LEISURE FACILITIES, ERECTION
OF 8 NO DWELLING HOUSES AND GROUND MAINTENANCE STORE

23/07/1998
- 4/01184/09/PRE PRE APP MEETING ALREADY HELD
Unknown
- 4/00096/16/PRE HOTEL EXTENSION.
Unknown

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS5 - The Green Belt
CS8 - Sustainable Transport
CS9 - Management of Roads

CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS14 - Economic Development
CS23 - Social Infrastructure
CS25 - Landscape Character
CS26 - Green Infrastructure
CS27 - Quality of the Historic Environment
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS33 - Hemel Hempstead Urban Design Principles
CS35 - Infrastructure and Developer Contributions

Saved Policies of the Dacorum Borough Local Plan

Policies 12, 13, 51, 58, 61, 62, 63, 64, 90, 92, 99, 111, 118, 119
Appendix 5

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Accessibility Zones for the Application of car Parking Standards (July 2002)
Landscape Character Assessment (May 2004)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Kings Langley Parish Council

KLPC Submission: No Objection

KLPC Submission Text:

The Council requests that the licence conditions for events ensure that they finish by 12pm.

Comments on Amended Plans

Noted.

Strategic Planning/Enterprise and Investment

This application follows on from the previous withdrawn scheme under 4/02808/15/MFA. However, much of the latter comments remain relevant in determining the application and these are attached below for convenience. Furthermore, we only seek to provide comments on the principle of the development rather than any detailed design matters or heritage considerations. Comments on the latter points should be sought as appropriate from the Design and Conservation team.

We recognise that this is a complicated application. The scheme is clearly inappropriate in terms of Green Belt policy (saved Policy 92 / Policy CS5). Neither does it form part of an identified Major Developed Site in the Green Belt (Policy SA2 in the Site Allocations DPD) which might have locally provided greater scope for development of the site. Therefore, the applicant will have to make a case for very special circumstances (VSC). The applicants have

acknowledged the need for this and submitted a statement of VSC which is considered below. This will need to balance out:

- The impact on the Green Belt and any case for very special circumstances;
- The economic benefits of the extension; and
- The impact on the Listed Building and locally registered gardens.

We note that this proposal is for a larger floorspace (6,838 sqm) compared to the earlier scheme, is of a different design and includes an additional 128 parking spaces.

The statement of VSC makes the following case in support of the extension (which parallel many of the previous arguments made under 4/02808/15/MFA):

- The scheme will support economic development and an existing local business (together with its associated jobs (direct and indirect));
- If the rural economy can only function within the Green Belt, then this will inevitably necessitate development there;
- There are no sequentially preferable locations within or on the edge of town centres that can accommodate additional hotel bedrooms and additional meeting and conference facilities. This will thus necessitate development in the Green Belt;
- Hemel Hempstead lacks quality (4*) destinations of a type that is usually found in a rural/countryside setting.
- There are no formal Plan allocations for hotels.
- The proposal commits to a programme of landscaping and ecological improvements.
- There will ultimately be limited harm to the Green Belt, local landscape and the setting on the listed manor house.

A business case and restoration statements have been submitted which we welcome in terms of supporting the above points. The latter statement will need to be considered by the Design and Conservation team.

We are supportive of the broad principle of the additional floorspace. Indeed the Core Strategy (para. 11.19) makes clear that:

“Whilst there is already a reasonable range of visitor accommodation within the borough, there is scope for this sector to grow. Facilities that support local tourism, the rural economy and those that support existing businesses, through the provision of meeting and conference facilities, will be particularly encouraged...”

Our Enterprise and Investment team have pointed out that the facilities make an important local contribution to tourism in the Borough. They also note that Shendish Manor provides key conference facilities that cannot be matched elsewhere in the Borough. Shendish Manor state that the new facilities are not simply desirable but essential if the hotel is to continue trading profitably.

The applicant has submitted a business case to justify the proposal and have provided up to date financial figures covering the 2015/16 financial year in its support. The Enterprise and Investment teams response to this is that they have provided a very comprehensive business case for the additional rooms, conferencing and spa facilities. From looking at the figures provided it is clear that Shendish Manor is now suffering business loss due to a lack of rooms and thus availability to host larger wedding and conferencing events. In response to this the hotel showed a loss in 2016 and is predicted a larger loss for year ending January 2017.

Shendish Manor now has an annual property rent liability of £1 million, which, without additional revenue generating facilities, will have a negative effect on the hotels profitability. In their

planning statement they have alluded to a continuing loss of business as a result of the lack of facilities.

Destination research carried out for the economic impact of tourism in Dacorum (using the Cambridge Economic Impact Model) indicates that tourism is worth £255million to the area, supporting 3240 FTE jobs in the industry locally. Accommodation in the area represents 29% of the spend of staying tourist and so it is essential that we have a wide range of accommodation available. Additionally at the moment we do not have any current sites in Dacorum which can accommodate large scale conferences. The provision of this will also help support the wider Dacorum business community in providing this new facility. The extension would also create new jobs in the local area (21 permanent, 24 part-time / casual).

From an economic development view they fully support this application as an important addition to the Boroughs tourism portfolio.

We acknowledge that there will be limited available opportunities to satisfy their requirement for additional facilities in central and edge of centre locations and that by default this would direct new development to where it arises (in this case the Green Belt). It is accepted that it is typical to find premier hotels (such as Shendish Manor) in a countryside setting and that this is often in a Green Belt location. Furthermore, the applicant is correct in pointing out that there are no specific hotel-based allocations in the Site Allocations DPD.

We are not able to comment in detail on the degree of harm the proposal will have on the Green Belt. It is reasonable to assume that this scale of development will have a marked impact on the openness of the Green Belt. However, a judgement would need to be made as to whether the package of “benefits” is sufficient to outweigh this harm.

We are mindful of the recent refusal of the redevelopment of the Bobsleigh Hotel in Bovington (1088/13/MFA) which shares some broad similarities with this application given its general scale, their arguments at the time for the business need for the proposal, and location in the Green Belt. At the time, both Strategic Planning and the Enterprise and Investment team were generally supportive of the principle of the scheme, although it was ultimately refused on lack of very special circumstances:

“The proposal is for inappropriate development in the Green Belt. In the Green Belt inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Such 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. Insufficient very special circumstances have been demonstrated in this case. The proposal is therefore contrary to Policy C5 (Green Belt) of Dacorum Core Strategy and Policy 89 of the National Planning Policy Framework which protect Green Belt land from inappropriate development.”

Subsequent to the refusal, the operator (Macdonalds Hotels) closed the hotel in November 2014.

Proper weight must be given to Green Belt policy (as set out in our earlier comments below). However, it is clear from the events surrounding the Bobsleigh Hotel that there is a real threat that businesses can suffer and ultimately cease trading if not supported, where appropriate and justified, through planning policy. Shendish Manor has recently come out of administration, is facing significant rent rises and need to improve their business offer to secure their long-term future. As a general approach, we would not want to see a general diminishing of the quality of the local hotel offer over time.

In conclusion, the proposed development is clearly inappropriate development in the Green Belt. From an economic development perspective the scheme is supported and concern is raised over the future of the hotel if they cannot secure the additional facilities. However, detailed consideration will have to be given as to what weight to give the applicant's business case and the restoration proposals in terms of very special circumstances. The impact of the modern design of the proposed hotel extension on the local character and surroundings and the setting of the adjacent Grade II listed building will also need to be carefully assessed.

Herts Chamber of Commerce

I am writing on behalf of the Hertfordshire Chamber of Commerce, in full support of the planning application submitted by Shendish Manor, to extend its existing meetings venue, bedrooms and provide leisure facilities.

The Hertfordshire Chamber of Commerce has been a huge supporter of tourism in the County for many years, recognising the huge contribution this sector makes to the local economy, providing over 34,000 jobs and 27% of jobs within the top 200 limited companies in Hertfordshire (Grant Thompson 2015).

However, in the last couple of years nearby hotels in Bovingdon and Harpenden have been closed and converted into housing, losing valuable employment and meeting space impacting business and social tourism.

The current Dacorum Borough Council Economic Plan 2013-2016, aims to grow economic activity, supported by the new Enterprise Zone and growth of employment land across the Borough and especially around Maylands.

This hotel expansion is one of the most exciting applications I have seen for some time, due to the current lack of meeting provision across Hertfordshire for facilities above 400 capacity, and where current provision may not have leisure, or insufficient bed stock a key factor in event decision making.

From reading Shendish Manor's supporting business plan, this appears to be a well-rounded comprehensive expansion scheme, attracting £18m private sector investment at a time of huge uncertainty and unpredictability, creating additional vocational jobs for over 40 people, including apprenticeships, and protecting the existing 125 jobs, whilst creating additional value in the local supply chain.

The hotel is currently a well-run, profitable venture, and as cited in its business plan will face increasing pressure to grow turnover each year to support the increasing overheads across business rates, living wage, apprenticeship levy, and inflationary pressures.

It is the belief of the Chamber that not only will this hotel benefit from local tourism spend, but county wide and national opportunities, creating additional value and generating wealth for the local economy and key stakeholders.

Building Control

No objections.

Contaminated Land Officer

The site is located within the vicinity of a potentially contaminative former land use; an infilled pond (unknown filled ground) is present on the hotel site. 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. For advice on how to

comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

Public Rights of Way Officer

This site is crossed by Kings Langley public footpaths 17 & 19. The vehicular access to Shendish Manor crosses public footpath 17.

The inevitable increase of traffic and visitors will further impact on the enjoyment derived by the public from using the paths over this land. The paths are already sandwiched between Shendish Manor, residential properties, the golf course, vehicular tracks and associated activities.

Given the gradual degradation of public enjoyment using the footpaths that cross the estate it is reasonable to look at offsetting this against some form of gains. Perhaps an additional route linking with other public highways or funding to be used to improve the rights of way in the parish of Kings Langley could be considered?

Trees and Woodlands

I've been out on site twice, once to recheck some info, and in general I've no major objection to raise against proposed works.

I have attached the three sections of the Tree Removals Plan with additional highlighting by me. All green highlighting is proposed tree removals with no objection / issue. The pink highlighting indicates trees to discuss and I've attached some photos to assist (one with this email, two with the next). I'll go through the Tree Removals Plans A - C in order.

Plan A - no issues. The majority of removals are for trees of lower amenity value or lower BS5837 categorisation. These trees are tucked within the site and not significant within external views.

Plan B - it is a shame to lose T116, a lovely Holm Oak, but it is understood why this decision has been taken; a big tree with decay fungi right next to the main building. However, it is worth noting that this tree has been observed by this department in this condition for many years and it is not declining at any great speed. I'd disagree with its 'U' rating without any further evidence of the extent of decay; 'U' is harsh and doesn't recognise its amenity value.

T3 is a Sycamore adjacent to two others (T1, T2) which are due to be removed. The retention of T3 is proposed but it is probably better removed. The tree has noted cavities in its stem and will lose shelter from its companions in strong winds. Removal will also assist the construction process.

Plan C - a couple of tree groupings to consider. The T114 / G12 group (cherry, birch, oak, ash, holly, pine) is of poor quality and could be removed if required. The adjacent T112 and T113 (lime and sweet chestnut) are of moderate quality but poorly located in relation to proposed development. It is likely that root damage would occur to them during construction, leading to a further lessening of their quality. Removal would be a better long term solution with replanting in mitigation.

The proposed removal of T97, T98, T100 and T102 needs consideration. The removal of T98 and T100 is not opposed, both trees being of poor quality. However, T97 (cedar) and T102 (scots pine) are high value trees. I would rate these trees as category 'B' and definitely worth retaining.

The prominence of the cedar, already an impressive tree in the landscape, would be heightened

by the removal of its neighbours (T98, T100) so this could be considered a 'feature tree' or focal point for proposed landscaping. It is highly visible on the approach to the site from the main drive and from the main building looking out across the grounds.

The scots pine (T102) is also impressive and retention should be sought. However, due to its position in relation to surrounding trees, it will never have the impact on the site that the nearby cedar has.

The retention of both of these trees would affect the number of car parking spaces available for use. If retention of both is not acceptable I would favour the removal of the scots pine, to allow the cedar to develop into a more grand specimen. The effect on parking numbers could be mitigated slightly by a redesign of that end of the car park. I have roughly drawn a couple of potential solutions (attached) that allow for the protection of the cedar's root plate area.

As the application progresses, I'd obviously want to see the relevant BS5837 documents showing ground protection measures, method statements, etc.

It would be necessary to mitigate the significant number of tree removals with new planting. Details of species, locations, planting sizes and specifications and maintenance regimes should be submitted.

Conservation and Design

I have analysed the Heritage assessment which has carefully examined the issues and is of sufficient detail. I would recommend that it be reviewed in light of my comments although different heritage professionals may reach differing opinions. Whilst we may differ on the scale of the impact proposal in particular on the significance of the parkland it would be strongly recommended that the impact on the summerhouse element be revised given the difference in opinion as clearly there is an issue if we state that there is an impact on its significance and the agent states there isn't. This may not have been so apparent prior to the revised landscape restoration proposals

The key issues of the report is the impact assessment of harm P31 onwards
Agent states Medium adverse impact on the setting due to new building- we would agree
Negligible impact due to car park- we would agree

Impact on walled garden - no impact we would recommend that the impact would be negligible to low level given that it is read as part of the wider ground and as such its setting within the parkland is important.

Impact on summerhouse - no impact- disagree. This is clearly not the case. On examination of the Landscape visual appraisal appendix one can see from the photomontage viewpoints point 2 that the building is clearly visible at both year 1 and year 15. The summerhouse is located at viewpoint 3. However there would still be views of the proposed building from the viewpoint which would be enhanced from the present condition given that the new restoration of the landscape document would appear to show the shrubs in front of the summerhouse being removed opening up the view. Whilst we would agree that the relationship with the house is important for the summerhouse it is also designed to view across the Kemp landscape. Although this view has been degraded to an extent due to the lack of maintenance there will be an impact as one will be able to read both the manor and the proposed spa within the view. Therefore the impact should in our view be considered medium adverse.

Beneficial works

We would agree with the benefits that are stated (subject to further info in the restoration proposals). We would however recommend that the significance of the setting of the summerhouse be reassessed as we believe that it would also be enhanced due to the restoration

of the landscape and the re-creation of the historic views, quality of new design etc.

Curtilage buildings and Apsley Manor farm no impact agree

Non-Designated landscape.

Disagree with statement that it will have a minor adverse impact. We would recommend that the proposal would have a medium to high adverse impact. Developing an open unchanged area of the Kemp designed landscape will impact on its character and in effect separate the space to the east and west of the house. However we would agree (subject to confirmation of the extent of restoration) that there would be a medium benefit to the garden.

This would need to be balanced against the fact that the landscape is a non-designated asset and the wider benefits of the scheme.

Summary

We believe that this needs to go into further depth. No mention is made of the other reports business case, landscape, proposed design etc. Whilst we would not expect the heritage expert to undertake the actual balancing exercise (this is for the planning agent) it would be useful to frame the discussion. We know the policies and the tests of the Framework but further discussion is needed e.g. the Barnwell judgement made clear that the finding of harm (which the heritage expert has found) to the setting of a LB gives a strong presumption against planning permission being granted. This can be outweighed by other benefits but is a material consideration and we have to give this great weight. The summary should link in the other documents and bring forward the heritage and other advantages of the scheme in a clear and concise manner.

Further comments

Comment

We have now reviewed the revised proposals and additional documents proposed for works on email dated 20/4/2016. This includes the revised landscape restoration proposals by Open Spaces dated April 2017 and the updated heritage assessment by Bidwells also dated April 2017 following on site meeting and further discussion/ advice. In light of the updated information noted we now consider that sufficient information has been provided for the local authority to make a recommendation on the application.

The current manor of Shendish which was erected on the site of an historic manor was built in 1854 with related support buildings. It was built for Charles Longman in a Jacobean style and designed by John Griffith. In addition in the first phase other structures relevant to the application such as the walled garden, coach house and the summer house were constructed. Of particular interest is that the grounds were set out by Edward Kemp a noted horticulturalist of the period. In 1871 the house was extended by Arthur Longman and design alterations to the gardens were undertaken. It was taken over by the Dickinson paper company in the 1930s and was eventually sold for a hotel in 1994.

The house walled garden and summer house were listed in 1986 and as such would be considered designated heritage assets. The coach house, wall to facade and gate piers would be considered to be curtilage listed. Adjacent to the site is the grade II listed Apsley Manor Farm. The gardens would be considered to be non designated heritage assets.

We would agree with the impacts identified in the heritage assessment namely that the fabric of the heritage assets will not be affected. Therefore the proposals would impact on the setting of the designated heritage assets and the test in the framework for less than substantial harm to designated heritage assets should be used. It should be noted that Section 66(1) of the act states that when considering an application which would impact on the setting of a listed building the local authority "shall have special regard to the desirability of preserving the

building or its setting" and that if there is harm to a designated heritage asset in the form of a listed building great weight should be given to the preservation of the asset. This impact should be assessed under the relevant paragraph 134 of the Framework and the "less than substantial harm should be weighed against the public benefits of the proposal".

Each heritage asset will now be assessed in terms of harm and benefits.

Shendish Manor Harm - the consultant identifies the harm to the manor to be medium adverse. In effect from their table on page 10 of the document they believe that the "understanding and appreciation of the asset is compromised."

We believe that there would be an impact on the significance of the heritage asset. Currently as noted in the report the area to the south of the manor is open parkland surrounded by planting. This gives the manor a prominence within the open landscape and reflects its role as the key building and historic core of the estate. The isolated situation on a raised area of ground emphasised this status. However this prominence has been impacted through the conversion and extension of hotel facilities and the construction of additional housing to the rear. Whilst this has been sensitively undertaken to preserve the character of the building and its setting the situation and prominence of the manor is not as it was. Despite this a sense of spaciousness remains particularly to the south of the manor. The proposals would reduce the sense of space and openness that remains around the manor and therefore would fail to preserve its setting and dilute its significance. As such we would agree with the conclusion of the consultant that the harm is at a medium adverse level.

In relation to the additional parking proposed to the north east of the manor we would also agree with the consultant. Given the distance from the main house, the character of the area, the existing parking and the retention of the mature vegetation we consider that the proposal would have a negligible impact on the significance of the manor.

Shendish Manor Benefits

The enhancement of the parkland would be a medium beneficial enhancement to the Manor building. At present the wider parkland is in a poor condition due to a lack of maintenance and cohesive long term plan since the mid 20th century. As such it has lost much of its grandeur and the setting of the house and its approach has been degraded. The approach would be enhanced by the restoration of the gate posts and making a feature of the tunnel at the entrance into the parkland. A sense of arrival would be created and the interpretation would also aid the understanding of the site within the wider parkland. This would be beneficial. Beyond this the reinstatement of the wall to the terrace is most welcome. It would re-create the sense of enclosure and reflect the hierarchy of space within the complex. It would allow the extended façade and current principle entrance to be read and understood as originally intended. As such it would be beneficial to the setting of the Manor. The clearing of the areas to the rear to re-create the shrubbery as small clumps of trees, the recreation of the walks, clearing of the rock garden and opening up views of the pond would be most beneficial. This would allow the manor to regain some of its significance as the parkland setting would be enhanced. It would also reinstate views and vistas which are currently lost and this would add to the understanding and appreciation of the manor. Therefore we believe that there would be a medium benefit to its significance.

Walled Garden

The proposed impact on the walled garden would be as stated in the report minor adverse due to the enclosure of the wider landscape and that it as with the manor would become less isolated. However the impact is reduced due to its inward looking character and that the adjacent development has already somewhat changed this character.

Walled Garden Benefits

As with the harm the benefits would be very low in that there would be some enhancement of

the wider parkland setting and the walled garden would provide a back drop to views from the circular walk as originally intended.

Summerhouse

The summerhouse is different from the walled garden in that it was designed to allow the occupier sit under cover and enjoy views across the open landscape. At present this view is uninterrupted by modern buildings and therefore an understanding of the original concept can be appreciated. The development within its setting will impact upon its significance. Therefore we believe that there will be a medium adverse impact upon the setting of the summerhouse.

Summer House Benefits

The restoration of the parkland would enhance the significance of the Summer house. At present it is isolated and due to a lack of maintenance and plant growth over time views are limited mainly in direction of the house and the proposed new building. With the opening up of the shrubberies and re-creation of the adjacent formal paved areas of the walk the summerhouse would regain much of its original prominence and significance within the landscape. The views re-created would benefit the building and it would appear as originally intended as part of a wider walk rather than a terminus whose context in the parkland was difficult to understand. Views both from and to the building would enhance its significance and therefore the level of benefit would therefore be of a moderate level.

Coach House (curtilage listed)

Due to its location within the site the erection of the proposed new building would not impact on the character of the listed building. As with the other noted structures the sense of enclosure within the wider landscape would be increase which would be detrimental to its significance. The extension of the car park would have a relatively minimal impact on the setting of the coach house. The proposed building would not be visible from the coach house and therefore the harm to its significance would therefore be at a low level.

Coach House Benefits

As with the walled garden any benefits would be of a low level however the enhancement of the parkland and the entrance area would be positive to the setting of the coach house.

Wall in front of manor

The proposals would impact on the setting of the wall in that instead of providing an enclosed terminus to the drive the road beyond would be metalled. As such its character would be impacted but this impact would be of a negligible level.

Wall in front of Manor Benefits

The reinstatement to the original design of the large missing sections of wall would be a substantial enhancement to this feature. It could be fully read and understood and provide the sense of enclosure to the forecourt as originally designed by Arthur Longman. Instead of the existing surviving isolated elements which are difficult to understand at present. Coupled with the planted beds in front of the wall to the slope we believe that the proposals would be a substantial enhancement to the significance of this curtilage listed feature.

Gate Posts

The proposals would have a negligible impact on the setting and the significance of the gate posts.

Gate Post Benefits

The restoration of the gate posts would be a considerable improvement to this feature. It would reinstate their importance and help define the hierarchy of space within the estate by highlighting the entrance onto the parkland. This would be added to by the re-creation of a feature on the site of the tunnel and additional interpretation. Overall this would provide a substantial enhancement to the significance of this curtilage listed feature.

Apsley Manor Farmhouse

There would not be any impact on the significance of the farmhouse or its curtilage listed buildings.

Landscape and Gardens - Non designated heritage asset.

The designed landscape of Shendish will be the heritage asset most affected by the proposals. Research conducted to inform these proposals has highlighted the historic importance of the designed landscape and that it influenced the design of many other estates throughout Britain and elsewhere. To the east immediately in front of the house and at the arrival point the pleasure grounds are in a good condition. There is a mixture of trees and lawns which reflect Kemp's original design. This flows up to a line of trees which define the surviving elements of the ha-ha. To the south the home pasture was an area of lesser landscape in general an open space with some areas of individual planting. To the west the shrubberies were a development from the original Kemp design by Longman. These are now overgrown and features such as the summerhouse cannot be appreciated as originally intended. In particular the area beyond known as the Dell has been overgrown and used as a dump. This important original feature was added to by the installation of a rock garden. The paths through this area have been lost through being overgrown and degraded.

The principle impact will be the construction of the new building. The sensitivity of the garden area is noted in page 28 of the Bidwells report and we see no reason to disagree with the sensitivity index highlighted. The construction of the hotel will have a medium/ high adverse impact as noted in the report will result in the loss of the assets quality and integrity. The proposed hotel, in effect, separates the two areas of garden and re-focuses the estate. The prominence and isolation of the house would be harmed and the design of Kemp/ Longman would be compromised. This harm would be added to by the construction of roads and extended parking areas. Overall we therefore believe that the harm to this non designated heritage asset would be high on the scale of harm.

Benefits to gardens

The restoration scheme for the gardens would have a moderate positive impact on both individual features within the garden and more importantly as a wider concept and set piece as a whole. Substantial areas of the garden will be restored added to and enhanced with the scheme allowing a better understanding both of this asset and the wider site.

Restoration

The sensitive reinstatement of the circuit path would be welcomed and add to the significance of the garden. It would provide access through the space in the manner of a formal walk and allow the garden and views across it to be appreciated as originally intended. The sensitive reinstatement of the circuit walk would also be welcomed. It would allow the gardens to be explored and appreciated as originally intended with views and enclosure within the space reinstated. This will add to the significance not only of the garden but of the assets appreciated from the garden (Shendish manor and the Summer House). This is augmented by the landscaping of the shrubberies reducing the planting in scale to allow the openness of the lawns and views to be better appreciated. They would also allow a return to the original concept of clumps of trees/ planting providing breaks and features of interest to be explored rather than the wall of vegetation currently in position.

Access to the Dell garden, removal of inappropriate planting/ overgrowth and dumped material would be a substantial benefit. It would allow the garden to be understood and appreciated and add to the character of the parkland. It would restore the original vision by Kemp and also the restoration of the rock garden would allow the later alterations to be understood and appreciated. The story of how this area evolved over time would be a most welcome development. We also understand that there are important varieties of bulbs in this area which

can no longer be viewed. It would be important that should the bulbs survive they are protected as part of any restoration works and which needs to be conditioned.

Additions

The proposed alterations to the entrance would be most welcome. It would provide a threshold and sense of arrival when reaching the summit of the hill and the final drive within the parkland onto the forecourt of the estate. It would re-establish the dominance and marker points both of the tunnel and the gate posts. While the tunnel is not to be recreated the sense of arrival Kemp wished to achieve after ascending up the hollow from the bridge over the railway would be provided.

The proposed new garden would benefit the existing landscape by adding a high quality formal garden to the landscape. It follows Kemps design principles and would help to provide a focus for the new building. This would allow the transition between the structure and the wider landscape to be formalised whilst retaining the design concept of the original garden. As such we believe that it would provide a positive impact upon the landscape of the area.

The Shrubberies, Dell garden, proposed new garden, summerhouse views, entrance and the forecourt would be enhanced through restoration of period features, landscaping and introduction of new features. On weighing up these benefits to the landscape we believe that they would have a moderate positive impact on this non designated heritage asset and allow it to be better interpreted, appreciated and understood.

In relation to the framework states that the effect of a proposal on the significance of a non designated heritage asset should be taken into account and a balanced judgement is required having regards to the scale of any harm or loss and the significance of the asset. It would be noted that using the table of values on the significance of the heritage asset as it is locally listed it would be considered low level. Overall the harm would slightly outweigh the benefits but this needs to be weighed with the asset being non designated and therefore of lesser importance.

Other Matters

Viability

We note on page 35 of the Bidwells report that it is stated that the viability of the hotel is an important aspect of the scheme and that the on-going use of the hotel and its future development is needed to retain and maintain the heritage assets on the site. The on-going use is important for the site and its maintenance however from a review of the business case it would appear that the hotel is viable at present and therefore the proposal would expand upon the site and further develop the hotel. This would potentially free up further opportunities for additional restoration of the manor and the landscape. Overall we would give this element of the proposal lesser weight when considered in the balance given that the hotel appears to be viable at present.

Proposed design of new building

The location for the proposed building was carefully chosen to reduce its impact upon the landscape. It is set into the ground between areas of mature planting to minimise the impact on the immediate and wider landscape. It is in effect a long low building but with a strong vertical emphasis of timber sculptural elements set in front of the glazed curtain wall which is a mixture of clear and frosted glass. A central cast element of concrete has been designed to appear as riven stone and create an entrance feature which compliments the structure. We believe that this is a bold contemporary design which takes aesthetic risks and results in a scheme of boldness with the "sinuous shaped and spaced timber brise soleil" P 19 LVA providing the visual interest and verticality. These organic forms set in front of the translucent screen should hopefully create interesting patterns of light and shadow reflecting the woodland and clumps of designed trees in the nearby shrubberies. To the rear and internal courtyards a simple form has been chosen to sit subserviently in the background when contemplating the structure as a

whole as are the roofs which do not add to the visual impact of the composition. Overall we believe that it would result in an elegant artistic structure which would create a sense of place and sophisticated artistry to provide an impressive counterpoint to the Jacobean grandeur of the existing manor house. It would be highlighted that the key to this vision achieving the predicted results would be that the high quality of materials and detailing initially proposed are used during the construction and therefore there will be a need to place a number of conditions for materials, detailing and finish on any approved plan.

Summary

The site forms part of the setting of Shendish manor, its associated service buildings and makes a contribution to its significance. There would be harm as noted above to varying degrees to the designated assets ranging from medium adverse harm to the manor and summerhouse, low level to the walled garden and coach house and negligible to the forecourt wall and gate posts. Against this there would be moderate enhancement to the significance of the Manor and summerhouse, substantial enhancement to the forecourt wall and gate posts and low level benefit to the walled garden and coach house. These benefits and harms need to be weighed against the public benefits of the proposal under terms of paragraph 134 of the framework whilst giving great weight to the preservation of the setting of the listed building.

A high level of harm will occur to the non designated asset of the landscape however this would need to be balanced against the moderate level of enhancements provided by the scheme. This impact would need to be weighed against the public benefits under terms of paragraph 135 of the Framework.

Recommendation

We believe that the proposed building is of a high quality design and would enhance the architectural canon of dacorum. The proposals would cause harm to the designated and non designated heritage assets although attempts to mitigate this have been arrived at through enhancement of listed features and to the landscape and setting of the heritage assets. Overall the harm and benefits to the designated assets would appear to balance each other out. However more harm than benefits would be caused to the non-designated asset. The balancing exercise outlined in the framework and recommendation is outside the scope of my comments.

Historic England

Thank you for your letter of 16 November 2016 notifying Historic England of the application for listed building consent/planning permission relating to the above site. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions, details of which are enclosed.

HCC Historic Environment Advisor

Thank you for consulting this office on the above application. My apologies for the delay in responding.

As previously advised, with regard to the Planning Authority's Scoping Consultation on a proposed hotel extension, and to previous planning application ref. 4/02808/15/FUL, the archaeological geophysical survey and trial trench evaluation of the proposed site carried out in 2015 identified a number of heritage assets relating to the post-medieval farmstead at Shendish Manor. This was known from historic mapping, and was demolished in the mid-19th century. It is also possible that small 'islands' of earlier (medieval) archaeology survive, relating to the medieval manor which was demolished to make way for the current house.

I believe that the position and details of the proposed development are such, that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

1. the archaeological monitoring of all groundworks, including any ground reduction, new foundation trenches and service runs, access and landscaping, etc.
2. the archaeological investigation of any remains encountered during this process, and a
3. the analysis of the results of the archaeological work with provisions for the subsequent
4. such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 141, etc. of the National Planning Policy Framework, and relevant guidance contained in the National Planning Practice Guidance, and the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

i) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

If planning consent is granted, then this office will be able to provide further advice concerning the requirements for the investigations, and to provide information on archaeological contractors who may be able to carry out the work.

I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.

Further comments following addition information

The amendments made to the above application have not changed anything vis-à-vis the impact on any potential archaeological remains. My advice, therefore, remains the same as that given by my colleague Alison on 8/12/2016.

Further comments following submission of additional garden restoration work information

Thank you for your consultation concerning the amended and/or additional plans/information submitted for the above proposal. My apologies for the delay in responding.

I note these now include detailed Design & Restoration Proposals for the Gardens, as well as the updated Heritage Statement.

The restoration proposals include the creation of a new garden alongside the new hotel building, and extensive works to restore and/or manage the existing gardens.

The creation of the new garden will involve ground disturbance and therefore have an impact on any archaeological remains present. It is also possible that some of the restoration works may also impact on below ground archaeological remains.

I therefore consider that in addition to the archaeological monitoring of the groundworks of the new hotel building (as per our advice dated 8th December 2016), provision should be made for archaeological monitoring of the groundworks for the new garden, and of the garden restoration works (as appropriate), via the placement of suitably worded archaeological conditions on any planning consent.

I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

1. the archaeological monitoring of all groundworks, including any ground reduction, new foundation trenches and service runs, the creation of the new garden, other landscaping and garden restoration works, and access, etc.
2. the archaeological investigation of any remains encountered during this process, and a contingency for the preservation of any remains in situ, if warranted
3. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and if appropriate, a publication of these results
4. such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 141, etc. of the National Planning Policy Framework, and relevant guidance contained in the National Planning Practice Guidance, and the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the

works set out within the Written Scheme of Investigation.
Condition B

i) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

If planning consent is granted, then this office will be able to provide further advice concerning the requirements for the investigations, and to provide information on archaeological contractors who may be able to carry out the work.

I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.

Hertfordshire Gardens Trust

Hertfordshire Gardens Trust is familiar with this Locally Important historic garden and its history. We were involved with discussions for the previous proposal for a new building within the grounds and in the redesign of the walled garden.

The grounds were laid out by one of the most important mid nineteenth-century garden designers, Edward Kemp, a man who had trained with Joseph Paxton at Chatsworth and who was for several years superintendent of Birkenhead Park. What gives them a particular importance is that they are described in some detail in his popular book *How to Lay Out a Garden*, published in 1864. Kemp discusses Shendish in some detail in his book, providing two separate plans and a drawing of the tunnel which carried a diverted public footpath beneath the main drive. Kemp describes how the area in the immediate vicinity of the house included formal bedding cut into lawns, a flower border, and gravel paths: there was an octagonal summer house and a walled kitchen garden, both of which still survive. Beyond was a pleasure ground and an inner area of parkland the Home Pasture with a wider area of parkland beyond, the whole covering some sixty hectares. The pleasure grounds were largely laid to lawn and planted with Scotch Firs, Austrian pines, Spruce firs, and deciduous trees ranging from five to twenty five feet in height, which Mr Longman has been most successful in transplanting from a property in the same district.

The proposed building will severely damage the setting of the manor house by destroying the bucolic views over the Home Pasture. To offset this to some degree the Shendish Manor: Design and Restoration Proposals for the Grounds (Williamson 2015) included with this application should be implemented.

Two elements of these proposals have not been addressed accurately in the documentation regarding landscaping:

1. The planting should reflect the Longman/Kemp aesthetic with period-appropriate species: laurel, Portugal laurel, box and yew. This has not been proposed in the plans submitted
2. The wedding garden design should follow the plans and ideas shown in the Williamson report to reflect the period-appropriate gardens of the original manor. The design by Open Spaces submitted with the plans is not suitable

The screening of the car parks, both the car park by the new building and the extended car park in front of the golf club building is insufficient and should be augmented with period-appropriate species to prevent visual intrusion from parked cars across the historic landscape.

The NPPF Chapter 12 requires the sustaining and enhancing of the significance of heritage assets, and it is a criteria of sustainable development. The siting of this building will harm the setting and significance of the historic mansion and the historic garden itself. If planning permission is granted, this should be offset by implementation of the proposals in the Williamson report, for the wedding garden, the planting across the landscape, forestry work, dell garden,, shrubberies and circuit paths.

Comments on additional garden restoration plans

HGT has studied the additional/amended documents and welcomes the emphasis on restoring where possible and consolidating elsewhere. We would add that where restoration is not carried out, as in some paths, the future restoration of these features should not be endangered by obliteration or new features. We repeat our comments on the nature of the planting in the new comments, submitted on 9/12/16. but welcome the historically appropriate planting round the car parks.

It should be noted that there is a quantity of bulbs, including old varieties of daffodils, planted in the Dell Garden and no work should be done until these have been mapped and identified.

We would suggest that any signage at the former tunnel should explain why a tunnel was thought necessary - as detailed by Kemp.

Although we welcome the promise of ongoing maintenance, on a site of this significance we would expect to see a Conservation Management Plan which is now standard practice for heritage landscapes. We suggest that this is a condition of any approval given.

HCC Minerals and Waste Team

I am writing in response to the above planning application insofar as it raises issues in connection with waste and mineral matters. Should the district council be mindful of permitting this application, a number of detailed matters should be given careful consideration.

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage Districts and Boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its National Planning Policy for Waste (October 2014) which sets out the following:

When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;

- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the borough council is urged to pay due regard to these policies and ensure their objectives are met.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste to be removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development and provide comment to the borough council. Completed SWMPs should be passed onto the Waste Planning Authority to collate the data after the development.

Environment Agency

Thank you for consulting us on this application. We have no objection to the proposal but have the following advice for the applicant regarding the foul drainage.

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to

ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Lead Local Flood Authority

Thank you for consulting us on the above planning application for the construction a free standing building to provide 30 guest bedrooms, 8 staff bedrooms, spa, leisure club and additional function facilities with car parking, together with landscaping, restoration for the historic grounds.

Following a review of the Flood Risk Assessment carried out by EAS reference 769 Rev Final 2 dated July 2016, we can confirm that we Hertfordshire County Council as the Lead Local Flood Authority, we have no objection on flood risk grounds.

The proposed drainage strategy is based upon infiltration and infiltration test results have been provided within the FRA. We note surface water calculations have been updated and ensure that the drainage strategy caters for all rainfall events upto and including 1 in 100 plus 40% for climate change.

As this is a full planning application, we therefore recommend the following conditions to the local planning authority should planning permission be granted:

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the flood risk assessment (FRA) prepared by EAS job number 769 rev 2, dated September 2016, and mitigation measures detailed within the FRA:

1. Implementing appropriate SuDS measures giving priority to above ground measures such permeable pavements and soakaways as stated in the FRA.
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Provision of a Vortex First Defence unit at the inlet of the pipe connecting permeable pavement and soakaway.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

1. To prevent flooding by ensuring the satisfactory disposal/storage of surface water from the site.
2. To ensure that the site will be effectively drained during the lifetime of the development.

Condition 2

No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The design of the drainage scheme shall also include:

1. Detailed engineering details of the design of the proposed SuDS features in line with The SuDS Manual.
2. Details of a maintenance programme for the drainage scheme.

Reason

To ensure that the site can effectively be drained during the lifetime of the development; and to ensure that water treatment is provided to surface runoff before infiltrating into the ground.

Informative to the LPA

For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage

<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/>

Highway Authority

Decision

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 does not wish to restrict the grant of permission subject to the following conditions:

Decision

Hertfordshire County Council (HCC) as highway authority has no objection to the proposed hybrid full and outline application, subject to conditions.

Conditions

Condition 1: - Prior to the first occupation of the development hereby permitted (or prior to the commencement of the use hereby permitted) sufficient space shall be provided within the parking layout for a standard size family car to park, and manoeuvre. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and retained thereafter available for that specific use.

Reason: In the interests of satisfactory development and safety.

Condition 2: - No works shall commence on site until a scheme for the parking of cycles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers

of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

Condition 3: - At least two months prior to occupation, the occupier of the development shall submit a Travel Plan in accordance with Hertfordshire's Travel Plan Guidance to be reviewed and approved by the Local Planning Authority in conjunction with the Highway Authority. Implementation of the plan shall follow a timescale to be agreed by the Local Planning Authority and Highway Authority.

Reason: To promote sustainable transport measures to the development.

Condition 4:- Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

Condition 5: - No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of satisfactory development and safety

Condition 6: - Prior to the commencement of the use hereby permitted, a Servicing and Delivery Plan shall be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority. The Servicing and Delivery plan shall incorporate the servicing arrangements for the use and adequate provision for the storage of delivery vehicles within the site.

Reason: In the interests of satisfactory development and safety

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at

<http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Swimming Pools - Where the proposal includes a swimming pool Thames Water requests that the following conditions are adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: - 1.The pool to be emptied overnight and in dry periods. 2.The discharge rate is controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

A Trade Effluent Consent will be required for this site.

Affinity Water

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

You should be aware that the site is located within the groundwater Source Protection Zone (SPZ) corresponding to Marlowes Pumping Station. This is a public water supply comprising a number of chalk boreholes operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Comments received from local residents:

9 The Courtyard - Mr Cannon

Should the planned construction works proceed - the increased volume of traffic using the narrow access road leading to and from Shendish Manor, will present further hazards. Of particular concern is the blind bend immediately upon turning off the London Road and continuing up to the railway bridge. A serious collision has already occurred on the aforementioned bend.

A serious accident on or close to the bridge could potentially spill onto the busy railway below. No crash barriers are in place to protect the inner walls of the bridge nor is there any lighting, road markings, road signs or pavement anywhere on the access road. The lack of pavement and lighting makes the road especially dangerous to pedestrians after sunset.

At peak times the traffic system proposed for the bridge would cause horrendous tailbacks with vehicles backing up on both sides of the bridge. The use of traffic marshals is simply unsustainable as they would not be in place throughout a busy event. The resulting tailback would undoubtedly reach all the way to the London Road making the blind bend (mentioned previously) even more dangerous than it already is.

Perhaps most disconcerting of all is the access road being private and as such Dacorum Council have no jurisdiction over health and safety matters post works.

Lastly, the car park proposed would in no way cope with the additional volume of cars.

11 The Courtyard - Mr and Mrs Hir

The approach road is already very busy and there have been a number of near misses with cars. Also pedestrians walk on the access road (this creates a serious hazard). Whilst the hotel have stated they will create a "wider" road, this will be limited due to the trees which have existing orders on them. The approach from London Road to the bridge cannot be widened due to existing properties, thereby creating further hazard on that part. There are blind spots as you enter from London Road with bends that are very dangerous with cars and pedestrians walking both day and night. The bridge on the road cannot be widened and any traffic light system will create hassle for existing residents. Finally, as residents, we should not have to endure further extra traffic to cater for the new build. This extra traffic on a limited access road is both unfair to residents and may affect property prices. More importantly, our standard of living will be affected by more visitor traffic and noise/pollution.

Parking: The hotel is already failing to provide adequate parking for existing golfers/visitors/functions. There is a regular overflow onto the lawns at the front of the hotel. The new application offers very limited parking. Mr Hung seems to think many visitors come in cars full of four to five people. This cannot be true, as most families tend to travel in their own vehicles. Simply put, the application fails to cater for parking which is already stretched.

Environment: Many walkers have used the grounds for walks, both alone and with their dogs for over a decade. This land is also home to many different wildlife species. The noise and pollution will affect the local surroundings and animals. Noise also travels easily across the land and we have already had noise issues with the existing building.

History: The hotel comes with a lot of history including the gardens to the front. Any new building will affect the beauty of the local area and also the historic land.

Sunningdale, The Courtyard - Mr Beshaw

In principle, I have no objection to the proposed development of further bedrooms and function rooms. I would, however, ask the Council to look very carefully at the potential of disturbance to the quiet enjoyment of our homes which were built before the Apsley Suite. We have had a number of issues with noise from functions in the Apsley Suite and Gardens. This is well documented within the licensing and environmental health departments. Whilst this has been improved by the installation of a sound limiter, this only works with DJ's but not with bands which cause a disturbance through noise and bass beat when they play which is quite often.

Looking at the design, I note that the function rooms and garden areas are closest to the houses and would ask that the design is reversed to locate the leisure facilities at the end

nearest our houses and the function rooms and gardens at the end furthest from our houses. This will reduce the risk of disturbance to our residential amenity.

I would ask that the noisier events are moved to the new function Suite and the existing Apsley Suite is restricted to conference use and DJ events only excluding live bands. If this cannot be achieved then I would request that a condition is imposed requiring further acoustic treatment to the Apsley Suite.

In addition our weekends are often disturbed during the day by wedding ceremonies in the garden adjacent to our house. This affects the quiet enjoyment, that we expect to be able to enjoy, with amplified services and music. This would be better suited to a new location where it is more distant to residential properties.

The access road to the manor was due to have been brought up to an adoptable standard when the houses in The Courtyard were agreed. This was never completed under the ownership of Mr Thornbury and as a result the condition of the road has deteriorated to a poor standard which is not the quality image that The Manor strives to achieve. The amount of construction traffic will make this worse and I would request a condition requiring the road be brought up to standard after the completion of the works.

I have some concerns as to the ability of the road and car parking to cope with the numbers of visitors if all the function capabilities are used at once and would ask that you consider a limit on the number of functions that can be held at one time.

Generally please review the hours of operation of events and licensing. In the Apsley Suite events finish at midnight by agreement with the Manor and I would ask that in the case of events with music that this is formalised.

Considerations

Proposal Background - The Need for Expansion

The current owners of Shendish Manor have long expressed a need for new facilities at the hotel to ensure long term viability of the business. They have been in discussions with the Council's Economic Development Team for the last few years, proactively building their case and refining their proposals as they moved towards pre-application discussions, and later, the submission of an application.

The case for expansion is set out in the Business Case Report by Petersham Group Limited (specialist leisure and hospitality consultants), which has been submitted in support of the planning application. A summary is set out below, in order to give Members a brief background to the need for expansion at Shendish Manor:

Background and business description

Shendish Manor has achieved much since it was bought out of Administration in 2009 and it is now an established and respected hotel and golf complex with a particularly strong reputation as a conference and wedding venue. Its trading success has developed well, but has now reached a stage where it is losing bedroom and function business because it is capacity constrained.

Furthermore, it has benefitted greatly in its post-Administration evolution from the concessionary rental agreement that was secured from the landlord, terms that have provided a concessionary rent while Shendish Manor has been re-establishing itself in the marketplace and building market share. That rent, however, increases year on year through to 31/1/17 and yet Shendish Manor has already reached something of a trading ceiling. For SM to be able to

fulfil its on-going operational and rental obligations going forwards it will need additional facilities, and bedroom and conference capacity in particular, to generate the incremental business volumes and operating profits necessary to accommodate the rental burden, general inflationary trends in operating overheads and to enable it to build up sufficient reserves to facilitate the restoration of key aspects of the wider estate. Shendish Manor knows and can demonstrate the extent to which it is currently losing business as a direct result of insufficient bedroom stock and conference/wedding space.

The need for more rooms

The conclusion from the report is that the way in which sales levels and profitability could be most significantly improved and sustained would be through the provision of additional bedrooms to capitalise on the business that Shendish Manor knows is being lost through insufficient bedroom numbers in peak periods, to accommodate larger group and corporate bookings and to compete more effectively with the new generation of larger hotels of 120+ rooms, or more typically now 140+ rooms seen across Hertfordshire, neighbouring counties and extensively throughout London.

Shendish Manor has worked hard to establish its current customer base and has many strong and loyal customers (individuals, corporate clients and the travel trade, both domestically and internationally) who have expressed their belief that they could and would bring more business to Shendish Manor if only there were more rooms and greater function capacity available (indeed, a range of these expressions are set out in the letters attached at Appendix A of the Business Case report). Those letters at Appendix A, illustrate the potential to attract incremental business that existing customers state could and in many cases would be generated if only SM had greater physical capacity.

One such example, which is considered to typically illustrate how the current capacity limitations at the hotel are leading directly to significant amounts of lost business, comprises of an e-mail request received on 18th July 2014 from Carlson Wagonlit Travel on behalf of Amazon – two major global companies that SM would dearly have wished to be able to satisfy. That request was for 34 rooms from 5 August to 9 September, 4 rooms from 12 August to 9 September, 26 rooms from 18 August to 22 September and 8 rooms from 28 August to 25 September. All rooms were to be doubles, but with single occupancy. The value of the overall booking, had SM been able to accommodate it, was estimated at £195k for the rooms and an additional £65k in food & beverage spend. Again capacity constraints meant SM was unable to secure this booking. Will Carlson Wagonlit and/or Amazon consider SM for future bookings?

These are not isolated incidents. There has been a growing sense for some time now that Shendish Manor needs more bedrooms. As a result the sales team have been monitoring or tracking the scale and nature of business that is being lost, or simply turned away, as a result of that limitation on the number of rooms available. The extent of that 'lost' business has been described in detail in Section 2 of the Business Case report.

Important though that measurement of lost business to-date is, in serving to illustrate the scale and quality of demand for hotel accommodation that SM is losing to competitor establishments, it does not include the incremental business that additional rooms would generate from those customers who, knowing the current limitations of Shendish Manor's bedroom stock, do not make enquiries for larger scale requirements knowing Shendish Manor's limitations and so therefore are not logged in the tracking exercise referred to.

Another concern about having to turn away potential business, for whatever reason, is that if that business goes somewhere else (but specifically a larger hotel with more available rooms, and quite probably one located outside Dacorum) it may well be more difficult to attract that organisation back to Shendish Manor. Whereas, each enquiry that is successfully converted into a confirmed booking represents a potential long term booking relationship, which in turn

helps to build all important customer loyalty and the very real prospects of continuing or repeat business.

To add 30-rooms to SM's existing 70 would result in a total lettable room stock of 100-rooms, much more in line with the capacity of the core competitor hotels listed on pages 21 and 22. Furthermore, the addition of 30-rooms can be supported by the existing support services within the main hotel. Larger additions would almost certainly place strains on the existing hotel infrastructure, adding further weight to the logic and suitability of an extension of 30-rooms. The existing hotel has an entrance lobby, bar and catering services that could service the business generated from an additional 30- rooms.

The need for a leisure club and spa

Reference is made to the success of Shendish Manor's sister hotel, the Manor of Groves in High Wych, near Sawbridgeworth in East Hertfordshire, in generating business on the back of their Leisure Club and Spa and of its importance as a local facility with some 1,900 members drawn from the locality, but principally in supporting the selection of the property as a venue for conferences, weddings, golf breaks and hotel stays. Currently the golf course is Shendish Manor's only leisure facility and there is a clear need for additional leisure facilities, and a leisure/health club and spa complex in particular.

It is interesting to note three facts taken from the recently published Healthclub Management Handbook, 2015:

- i) 13.2% of the UK population now hold a gym membership, across 6,112 sites. That is 8.3m people;
- ii) 40% of new smart phone apps relate to health and wellbeing;
- iii) the UK health club market is now estimated to be worth £4.08bn.

Accordingly when people are staying away from home, whether for business or leisure reasons, they are increasingly likely to want to continue their gym, pool or health and wellbeing regime and so will more likely than not choose a venue that offers such facilities (whether or not they actually opt to use them).

The addition of a Leisure Club and Spa at Shendish Manor would greatly enhance business prospects whilst providing an important local facility for the local resident population.

The need for additional conference and wedding space

The importance of conference and wedding business to Shendish Manor is highlighted in Section 2 of the Business Case report, as has the extent to which business is increasingly being turned away because of the lack of capacity to accommodate larger functions, and specifically those up to 460 people. The existing maximum capacity of Shendish Manor's largest function space, the Apsley Suite, is 320 people in banquet format and booking enquiries for larger functions are being turned away, and with only one other hotel in Dacorum with greater capacity (the Best Western Watermill, and that is a marquee space) valuable business is being lost to Shendish Manor and to the Borough.

At Appendix A of the Business Case report there are example letters from a spread of established loyal customers who are facing the need to take business away from Shendish Manor because of function space constraints. Vislink International, Watford Football Club and Greenleaf Catering & Events Management demonstrate that, despite their liking for the Apsley Suite, they have a growing need for a space larger than the Apsley Suite to accommodate functions for up to, and indeed over, 400 people. Indeed Greenleaf cite the fact that Asian weddings, for which Shendish Manor has already established quite a following, typically attract 360 to 400 guests.

Policy and Principle

The site is located within the Metropolitan Green Belt. Saved Policy 92 of the Dacorum Borough Local Plan (Hotels and Guest Houses in the Green Belt and Rural Area) states that in the Green Belt, permission will not be given for new buildings to provide hotel and guest house accommodation, nor will permission be granted for extensions to existing hotels.

Section 9 of the National Planning Policy Framework (NPPF) (henceforth referred to as the Framework) covers 'Protecting Green Belt Land' and confirms at Para. 79 that: 'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.'

The five purposes of Green Belts are set out at Para. 80 of the Framework and are defined as:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Para. 81 of the Framework states that: 'Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.'

Para. 87 of the Framework confirms that, as with previous Green Belt policy: 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'

Para. 88 states that: 'When considering any planning application, 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.'

Para. 89 confirms that: 'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt
- and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The Green Belt policies of the Framework are supported by Core Strategy Policy CS5, which states that: 'The Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements'

Given the above policy context, the proposed development does not fall within any of the exceptions listed in Para. 89. of the Framework and is therefore considered to represent inappropriate development within the Green Belt. As such, very special circumstances will be required to justify the proposed development in line with Para's. 87 and 88 of the Framework. These very special circumstances will need to clearly outweigh the harm to the Green Belt by way of inappropriateness, as well as any other harm, in order for the application to be supported.

Very Special Circumstances

The applicant acknowledges that the proposal constitutes "inappropriate" development in the Green Belt in terms of Para. 89 of the Framework and is by definition harmful. It is therefore necessary to consider the case on the basis of the very special circumstances which have been advanced and whether these very special circumstances clearly outweigh the harm caused by reason of inappropriateness and any other harm.

The agent has advanced a number of very special circumstances in the Planning Statement which has been submitted in support of the application. The agent was asked to provide further clarification in relation to the very special circumstances case, and has subsequently provided a very special circumstances summary to support the planning statement.

As a result, it is clear that the agent has advanced 10 very special circumstances in the Planning Statement and the associated very special circumstances summary. The very special circumstances advanced are as follows:

1. There is an acknowledgement within The Economic Development Chapter, and especially policy CS14 Economic Development, of The Adopted Core Strategy that the rural economy and sustainable tourism should be "particularly encouraged". Of particular relevance is the statement that "Whilst there is already a reasonable range of visitor accommodation within the borough, there is scope for this sector to grow. Facilities that support local tourism, the rural economy and those that support existing businesses, through the provision of meeting and conference facilities, will be particularly encouraged" (paragraph 11.19). The Council's Economic Development Strategy 2013 to 2016 also seeks to support and develop tourism within the Borough as an integral part of its economic development aspirations whilst the "Destination Dacorum" initiative seeks to encourage more people to visit and enjoy the Borough.
2. Given that all of Dacorum outside of the defined towns and larger villages is included within the Metropolitan Green Belt, the rural economy can only function within the Green Belt. It therefore follows that if the rural economy is to survive, grow and develop it will inevitably necessitate development within the Green Belt.
3. Moreover, the Sequential Test Assessment has demonstrated that there are no sequentially preferable town centre or edge of town centre sites where provision of the additional type of tourist facilities envisaged by the Council can be provided. These include additional meeting and conference facilities as well as additional hotel bedrooms. Hence development within the Green Belt appears inevitable if this objective is to be met.
4. Whilst Hemel Hempstead is well served by the budget/national chain operators, Shendish apart, it currently lacks quality (4*) "destination" type accommodation of the type usually found in a rural, countryside setting.

5. Notwithstanding the acknowledged lack of quality hotel accommodation, there are no land allocations for hotels within either the 2003 Adopted Local Plan or the Site Allocations Pre-Submission consultation document issued in September 2014 and Focused Changes Consultation Document August 2015. The one site previously identified for a hotel (at Jarman Park) has now been re-allocated as an out of centre retail location and benefits from planning permission for such use.

6. The proposal to provide at Shendish Manor the additional facilities which the Council's policy seeks will help support an existing business in accordance with the objective stated in the Economic Development Chapter of the Adopted Core Strategy.

7. In addition to improvements in the viability of the existing business operated from Shendish Manor, there will also be economic benefits that will accrue to the Borough particularly from the direct increase in employment, the provision of additional services and the contribution to other local businesses that support the hotel. Hence the proposal accords with Adopted CS policy 14.

8. The proposals will address the competitive disadvantage under which the hotel business at Shendish is currently operating because of an inadequate number of guest bedrooms, both in terms of lack of critical mass and compared with other hotels in the area, as fully detailed in the Business Case Report, recently updated to include financial information for both of the financial trading years which ended in January 2016 and January 2017. This report comprehensively explains the reasons why provision of additional accommodation as well as a spa/leisure facility and larger conference/function suite is essential to the continued viability of Shendish Manor Hotel if further periods of administration (as happened in the recent past) are to be avoided and the long term viability of the business secured. As the Business Case report states "Additional bedrooms, an additional function suite and a Leisure Club & Spa are urgently needed to ensure Shendish Manor's continued growth and sustained profitability in a crowded and challenging marketplace".

9. As part of the proposals, the applicant is committed to implementing a comprehensive programme of restoration of the associated historic landscape, much of which has been seriously neglected by previous owners, together with extensive new landscaping and ecological improvements. These improvements are fully detailed in The Garden Design and Restoration Proposals submitted in support of the application.

10. Whilst not a very special circumstance per se, the detailed analysis accompanying the application demonstrates that the harm associated with the application is essentially confined to the harm which arises by virtue of the inappropriate nature of the proposal and not from any actual harm. Whilst there will inevitably be a modest reduction in Green Belt openness, the five the five purposes of the Green Belt in this location will not be adversely affected; there will be no adverse setting on the listed manor house; the benefits of the proposals will result in a medium beneficial impact on the overall significance of Shendish Manor and the proposals will have only a minor effect on the wider landscape whilst within the grounds themselves considerable enhancements are proposed.

We will now assess the merits of each of the very special circumstances put forward and assign them weight in the overall very special circumstances case accordingly.

1. Supporting the rural economy and sustainable tourism

Officers are supportive of the broad principle of the additional floorspace proposed at Shendish Manor. Indeed the Core Strategy (para. 11.19) makes clear that:

"Whilst there is already a reasonable range of visitor accommodation within the borough, there

is scope for this sector to grow. Facilities that support local tourism, the rural economy and those that support existing businesses, through the provision of meeting and conference facilities, will be particularly encouraged...”

The Council's Enterprise and Investment team have confirmed that the facilities make an important local contribution to tourism in the Borough. They also note that Shendish Manor provides key conference facilities that cannot be matched elsewhere in the Borough. The applicant's state that the new facilities are not simply desirable but essential if the hotel is to continue trading profitably. Therefore this element of the very special circumstances case certainly carries some weight.

2. The rural economy can only function within the Green Belt

The agent's assertion that the entire Borough of Dacorum outside the towns and large village is located within the Green Belt is incorrect, as a substantial part of the Borough is located within the Rural Area (Policy CS7). The agent contends that if the rural economy is to survive, grow and develop it will inevitably necessitate development within the Green Belt. Whilst there is certainly some logic to this argument, given the importance the Government attaches to Green Belts, this carries little weight as a very special circumstance.

3. No sequentially preferable sites

We acknowledge that there will be limited available opportunities to satisfy their requirement for additional facilities in central and edge of centre locations and that by default this would direct new development to where it arises (in this case the Green Belt). It is accepted that it is typical to find premier destination type hotels (such as Shendish Manor) in a countryside setting and that this is often in a Green Belt location. Given the need to pass the Sequential Test is a national planning policy requirement set out in the NPPF, passing the test does not constitute very special circumstances in it's own right. However, it is accepted that this part of the very special circumstances case supports those put forward at 2, 4 and 5. Taken together they carry some moderate weight.

4. Hemel Hempstead currently lacks quality (4) "destination" type accommodation*

It is acknowledged that, whilst Hemel Hempstead is well served by budget/national chain operators, apart from Shendish Manor, it currently lacks quality 4* "destination" type accommodation. It is also acknowledged that it is common for this type of hotel accommodation to be found in a rural, countryside setting. Given the lack of any hotel allocation in the Site Allocations DPD (see below), it is likely that Shendish will remain the only 4* destination type hotel serving Hemel Hempstead and the surrounding area.

Core Strategy Para 11.19. offers support for new tourism facilities and visitor accommodation and states that: "Facilities that support local tourism, the rural economy and those that support existing businesses, through the provision of meeting and conference facilities, will be particularly encouraged...”

The Council's Enterprise and Investment team have confirmed that the facilities make an important local contribution to tourism in the Borough. They also note that Shendish Manor provides key conference facilities that cannot be matched elsewhere in the Borough. It is therefore important that the Council seeks to support the existing business at Shendish Manor, whilst balancing this support against the Green Belt, Heritage and other considerations inherent in the assessment of this application.

Therefore, linked to 1. above, this element of the very special circumstances case carries moderate weight.

5. There are no land allocations for hotels within either the Saved Local Plan or the Site Allocations DPD Main Modifications document -

The applicant is correct in pointing out that there are no specific hotel-based allocations in the Site Allocations DPD. This limits the ability of existing hotels in the Green Belt to expand with in-principle policy support. The lack of hotel allocations is slightly at odds with the support expressed in the Core Strategy for increasing tourism in the Borough, especially when considering the prioritisation of the provision of meeting and conference facilities, which are particularly encouraged. This element of the very special circumstances case carries some weight, when taken together with those cases put forward at 2, 3 and 4.

6. Economic development - support an existing business

As stated at 4. above, Core Strategy Para 11.19. offers support for new tourism facilities and visitor accommodation and states that: "Facilities that support local tourism, the rural economy and those that support existing businesses, through the provision of meeting and conference facilities, will be particularly encouraged..."

The Council's Enterprise and Investment team have confirmed that the facilities make an important local contribution to tourism in the Borough. They also note that Shendish Manor provides key conference facilities that cannot be matched elsewhere in the Borough. It is therefore important that the Council seeks to support the existing business at Shendish Manor. The proposals are also supported by the Hertfordshire Chamber of Commerce. This argument carries weight in the overall assessment.

7. Wider economic benefits

As stated in the Business Case report, Shendish Manor already contributes widely to the growing economic activity within the Borough that is helping to deliver Dacorum Borough Council's Economic Development Strategy, 2013-2016. With its existing conference, wedding and wider food & beverage-based activities Shendish Manor is a major consumer of locally sourced products, provisions and services. It is also an important tourism, leisure and business asset within the Borough, attracting economic activity into the area from neighbouring counties and further afield, nationally and indeed internationally, encouraging visitors to stay longer in the area. Similarly Shendish Manor supports other Dacorum businesses and enterprises by providing a range of hotel services that assist those other businesses in their development. But perhaps most significantly Shendish Manor is a significant employer with a current staff establishment of 125, made up of 42 permanent or full-time staff, 18 part-time staff and 65 casual staff. Some 93% of those staff live within Dacorum, of which 84% live in Hemel Hempstead. But for Shendish Manor to sustain its performance and make a greater economic contribution to the area it needs to expand, a process that would only add to the local employment opportunities, both during construction and, more importantly, longer term in the promotion and operation of the additional facilities.

Officer acknowledge that there will be economic benefits that will accrue to the Borough from the direct increase in employment at the hotel, together with the provision of additional services and the contribution to other local businesses in the supply chain that support the hotel.

As acknowledged by the Council's Strategic Policy and Economic Development teams, destination research carried out for the economic impact of tourism in Dacorum (using the Cambridge Economic Impact Model) indicates that tourism is worth £255million to the area, supporting 3240 FTE jobs in the industry locally. Accommodation in the area represents 29% of the spend of staying tourist and so it is essential that we have a wide range of accommodation available. Additionally at the moment we do not have any current sites in Dacorum which can accommodate large scale conferences. The provision of this will also help support the wider Dacorum business community in providing this new facility. The extension would also create

new jobs in the local area (21 permanent, 24 part-time /casual), as well as supporting other jobs in the hotel's supply chain.

Core Strategy Policy CS14 - Economic Development states that sufficient land will be allocated to accommodate growth in the economy of approximately 10,000 jobs between 2006 and 2031. Development that supports the knowledge-based economy, the transition to a low carbon economy, the rural economy and sustainable tourism, will be particularly encouraged. The proposals will contribute towards the Council's job creation target set out in Policy CS14. The Economic Development team fully support this application as an important addition to the Borough's tourism portfolio. The proposals are also supported by the Hertfordshire Chamber of Commerce.

This argument carries weight in the overall assessment.

8. Business case - securing the long term viability of the business

The applicant's state that the new facilities are not simply desirable but essential if the hotel is to continue trading profitably.

The applicant has submitted a Business Case by Petersham Group Limited to justify the proposal and have provided up to date financial figures covering the 2015/16 financial year in its support. The Enterprise and Investment team's response to this is that they have provided a very comprehensive business case for the additional rooms, conferencing and spa facilities. From looking at the figures provided it is clear that Shendish Manor is now suffering business loss due to a lack of rooms and thus availability to host larger wedding and conferencing events. In response to this the hotel showed a loss in 2016 and is predicted a larger loss for year ending January 2017.

Shendish Manor now has an annual property rent liability of £1 million, which, without additional revenue generating facilities, will have a negative effect on the hotels profitability. In their planning statement they have alluded to a continuing loss of business as a result of the lack of facilities. The Planning Statement states:

'The updated Business Case report (December 2015) demonstrates in considerable detail the need for the additional facilities proposed and explains that they are not simply desirable but essential if Shendish Manor is to continue trading profitably. It is only in this way that the hotel will be able to sustain its important contribution to the Borough's economy and be able to invest in the historic building fabric and restoration of the landscaped grounds.... In summary, expansion is needed to address the current loss of business arising from capacity constraints in terms of an inadequate number of bedrooms, an absence of a quality leisure facility/spa as is now commonly expected at 4* country or "destination" hotels and inadequate function space.'

Details of the number of wedding and conference bookings that have had to be turned away is provided in the Business Case report. The report places an estimated value to the hotel of lost business of in excess of £1 million to year end January 2016. This figure has been rising consistently since year end January 2013 when it was at £300,000.

Para. 247 of the Business Case report states:

'Additional bedrooms, an additional function suite and a Leisure Club & Spa are urgently needed to ensure Shendish Manor's continued growth and sustained profitability in a crowded and challenging marketplace, where competitive pressure on room rates is fed through the growth of social media, price comparison websites and a range of similar channels. It has never been easier for those seeking bargain rates in hotels, whether simply for overnight accommodation or more comprehensive function business, to 'shop around' and seek out bargains via the internet'.

Paragraph 248 continues by stating:

'Most notably the addition of leisure facilities, embracing an indoor pool, gym and spa facilities would enable Shendish Manor not only to establish a Leisure Club & Spa to serve the local community, through a membership scheme, but also add an important range of facilities to attract and support hotel and golf club visitors and, perhaps even more particularly, those seeking to book conferences and weddings'.

The Council's Economic Development team has assessed the Business Case report and agree with its conclusions. They fully support this application. The proposals are also supported by the Hertfordshire Chamber of Commerce. Officers are satisfied that the Business Case report is sound and supports the case for the proposed facilities at Shendish Manor in a comprehensive way. The report illustrates the urgent need for these additional facilities in order to address the current loss of business arising from capacity constraints in terms of an inadequate number of bedrooms, an absence of a quality leisure facility/spa as is now commonly expected at 4* country or "destination" hotels and inadequate function space.

The business case is considered to carry significant weight in the overall case for very special circumstances.

9. Comprehensive programme of historic garden restoration

The proposed garden restoration works are assessed in detail as part of the wider heritage assessment later in this report. However, it is accepted that the restoration works form an important part of the very special circumstances case put forward, and as such carry associated weight.

The restoration scheme for the gardens would have a moderate positive impact on both individual features within the garden and more importantly as a wider concept and set piece as a whole. Substantial areas of the garden will be restored added to and enhanced with the scheme allowing a better understanding both of this asset and the wider site. The sensitive reinstatement of the circuit path would be welcomed and add to the significance of the garden. It would provide access through the space in the manner of a formal walk and allow the garden and views across it to be appreciated as originally intended. The sensitive reinstatement of the circuit walk would also be welcomed. It would allow the gardens to be explored and appreciated as originally intended with views and enclosure within the space reinstated. This will add to the significance not only of the garden but of the assets appreciated from the garden (Shendish manor and the Summer House). This is augmented by the landscaping of the shrubberies reducing the planting in scale to allow the openness of the lawns and views to be better appreciated. They would also allow a return to the original concept of clumps of trees/ planting providing breaks and features of interest to be explored rather than the wall of vegetation currently in position. Access to the Dell garden, removal of inappropriate planting/ overgrowth and dumped material would be a substantial benefit. It would allow the garden to be understood and appreciated and add to the character of the parkland. It would restore the original vision by Kemp and also the restoration of the rock garden would allow the later alterations to be understood and appreciated. The story of how this area evolved over time would be a most welcome development.

The proposed alterations to the entrance would be most welcome. It would provide a threshold and sense of arrival when reaching the summit of the hill and the final drive within the parkland onto the forecourt of the estate. It would re-establish the dominance and marker points both of the tunnel and the gate posts. While the tunnel is not to be recreated the sense of arrival Kemp wished to achieve after ascending up the hollow from the bridge over the railway would be provided.

The proposed new garden would benefit the existing landscape by adding a high quality formal garden to the landscape. It follows Kemp's design principles and would help to provide a focus for the new building. This would allow the transition between the structure and the wider landscape to be formalised whilst retaining the design concept of the original garden. As such we believe that it would provide a positive impact upon the landscape of the area.

The Shrubberies, Dell garden, proposed new garden, summerhouse views, entrance and the forecourt would be enhanced through restoration of period features, landscaping and introduction of new features. On weighing up these benefits to the landscape officers consider that they would have a moderate positive impact on this non designated heritage asset and allow it to be better interpreted, appreciated and understood.

The restoration works proposed therefore carry a medium level of weight.

10. Limited harm to the Green Belt, local landscape and setting of the listed manor house

The harm to the Green Belt, local landscape and the setting of the listed manor house are all key material considerations in the assessment of the application. The level of harm must be assessed and quantified, and then balanced against the case for very special circumstances accordingly. The applicant's assertion that there would be limited harm does not constitute very special circumstances and therefore carries little weight in the assessment. That is not to say that this will not be taken into account in the wider assessment of these considerations.

In order for very special circumstances to exist they must be sufficient to outweigh the harm to the Green Belt through inappropriate development and any other harm. Further to the above assessment it is considered that very special circumstances do exist in this case, with a number of those put forward by the applicant carrying weight in the overall assessment. Key amongst these are the business case, with wider economic benefits and the proposed restoration works. These are considered to form the core of the very special circumstances case. Officers consider that these very special circumstances are sufficient to outweigh the in-principle harm to the Green Belt through inappropriate development. We now turn to whether they are sufficient to outweigh any other harm to the Green Belt as well.

Impact on Green Belt (look at headings and sub-headings - reorganise)

As well as the in principle harm through inappropriate development, it is important to assess the impact on the openness of the Green Belt and any other harm.

A Landscape Visual Impact Assessment (LVIA) by The Landscape Partnership has been submitted in support of the application. The LVIA was undertaken to assess the suitability of the proposed hotel development in the grounds of Shendish Manor in relation to the effects it would have on: the landscape character and features of the site; the Green Belt; the local and wider landscape character; and changes to views. The scope of the LVIA was the subject of pre-application advice. The Green Belt assessment contained within the LVIA is discussed below, with the landscape impact assessment being discussed later in the landscape section.

Assessment Against the Five Purposes of Green Belts

The LVIA includes an assessment of the effect of the proposals on the Green Belt. This assessment considers the proposals in relation to the five purposes of the Green Belt and the analysis is set out below:

- Check Unrestricted Sprawl: the proposed development is both physically and visually contained within the existing grounds of Shendish Manor, and would not be associated with any further expansion of Hemel Hempstead or Apsley. In relation to both settlements and the surrounding countryside, there would be no awareness or sense that either settlement

(or the combined urban conurbation) had been altered or extended, if the proposed development was implemented;

- **Prevent Neighbouring Towns Merging:** the nearest settlements of Chipperfield to the south-west and Kings Langley to the south, have no visual connection with the site. The self contained nature of the proposed development would have no visual influence or awareness that any change had occurred that might be considered as leading to the merger of these settlements with Hemel Hempstead. Apsley and Rucklers Lane have their own sense of identity and could be regarded as separate settlements, but effectively have already merged with Hemel Hempstead and are visually associated as ribbon links to them. Even if regarded as separate settlements, the proposed development would not lead to any visual awareness or sense that further merging of these settlements was occurring;
- **Encroachment into the Countryside:** the proposed development would lead to some encroachment into the countryside in planning terms i.e. development occurring beyond the designated settlement boundaries, as the proposed building does not replace an existing building or other form of built development. When considered in a landscape and visual context, the proposed development would take place within the grounds of a large house and associated gardens, which has already been modified for other commercial uses. The proposed hotel would be located in what historically was part of the large gardens of a residential dwelling, and now currently forms part of the gardens for the current hotel and an extended part of the golf course. Consequently, this part of the Green Belt does not have a natural or semi-natural rural character, but rather a more managed commercial use. In this landscape and visual context, the proposed development would not encroach on the surrounding wooded farmland character of the countryside and would be consistent with the characteristics of its current use. The proposed development would encroach into a more formal and modified part of the countryside, but would result in limited visual encroachment or effect on the visual openness of the Green Belt;
- **Preserve the Setting and Character of Historic Towns:** Apsley is not a notable historic settlement and the historic part of Hemel Hempstead lies well to the north and is surrounded by a significant amount of more recent development. The proposed development would have no effect on the setting and character of the historic part of Hemel Hempstead and its setting would be preserved;
- **Assist in Urban Regeneration:** a significant amount of urban regeneration is planned for Hemel Hempstead town centre and enhancement within the Gade Valley. It is anticipated that the proposed hotel would provide high quality hotel rooms and leisure facilities that would assist with attracting visitors and businesses as part of achieving the objectives of the proposed regeneration.

The assessment contends that the proposals would have no effect on the five objectives of the Green Belt, other than encroachment on the countryside. This assessment is broadly accepted by officers. The assessment is considered to be accurate, given the site context. It is considered that the proposals would only conflict with one of the purposes of Green Belts, that being encroachment on the countryside. This encroachment would only be limited in its extent due to the reasons set out above.

Assessment Against Secondary Green Belt Objectives

The LVIA also provides an assessment of the effects of the proposals in relation to the secondary objectives and opportunities of the Green Belt. This is summarised below:

- **Providing opportunities for access to the open countryside for the urban population:** the proposed development would not directly influence this objective, although the provision of additional hotel facilities would encourage people to stay and use the adjoining areas of

countryside. There will still be direct links to the local footpath network outside the Site;

- Providing opportunities for outdoor sport and outdoor recreation near urban areas: likewise the proposals would not directly influence this objective, but would help encourage the use of the existing golf course;
- The retention of attractive landscapes and the enhancement of landscapes, near to where people live: one of the key opportunities arising from the proposed development, would be the provision of additional positive management to the existing landscape features of the grounds of Shendish Manor and the restoration and the creation of new formal gardens. The proposals would lead to removal of some of the trees that are in very poor condition or dangerous and with limited life expectancy, and the proposed planting of new specimen trees. The proposed built development has been designed to minimise adverse effects on the landscape and the landscape enhancements provided to enable a benefit to the appearance and character of the grounds of Shendish Manor;
- Improvement of damaged and derelict land around towns: the proposals would have no influence on this objective;
- The securing of nature conservation interests: whilst the proposals would lead to the removal of some of the mature trees in poor condition or that are dangerous, and the removal of some areas of improved and semi-improved grassland, this is balanced by proposed management works that would safeguard the retained existing trees and shrubs, increasing their longevity, and the planting of new trees and shrubs. The proposed tree and shrub planting is largely native or wildlife friendly, and would extend the longevity of the tree stock within the grounds;
- The retention of land in agricultural, forestry and related uses: the proposals would have no effect on this objective.

The proposals would help to support a number of the secondary Green Belt objectives. In particular: they would help to encourage the use of the golf course at Shendish Manor, providing opportunities for outdoor sport and recreation near urban areas (Hemel Hempstead), and; they would retain and enhance an attractive landscape near to where people live, through the restoration proposals for the historic garden and the proposed new formal garden.

Impact on Landscape/Landscape Visual Impact Assessment

The LVIA provides an assessment of the impact of the proposals on the surrounding landscape, both in terms of visual impact and impact on landscape character.

In terms of a national assessment, Natural England has divided England into 159 distinct National Character Areas that define the landscape at a national scale. The site lies within the NCA 110: Chilterns.

A district level assessment is provided by the Landscape Character Assessment for Dacorum. This provides a more detailed level of assessment of landscape character, relevant to the scale of the site and sufficiently current to be appropriate in defining the effects of the proposed development on the landscape. The site is located within Area 8: Upper Gade Valley, with the adjoining areas of landscape character to the south, west and north-west, being that of: Area 7: Saratt Plateau; Area 107: Bovingdon and Chipperfield; and Area 118: Lower Bulbourne Valley.

The Landscape Character Assessment for Dacorum confirms that Area 8: Upper Gade Valley is strongly influenced by the presence of built development, the steep valley slopes with occasional dramatic open views across the valley, and residential development with roads that steeply transcend the slopes. Identified features include: Shendish Manor and Abbots Hill

School parkland, including its cedars and pines; and Nucket Woodland, in the secondary valley south of Rucklers Lane.

The LVIA concludes that, with regards to the proposed building:

'The effects on landscape character would be limited to the immediate locality of the proposed development, with very little or no effect on wider landscape character of Area 8 and no effect on adjoining Landscape Character Areas 7, 107 and 118. The primary changes relates to the parkland character formed by Shendish Manor. The proposed development would continue the pattern of an evolving history of Shendish Manor and changing commercial needs, with the addition of sympathetically integrated new buildings and changing use of the grounds. The proposed hotel would be clearly separated from the existing listed buildings and has been designed to provide a predominantly low profile. The building has been designed to reflect its mature treed setting, with the use of glazed curtain walling, providing a semi-transparent and partially reflective quality, interspersed with irregularly shaped and spaced timber brise soleil. The latter are curved and twisted to create a more natural form and more closely reflect the main stems of surround trees. The entrance also has glazed curtain walling, doors and canopy, but instead of the timber brise soleil, the vertical elements are replaced by rendered walls with a more angular irregular form, with an appearance of vertical strata. The rear elevations are timber clad. The overall effect is to create a building of natural form and appearance, that is both a high quality and distinctive building, but one that blends naturally with its surrounding, without visually competing with the surrounding grounds or Shendish Manor.'

The LVIA goes on to conclude that, when considering the extended car park:

'The existing main car park would be extended, resulting in the loss of some trees, and set within close proximity to Public Footpath 18. This would have an initial adverse effect within the immediate proximity, but would be largely screened once the proposed hedge has established and new tree planting re-establishing a treed edge'

With regards trees, the LVIA concludes that:

'Some localised ground modelling would be required for the proposed hotel, but would be screened by the existing tree belt and proposed new tree and shrub planting. The proposed development would result in the loss of some moderate and low value trees, with a number of additional trees needing removal due to poor health and their dangerous condition as part of the wider management proposals associated with the proposals. This would be undertaken to ensure the future retention of existing trees of value, improve longevity and enable the restoration of neglected parts of the gardens. The proposals also include the creation of a new formal garden and the planting of new specimen trees in sympathy with the original design of the garden. The effect of the proposed development on the landscape and Site features would not result in any significant adverse effects, with the proposals in part leading to neutral or beneficial changes.'

With regards public views, the LVIA concludes:

'The Site is visually very well contained, due to the presence of extensive number of mature trees and tree belts that contain the gardens and wider parkland, and the areas of woodland and tree belts that lie beyond Shendish Manor. This prevents views of the existing buildings across the Gade Valley and restricts views even from public rights of way near to the Site. The effect of the proposed development on publicly accessible locations would be limited to glimpsed and very filtered views in winter through the existing tree belts, mainly in close proximity, and a restricted open view as represented by Viewpoint 8. A relatively small proportion of the latter view would be affected, creating a discernible, but not significant change. Consequently, there are very limited effects on public views. A number of viewpoints have been provided within the Site, primarily to understand the visual effects on the setting of

the listing building, but also to illustrate the effect on views for hotel guests and visitors. Due to the presence of a number of the retained mature trees, the profile of the proposed hotel, the design of main building facades and the use of timber and glass, the use of planting around the car park and the creation of the proposed formal garden, the proposed development would mainly integrate effectively into views. Whilst there would be some significant effects on views, as well as a mixture of neutral and adverse effects, the significant adverse effects would be effectively mitigated by Year 15.'

Impact on the Green Belt Conclusion

The LVIA concludes that, with regards to the impact the proposals would have on the Green Belt:

'There would be no effect on the five objectives of the Green Belt, other than encroachment on the countryside in planning terms. Within a landscape and visual context, the proposed development would occur in what was the gardens of a large residential property and within grounds that have subsequently been subject to progressive commercial change, modification and intensification of management as a golf course. Consequently, the change would not occur within or affect areas of more natural or semi-natural agricultural countryside within this part of the Green Belt. The proposed development has been designed to deliver a distinctive design and addition to the Shendish complex. However, this has also been designed to relate sympathetically to the treed garden setting of Shendish Manor. The proposed management works, garden restoration and proposed formal garden, would help to safeguard the existing features and character of the more formal parkland character of this part of the Green Belt. The proposed hotel would also encourage greater access to this part of the Green Belt, through increased recreational use of Shendish Manor grounds and its leisure facilities. These aspects would thereby meet some of the secondary objectives of the Green Belt and help offset the loss of openness due to encroachment into the countryside.'

The assessment undertaken as part of the LVIA is considered to be robust and is supported by officers. The case officer agrees with the conclusions arrived upon. It is considered that they accurately portray the impact of the proposals on the Green Belt. The proposals would have limited impact on: the openness of the Green Belt; the character of the surrounding landscape; and public views.

Whilst substantial weight is given to the harm to the Green Belt, in this instance very special circumstances are considered to exist which clearly outweigh the harm to the Green Belt though inappropriate development, as well as the modest other harm to the Green Belt, as assessed in the LVIA and summarised above. The proposed development is therefore considered to be acceptable in the Green Belt in this instance, in accordance with para. 88 of the NPPF and Policy CS5 of the Core Strategy, which supports national Green Belt policy.

Impact on the Listed Building/Setting of the Listed Building

Impact on designated/non-designated heritage assets

The specific historic environment policies within the Framework are contained within Section 12 - Conserving and Enhancing the Historic Environment, para's 126-141. Para. 131 states that, in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.

Para. 134 states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Para. 135 states that, the effect of an application on the significance of a non-designated

heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Though not fully consistent with the Framework in this regard (as Section 12 does allow for harm to heritage assets in certain circumstances), Policies CS25 and CS27 and Local Plan Policy 119 seek to preserve the setting and distinctiveness of heritage assets and historic landscapes.

The application has been supported by a Heritage Statement by Bidwells, a Garden Restoration Proposals report by Open Spaces and an Historic Landscape Report by Professor Tom Williamson, which includes a significance statement. The impact of the proposals on the designated and non-designated heritage assets at the site has been carefully assessed throughout the pre-application and application stages, and the scheme has been designed to minimise the impact of the proposals on these heritage assets as much as possible, whilst providing the facilities the applicants require.

The heritage work which has been undertaken to inform and guide the proposals has been an iterative process, and has expanded as the scheme has evolved. Whilst it has taken some time for the applicants to submit the level of detail required by officers to fully assess the impact of the proposals on the heritage assets at the site, a sufficient level of information has now been submitted and officers have been able to fully assess the proposals against national and local heritage policies.

As part of this process the scheme has been thoroughly assessed by the Council's conservation and design team, who have liaised with the applicant's heritage consultants throughout the pre-application and application phases. When considering the status and significance of the heritage assets at the site they have provided the following clarification:

'The house walled garden and summer house were listed in 1986 and as such would be considered designated heritage assets. The coach house, wall to facade and gate piers would be considered to be curtilage listed. Adjacent to the site is the grade II listed Apsley Manor Farm. The gardens would be considered to be non designated heritage assets.'

When considering the impact of the proposals and the NPPF tests which should be used in the assessment of the impact, they have confirmed that:

'We would agree with the impacts identified in the heritage assessment namely that the fabric of the heritage assets will not be affected. Therefore the proposals would impact on the setting of the designated heritage assets and the test in the framework for less than substantial harm to designated heritage assets should be used. It should be noted that Section 66(1) of the act states that when considering an application which would impact on the setting of a listed building the local authority "shall have special regard to the desirability of preserving the building or its setting" and that if there is harm to a designated heritage asset in the form of a listed building great weight should be given to the preservation of the asset. This impact should be assessed under the relevant paragraph 134 of the Framework and the "less than substantial harm should be weighed against the public benefits of the proposal".'

The conservation and design officer has carefully assessed the harm and the benefits of the proposals to the various heritage assets on site (listed above). This detailed analysis is set out in his comments earlier in this report.

His conclusions are set out below:

'The site forms part of the setting of Shendish manor, its associated service buildings and

makes a contribution to its significance. There would be harm as noted above to varying degrees to the designated assets ranging from medium adverse harm to the manor and summerhouse, low level to the walled garden and coach house and negligible to the forecourt wall and gate posts. Against this there would be moderate enhancement to the significance of the Manor and summerhouse, substantial enhancement to the forecourt wall and gate posts and low level benefit to the walled garden and coach house. These benefits and harms need to be weighed against the public benefits of the proposal under terms of paragraph 134 of the framework whilst giving great weight to the preservation of the setting of the listed building.

A high level of harm will occur to the non designated asset of the landscape however this would need to be balanced against the moderate level of enhancements provided by the scheme. This impact would need to be weighed against the public benefits under terms of paragraph 135 of the Framework.

We believe that the proposed building is of a high quality design and would enhance the architectural canon of dacorum. The proposals would cause harm to the designated and non designated heritage assets although attempts to mitigate this have been arrived at through enhancement of listed features and to the landscape and setting of the heritage assets. Overall the harm and benefits to the designated assets would appear to balance each other out. However more harm than benefits would be caused to the non-designated asset. The balancing exercise outlined in the framework and recommendation is outside the scope of my comments.'

As can be seen from the above comments, following the detailed assessment of the harm and the benefits of the proposals to the various heritage assets on site, the conservation and design officer concludes that, overall the harm and benefits to the designated assets would appear to balance each other out, resulting in a neutral impact. He also concludes that more harm than benefits would be caused to the non-designated asset of the landscape/gardens, despite the mitigation and restoration works proposed. Given the identified harm this needs to be weighed against the public benefits which would result from the proposals as per para's 134 and 135 of the Framework, before a recommendation can be made.

Public benefits of the proposals

Having carefully assessed the application and its suite of supporting documents, it is clear that the proposals would have significant public benefits which must be weighed against the harm to the designated and non-designated heritage assets at the site identified above. The public benefits are summarised below:

- *Securing optimum viable use* - Para. 134 of the Framework states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The proposals would help to secure the optimum viable use of the listed manor house, along with its associated curtilage listed structures and non-designated grounds/gardens. The proposals would help to make the business more competitive in a challenging market place, helping to secure the long term viability of the hotel business.
- *Wider economic benefits* - Officers acknowledge that there will be economic benefits that will accrue to the Borough from the direct increase in employment at the hotel, together with the provision of additional services and the contribution to other local businesses in the supply chain that support the hotel. As acknowledged by the Council's Strategic Policy and Economic Development teams, destination research carried out for the economic impact of tourism in Dacorum (using the Cambridge Economic Impact Model) indicates that tourism is worth £255million to the area, supporting 3240 FTE jobs in the industry locally. Accommodation in the area represents 29% of the spend of staying tourist and so it is

essential that we have a wide range of accommodation available. Additionally at the moment we do not have any current sites in Dacorum which can accommodate large scale conferences. The provision of this will also help support the wider Dacorum business community in providing this new facility. The extension would also create new jobs in the local area (21 permanent, 24 part-time /casual), as well as supporting other jobs in the hotel's supply chain. Core Strategy Policy CS14 - Economic Development states that sufficient land will be allocated to accommodate growth in the economy of approximately 10,000 jobs between 2006 and 2031. Development that supports the knowledge-based economy, the transition to a low carbon economy, the rural economy and sustainable tourism, will be particularly encouraged. The proposals will contribute towards the Council's job creation target set out in Policy CS14. The Economic Development team fully support this application as an important addition to the Borough's tourism portfolio. The proposals are also supported by the Hertfordshire Chamber of Commerce;

- *Leisure/health offer* - the applicant's experience from two other hotels under the same management demonstrates that the requirements of resident guests and non-resident members dovetail well and lead to a fairly even spread of spa users throughout the day/evening. Unless booked on a specific "spa package" resident guests tend to gravitate to the pool/spa either first thing in the morning or following arrival in mid to late afternoon/early evening whilst usage by non-resident guests tends to be spread more evenly throughout the day with school hours being particularly popular with young mums. Hence, opening the facility to non-resident guests through a club membership scheme will be of wider benefit to the health and vitality of the local community.

Hotel Use - Sequential Test/Impact Assessment

Section 2 of the NPPF - Ensuring the Vitality of Town Centres, para's 23 to 27 sets out the 'town centre first' principle and identifies hotels as town centre uses. If no suitable sites are available within a town centre, preference should be given to edge of centre locations. Out of centre sites should only be considered if suitable town centre or edge of centre sites are not available. In considering out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Local planning authorities should require a sequential test and an impact assessment where such use is proposed in a non-town centre location and exceeds a threshold figure of 2,500 sq m.

The application has been supported by both a Sequential Test and an Impact Assessment. The Sequential Test is set out in the Sequential Test Assessment by Jane Orsborn, whilst the Impact Assessment has been undertaken as part of the Business Case Report by the Petersham Group.

Sequential Test

The Sequential Test has established that there are no suitable and available town centre or edge of town centre sites which could accommodate the function hall and spa/leisure complex as proposed within either Hemel Hempstead, Berkhamsted or Tring (these being the nearest towns to Shendish Manor). Officers are satisfied that there are no sequentially preferable sites for the proposed development and the proposals pass the sequential test.

Impact Assessment

The Impact Assessment, set out in the Business Case report, confirms that the proposals would have no material impact on existing businesses, whether hotels or other conference, wedding or function venues or gyms and health clubs as the primary purpose of the proposed new facilities is to attract new business to Shendish Manor that is currently not able to be accommodated because of the scale of the facilities available. Indeed with the planned

additional facilities it is to be expected that incremental business would be attracted to Dacorum benefiting Shendish Manor but also other venues whether direct or indirect competitors to Shendish Manor.

Officers agree with the conclusions of the Impact Assessment. It is considered that the proposals would have no significant impact on existing businesses, in compliance with Section 2 of the Framework.

Impact on Trees and Landscaping

As confirmed in both the Design and Access Statement and the Arboricultural Report, the building has been carefully sited with regard to trees which are subject to a blanket TPO (made in 1993). It is proposed that a total of 28 individual trees will be removed, together with partial or complete removal of five groups, as listed in paragraph 6.3.3 of The Arboricultural Report. However, as detailed in paragraph 6.3.6, at least half of those required to be removed are graded as "U" category trees, meaning that they have less than 10 years' life expectancy. Generally, the loss of 'U' category trees will be mitigated by new tree planting throughout the site, which is considered to be a sustainable approach where trees have a significantly reduced life expectancy. In several instances the trees being removed are dead or have significant amounts of deadwood and need to be removed for reasons of health and safety.

Paragraph 6.3.6 of The Arboricultural Report continues by analysing the impact of the loss of other trees proposed for removal. In nearly all cases the impact is assessed as negligible or minimal and can be mitigated by replacement planting. No grade "A" trees will be removed. Six individual grade "B" trees are listed for removal, the loss of which is described as having limited impact. The loss of T114 Scots Pine is assessed as having a moderate impact but a suitable replacement will be provided.

It is considered that the proposals have been carefully designed to minimise the impact on trees and landscaping, in accordance with Core Strategy Policy CS25, as well as saved policies 99 and 100 of the Dacorum Borough Local Plan.

Impact on Highway Safety

Access

The proposals will utilise the existing access to Shendish Manor off London Road. The access will be upgraded following the construction phase to include passing places and resurfacing.

Car parking/servicing arrangements

The parking and servicing arrangements proposed include:

- a new internal access road taken from the car parking area in front of the existing hotel towards the new building where it divides a) to provide a turning head directly outside the main reception for the extension and b) to pass to the side and rear of the extension to reach the service yard.
- a new 36 space car park (including 8 spaces to disability standards) sited either side of the new service road; and
- an extension to the main car park located to the north east of the existing hotel to bring it to a total of 264 spaces. When added to the 36 spaces proposed adjacent to the spa/leisure complex total additional parking provision is 128 spaces to serve the new facilities, giving total parking provision across the site of 300 spaces.

As part of the negotiations to improve the scheme, it was agreed that extending the existing car park was far less harmful to the openness of the Green Belt and the setting of the Listed building than the new originally proposed directly to the front of the manor house. This amendment is considered to represent a significant improvement to the original scheme.

Also, through negotiation, the service yard has been positioned to the rear of the proposed hotel extension to minimise its visual impact and to avoid diluting the overall design rationale. This is also considered to be a significant improvement over the original servicing arrangements proposed.

The application is supported by a Transport Assessment (TA) by Rowland Bilisland Transport Planning, which assesses the transport impact of the proposals. The conclusions of the TA confirm the following:

- The application proposal is for an extension to the hotel to provide 30 additional guest bedrooms together with staff accommodation, a function suite to accommodate a maximum of 450 visitors or guests and a fitness centre which would include a gymnasium, swimming pool and spa facilities. The application drawings illustrate an additional 128 car parking spaces, including 13 spaces for parking by disabled persons, together with 35 cycle parking spaces. The disabled parking provision is equivalent to 10% of the additional car parking spaces proposed;
- the proposal could result in an increase of 38 vehicle arrivals with 29 vehicle departures in the AM peak hour and 46 vehicle arrivals with 44 vehicle departures in the PM peak hour. These estimates are based on the HCC requirement that this Transport Assessment should provide a worst case analysis. Consequently this analysis must be acknowledged to be likely to over-estimate the number of vehicle movements which may be expected for each part of the proposal, since each part of the proposed development has been assessed independently;
- The capacity of the London Road junction with the site access road has been examined firstly, for 2016 traffic conditions, secondly for traffic conditions in the assessment year 2026 without development and thirdly, for 2026 including development traffic. In each case, the PICADY capacity analysis gives maximum RFC values well below the recognised threshold of 0.850 at which demand tends towards capacity. The PICADY capacity analysis demonstrates very clearly that the junction of London Road with the site access road has substantial spare capacity to accommodate development traffic and further traffic growth beyond the assessment year;
- The nearest bus stops on London Road near the site access are served by buses on routes 500 and H19 which provide a comprehensive service to the surrounding towns and villages. Apsley Station and Hemel Hempstead Station are served by trains on the route between London (Euston), Harrow and Wealdstone, Bushey, Watford Junction, Kings Langley, Apsley and Hemel Hempstead. Hemel Hempstead Station is additionally served by trains on the Southern route. Trains on that route run between East Croydon, Clapham Junction, Kensington Olympia, Watford Junction, Hemel Hempstead and Milton Keynes. Both of these stations are served by trains which provide a frequent service on these routes for access throughout the national rail network;
- It is concluded that the minimal number of additional vehicle movements which may be associated with the proposed development would not have a material effect on highway safety or the free flow of traffic along London Road or at the junction of London Road with the site access road. This is demonstrated by the results of the PICADY capacity analysis;
- The overall conclusion is drawn that, as far as highway and transport matters are concerned, the application proposal for a 30 guest bedrooms extension to the hotel with a

function suite to accommodate a maximum of 450 persons, together with a new fitness centre at Shendish Manor Hotel, would be acceptable.

The TA clearly concludes that the proposals would have no material effect on highway safety or the freeflow of traffic.

The Highway Authority (Herts County Council) has been consulted on the proposed development and have raised no objections on highway grounds, subject to the imposition of a number of highway conditions dealing with: parking layout; cycle parking; submission of a Travel Plan; details of construction workers parking; submission of a Construction Traffic Management Plan; and submission of a Servicing and Delivery Plan. These have been placed on the recommendation accordingly.

The proposed access, parking and servicing arrangements are considered to be acceptable and they comply with Core Strategy Policy CS12.

Siting, Layout, Scale and Design

The Government attaches great importance to the design of the built environment, as enshrined in the NPPF (para. 56). The Framework confirms that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The requirement for high quality design is also mirrored in Core Strategy Policies CS12 and CS13.

The siting, layout and design of the building, along with the car parking, service roads and service yard, have been the subject of in depth, proactive pre-application advice, as well as detailed advice provided as part of the assessment of the previous application, which was withdrawn as the design was deemed to be unacceptable. Officers have worked proactively with the applicant, agent and architect to guide the design of the proposals so as to ensure a high quality design in this sensitive location. The siting, layout and design of the scheme have also been informed by the suite of supporting assessments, along with the comments from statutory consultee's and local residents.

The application has been supported by a Design and Access Statement produced by the architects, The Tooley and Foster Partnership, which tells the story of the design of the evolution thereof, and provides justification for the design rationale in the context of the site constraints. The Design and Access Statement explains the design principles and concepts that have been applied by reference to the: physical and historical context; amount, scale and layout of development; appearance and landscaping.

Siting/Layout

The design ethos is set out in the Design and Access Statement, which states:

'It was agreed at an early stage that since the original Victorian manor house has already undergone significant extension and alteration, most noticeably to the rear and on the northern flank, that the way forward would be to consider a free standing building located at some distance from the original. The position of the building which was agreed with the local planning authority was a recess within the woods to the south of the site. This was the location suggested by Professor Williamson in his Historic Landscape Report. It was then checked for the extent of visual intrusion by the landscape architects and has been further informed by a thorough Landscape Visual Impact Assessment. It was also carefully assessed on site by the arborist. The LVIA has confirmed that a building in this location will have minimal impact on the wider landscape whilst the accompanying Arboricultural Report confirms that tree loss has been minimised. Mature trees which create an effective visual barrier on three sides of the new building will be retained and strengthened with new planting.'

With regards siting of the proposed building, the Design and Access Statement confirms that:

'Following careful analysis on site it has been agreed that the least intrusive location for the new building is to locate it to the south of the original listed building, taking it sufficiently far away so as not to impinge upon either the southern or eastern facades of the mansion.'

Furthermore:

'Whilst considered to be of some historical importance, the grounds associated with The Manor are not included on the Register of Historic Parks and Gardens. Thus, whilst it has been concluded that siting the new block within the area of parkland (or "Home Pasture") to the south will cause some harm to the setting and historic landscape, it is arguably the least damaging location. This harm will be mitigated by implementation of the Design and Restoration Proposals for the grounds devised by Professor Tom Williamson, an acknowledged expert in landscape history including parks and gardens of the 18th and 19th centuries.'

The new building is orientated predominantly on an east-west axis. It has a "T" shape plan form with the three main spaces (swimming pool, gym, function room) being located at the end of each arm. The entrance/reception is located centrally on the north façade to create interest and a focus to this principal elevation.

The new building is served by a new access/service spur road which leads from the south side of the existing parking area immediately in front of the manor. To the front of the new building it divides into two. A short westward heading spur leads into a turning head suitable to accommodate coaches, which is sited in front of main reception. The main branch then continues, passing through a new car park sited at the eastern end of the building close to the spa/leisure club, before continuing to the rear of the new building and culminating in the service yard.

The siting and layout of the proposed building has been carefully chosen to minimise the impact of the proposals on the setting of the listed building, the historic gardens, the surrounding landscape and wider public views. Officers have helped to guide the siting and layout through pre-application discussions and agree that they represent the best possible location for a building of this nature and scale, given the sensitive site context.

Scale

With regards scale of the proposed building, the Design and Access Statement confirms that the proposed building would be located tight into the existing tree belt at the perimeter of the grounds. This will mean that the mass of the new building will be seen as an extension of the mass of the trees forming the tree belt around the perimeter to the grounds. Indeed, the LVIA identified this location as being the least intrusive partially because of this mature tree belt. The scale of the building would respect the height of the tree cover, and would also be lower than the manor house, helping to ensure a subordinate appearance.

In addition to the requirement for 30 additional guest bedrooms, The Brief calls for three large volume elements - the pool/leisure centre, the gym and the function room. The size and use of each of these spaces suggests that they should be double height in order to provide for practical use and an attractive appearance. The most efficient disposition of these spaces was found to be one at each end of a wing. The mass of the building and a rationalisation of the circulation led to the current form of a "T" shaped block.

When considering the site levels, it is evident that there is a one storey level difference along the main east – west axis which can be used not only to hide much of the service spaces required but also visually to follow the natural slope so that the building sits lower in the ground

than that previously proposed. The resulting structure is essentially a two storey building following the existing ground levels across the site.

The T shape block and the use of levels naturally separate the three distinct uses within this building. The conference facility is set at the upper ground level to the west, and the sports facility (including the pool) is at the lower ground level to the east with the gym to the south. A sunken garden has been created at the rear with direct access from the pool. Its southerly aspect should make it a particularly attractive feature.

The additional bedrooms are located in the south wing towards the rear of the building. Whilst this wing appears partly taller in the east and west elevations close to the main body of the building this is as a result of lowering the external ground levels to form sunken gardens for the sports facility. The building roof line to this part of the building remains at the two storey level.

The proposed design seeks to minimise the bulk and massing of the building, utilising existing levels to partially sink the building into the ground, helping the structure to successfully assimilate within the existing landscape. The building has been kept as low as possible in order to ensure that it remain subservient to the manor house.

Design/appearance

Specifically in relation to the architectural style adopted, the Design and Access Statement states:

'With respect to architectural style it was agreed that a pastiche was not acceptable and that the architectural design should be contemporary. A third point of discussion and agreement was that the new building should be kept as low in height as practically possible but also be founded on the ground at a lower level, in order to be subservient to the manor house. Fourthly, that the use of visually lightweight materials, including a significant amount of glass, was preferred as this would reinforce the impression of a less permanent structure compared with the historic manor. It was further agreed that every attempt should be made to create a building that would blend into and reflect its green parkland/woodland setting. The new building has a backdrop of mature trees and whilst it sits some distance away from the manor house there will be an element of interplay between the new building and the old. The space between them is not free from trees as there are a few dispersed trees between but the design of the new should be simple in form and not compete in any way with the historic building.'

Working with the previous plan form as a starting point but rationalising the layout allowed the architects to achieve a reduction in the overall length of the new building which faces the grade II listed former manor house. This was facilitated by turning the proposed pool and function hall through 90 degrees. It was also necessary to simplify the design in order to ensure subservience to the original building. That is not to say that the new should be in any way inferior to the existing. Indeed, the opposite is true in design terms in that it places emphasis on the need for good design that can hold its own presence.

To follow a traditional style would place the design in direct comparison with the listed manor house. It would also be of materials that are solid, permanent and perhaps complementary to the existing structure, all of which would then compete with the Manor House. Hence, the decision was jointly taken to use a light transparent structure that used the woodland setting as the key design driver to create a glazed pavilion that follows the contour of the land.

As with the previous proposal, the entrance to the new building was considered to be a key design feature. It was considered necessary to provide the entrance to the pavilion building with appropriate prominence whilst retaining the overall simplicity that was a key feature of the building. The design of the entrance feature was explored through a series of sketches and

associated comments from officers as part of the pre-application discussions. The final design developed through various iterations of the principal elevation but with the emphasis on considering the elevation as a whole rather than treating the central feature as a separate addition. Using the landscape as the key driver for the design of the whole led to the concept of highly sculptural walls that stand alongside each other and artistically interrupt the simple glazed backdrop.

The design of the proposed building was primarily led by its setting. The principal elevation and both flank elevations are extensively glazed with clear glass in accordance with the design rationale outlined above. As confirmed in the Design and Access Statement, interest and depth of field of perception is added through the following means:

- The external timber shading device inspired by the shading device used on the Algerian Embassy Building made from recycled material; see Appendix A;
- Shadows cast by the shading devices on the face of the glazing;
- Frameless curtain wall glazing of clear glass with strategically placed frosted glass panels; panels to be butt jointed and dark grey mastic jointed; and
- Dark Grey aluminium supporting structure behind the curtain walling.

The glazing will be clear glass and will show the spaces within and the activities behind the principal elevation, which are mainly double height spaces or meeting rooms and circulation spaces where there are few room subdivisions or the need to place any furniture or fittings against the principal elevation. At night the pavilion building will be equally attractive with the structure silhouetted against the lit spaces that reveal the activity within the building.

The central entrance feature will be made from silicone cast concrete colour brown with riven stone texture to give a solid mass appearance. It has been designed to form the central feature on the principal elevation and adopts the overall landscape context led design rationale. Other parts of the building are clad in two contrasting colours of artificial timber cladding; dark green or dark brown. The rear elevation will have conventional windows with dark brown aluminium slim line frames. Roofs will be dark grey single ply membrane and will be kept free of any mechanical plant and other clutter. There is ample space allocated within the basement levels for all plant required to service the new building and the energy consultants have confirmed that PV panels can be avoided through the use of a combined heat and power plant. This will avoid any clutter on the roof diluting the overall simplicity of the design and will avoid any harm when considering views from the upper rooms of the manor house.

The Council's Conservation and Design officer has carefully assessed the design of the proposed building and has made the following comments:

'The location for the proposed building was carefully chosen to reduce its impact upon the landscape. It is set into the ground between areas of mature planting to minimise the impact on the immediate and wider landscape. It is in effect a long low building but with a strong vertical emphasis of timber sculptural elements set in front of the glazed curtain wall which is a mixture of clear and frosted glass. A central cast element of concrete has been designed to appear as riven stone and create an entrance feature which compliments the structure. We believe that this is a bold contemporary design which takes aesthetic risks and results in a scheme of boldness with the "sinuous shaped and spaced timber brise soleil" P 19 LVA providing the visual interest and verticality. These organic forms set in front of the translucent screen should hopefully create interesting patterns of light and shadow reflecting the woodland and clumps of designed trees in the nearby shrubberies. To the rear and internal courtyards a simple form has been chosen to sit subserviently in the background when contemplating the structure as a whole as are the roofs which do not add to the visual impact of the composition. Overall we believe that it would result in an elegant artistic structure which would create a sense of place and sophisticated artistry to provide an impressive counterpoint to the Jacobean grandeur of the existing manor house. It would be highlighted that the key to this vision achieving the

predicted results would be that the high quality of materials and detailing initially proposed are used during the construction and therefore there will be a need to place a number of conditions for materials, detailing and finish on any approved plan.'

The design process has taken account of the design policies of the NPPF, along with the relevant policies of the Core Strategy and saved Local Plan. Officers are satisfied that the proposed building is of an extremely high standard of design which reflects the skill of the architect in understanding the sensitive context of the site, and also the hard work of the project team and officers in working together to find a high quality design solution. As stated above, it is considered that the proposals would result in an elegant building which would sit comfortably within the grounds of the listed manor house. The building would not compete with the grandeur of the manor house, but would instead offer an impressive counterpoint through its high quality, lightweight design, full of visual interest, together with its creation of fitting a sense of place.

The proposals are considered to be in compliance with the design policies of the Framework, together with Core Strategy Policy CS12, providing a building of truly outstanding design in this sensitive setting.

Impact on Neighbours

The location of the proposed building is such that it would be located on the far side of the Shendish manor grounds when considering the location of the residential properties immediately to the north and north-west of the hotel. The building would be located a significant distance away from these properties, on the other side of the hotel. It would also be located a significant distance from the properties to the south on Rucklers Lane and Lady Meadow, with the building being extremely well screened by the existing mature tree belt on the boundary regardless. As such, it is considered that there would be no adverse effects on the residential amenity of the neighbouring properties in terms of loss of daylight, sunlight, privacy or visual intrusion as a result of the proposals.

There would also be no significant impact in terms of noise and disturbance, with the proposed building and it's function suite being located so far away from the neighbouring properties. Functions would be subject to conditions restricting hours of use in line with the conditions in place for the existing hotel, and it's license.

The proposals accord with Core Strategy Policy CS12.

Other Material Planning Considerations

Archaeology

The Planning Statement confirms that considerable attention has been given to archaeological matters with a geophysical survey and trial trenching having been undertaken, the findings of which are set out in the Archaeological Evaluation by Cotswold Archaeology. A number of heritage assets have been identified relating to the post-medieval farmstead known from historic mapping, which was demolished in the mid 19th century. It is also possible that small 'islands' of earlier (medieval) archaeology survive, relating to the medieval manor which was demolished to make way for the current house.

The HCC Historic Environment Advisor has been consulted on the application and has confirmed that:

'I believe that the position and details of the proposed development are such, that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

1. *the archaeological monitoring of all groundworks, including any ground reduction, new foundation trenches and service runs, access and landscaping, etc.*
2. *the archaeological investigation of any remains encountered during this process, and a*
3. *the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and if appropriate, a publication of these results*
4. *such other provisions as may be necessary to protect the archaeological interest of the site.'*

She has recommended a suitably worded archaeology condition to cover the above provisions and this has been carried forward in this recommendation. There are therefore no archaeology reasons to object to the proposed scheme. Subject to the above provisions, the scheme is unlikely to result in any significant harm to archaeological remains at the site, in compliance with Core Strategy Policy CS27.

Flood Risk/Drainage

The application is located in Flood Zone 1, which is the area of lowest risk of flooding. However, due to the scale of the proposed development, the application has been supported by a Flood Risk Assessment and a Drainage Strategy, and has been the subject of consultation with the Lead Local Flood Authority (HCC). Their comments are summarised below:

'Following a review of the Flood Risk Assessment carried out by EAS reference 769 Rev Final 2 dated July 2016, we can confirm that we Hertfordshire County Council as the Lead Local Flood Authority, we have no objection on flood risk grounds.

The proposed drainage strategy is based upon infiltration and infiltration test results have been provided within the FRA. We note surface water calculations have been updated and ensure that the drainage strategy caters for all rainfall events upto and including 1 in 100 plus 40% for climate change.'

The LLFA have recommended approval subject to conditions which have been included as part of this recommendation.

Ecology

A preliminary ecological assessment has been carried out as part of the technical work which preceded the submission. The report noted that the site is comprised of just one habitat type - semi improved natural grassland - but that this comprises two structurally different habitats: short mown grassland, which is ecologically unremarkable and unlikely to support important species and rough and; rank uncut grassland where the building will be sited. This was found to have the potential to support common lizard and slow worm. There is therefore a need for further surveys to be undertaken in order confirm their presence or absence. This is identified in the assessment. That said, the site is not designated for nature conservation importance, nor known to support protected species or habitats.

The potential for roosting bats within woodland was also identified and further survey work should also be undertaken in this respect. Should any species be found to be present, appropriate mitigation will be provided.

The further survey work required will be conditioned accordingly. Subject to these conditions, there are no ecological reasons to object to the proposals.

Sustainability

The application has been supported by an Energy and Sustainability Report by Chris Evans Consulting, supported by a Policy CS29 Checklist.

The Energy and Sustainability Report details how the hotel extension will be designed, in order to achieve energy efficiency and a reduction in CO2 emissions from the baseline. This will be achieved by:

- Passive design measures
- Low U values
- Low air permeability
- Air source heat pumps
- Gas CHP

The report confirms that the inclusion of these sustainable design measures has been effective in reducing the overall CO2 emissions by 16.8%. This confirms that the proposed building will be highly sustainable, in compliance with Core Strategy Policy CS29.

Whilst sustainable design and construction is now essentially the remit of the Building Regulations, the sustainable design and construction of the proposed building and the reduction in CO2 emissions evidenced in the report is welcomed.

Conclusions

The proposed scheme is considered to be acceptable in terms of both national and local planning policy. Very special circumstances are considered to exist which clearly outweigh the harm to the Green Belt through inappropriate development, as well as the modest other harm to the Green Belt. It is also considered that the public benefits which would result from the proposed development are sufficient in this instance to outweigh the less than substantial harm which has been identified to the designated and non-designated heritage assets at the site.

RECOMMENDATION – That planning permission be **Delegated with a view to approval** subject to notification being sent out to the Secretary of State in accordance with The Town and Country Planning (Consultation) (England) Direction 2009.

Suggested 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 No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the setting of the listed building.

- 3 Prior to the commencement of development, architectural drawings showing**

the final design for the following components shall be submitted to and approved in writing by the local planning authority:

- **Central entrance feature.**
- **Water features at central entrance.**

Reason: to safeguard the setting of the listed building and ensure a high quality, satisfactory appearance to the development

- 4 **No development shall take place until full details of the fenestration to be used in the construction of the development hereby permitted have been submitted to and approved by the Local Planning Authority. These details shall include: details of glazing; plans showing fixings at 1:10; fenestration detailing; and finishes.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the setting of the listed building.

- 5 **No development shall take place until full details of all new external rainwater and soil pipes shall have been submitted to and approved by the Local Planning Authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the setting of the listed building.

- 6 **No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials - including: gravel, brick edging, setts, kerbs, bound gravel, flagstones;**
- **means of enclosure;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **trees to be retained and measures for their protection during construction works;**
- **proposed finished levels or contours;**
- **parking layout;**
- **cycle parking facilities**
- **minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);**

The approved landscape works shall be carried out in accordance with the agreed phasing set out within the Garden Restoration Proposals report by Open Spaces.

Reason: To safeguard the setting of the listed building and the character of the surrounding landscape

- 7 **No part of the restoration of the gate piers shall be carried out until precise details at 1:20 scale, written specification and, where necessary, samples of the material to be used in the restoration of the gate piers and replacement of**

the final plans have been submitted to and approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details

Reason: To ensure the appearance of the restored piers preserves the setting of the listed building and character of the surrounding landscape

- 8 All planting, seeding or turfing to be undertaken as part of the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.**

Reason: In order to preserve the setting of the listed building and character of the surrounding landscape.

- 9 No landscaping to the shrubberies/dell shall take place until there has been submitted to and approved by the local authority a scheme of landscaping, which shall include details of all existing trees on the land and details of any to be retained, together with measures for their protection in the course of development and any necessary tree surgery.**

Reason: in order to safeguard the character of the surrounding landscape

- 10 The plans and particulars submitted in accordance with condition 6 above shall include details of the size, species, and positions or density of all trees to be planted, and the proposed time of planting and details of maintenance.**

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

- 11 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.

- 12 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 11 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

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

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

- 13 **No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:**

1. **The programme and methodology of site investigation and recording**
2. **The programme for post investigation assessment**
3. **Provision to be made for analysis of the site investigation and recording**
4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
5. **Provision to be made for archive deposition of the analysis and records of the site investigation**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: in order to protect archaeological remains at the site

- 14 **No demolition/development shall take place other than in accordance with the**

Written Scheme of Investigation approved under condition 13. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 13 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: in order to protect archaeological remains at the site

- 15 **No development shall take place until a Site Waste Management Plan (SWMP) is submitted to and approved in writing by the local planning authority.**

Reason: to ensure good practice in the waste management aspects of the construction of the approved development

- 16 **The development hereby permitted shall be carried out in accordance with the flood risk assessment (FRA) prepared by EAS job number 769 rev 2, dated September 2016, and mitigation measures detailed within the FRA:**

1. **Implementing appropriate SuDS measures giving priority to above ground measures such permeable pavements and soakaways as stated in the FRA.**
2. **Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
3. **Provision of a Vortex First Defence unit at the inlet of the pipe connecting permeable pavement and soakaway.**

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory disposal/storage of surface water from the site and to ensure that the site will be effectively drained during the lifetime of the development.

- 17 **No development shall take place until a detailed surface water drainage scheme for the site based on the approved Drainage strategy and sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

The design of the drainage scheme shall also include:

1. **Detailed engineering details of the design of the proposed SuDS features in line with The SuDS Manual.**
2. **Details of a maintenance programme for the drainage scheme.**

Reason: To ensure that the site can effectively be drained during the lifetime of the development; and to ensure that water treatment is provided to surface runoff before infiltrating into the ground.

- 18 **Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the parking layout for standard size family cars to park, and manoeuvre. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and retained thereafter available for that specific use.**

Reason: in the interests of highway safety

- 19 **At least two months prior to occupation, the occupier of the development shall submit a Travel Plan in accordance this Hertfordshire's Travel Plan Guidance to be reviewed and approved by the Local Planning Authority in conjunction with the Highway Authority. Implementation of the plan shall follow a timescale to be agreed by the Local Planning Authority and Highway Authority.**

Reason: To promote sustainable transport measures to the development.

- 20 **No works shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.**

Reason: In the interests of satisfactory development and safety

- 21 **Prior to the commencement of the use hereby permitted, a Servicing and Delivery Plan shall be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority. The Servicing and Delivery plan shall incorporate the servicing arrangements for the use and adequate provision for the storage of delivery vehicles within the site.**

Reason: In the interests of satisfactory development and safety

- 22 **No development shall take place until the artificial refugia survey recommended in the Preliminary Ecological Appraisal by Maydencroft has been undertaken, submitted to and approved by the local planning authority.**

Reason: to establish the presence or absence of reptiles within the rough grassland, in order to protect protected species on site.

- 23 **No development shall take place until the off-ground climbing inspection recommended in the Preliminary Ecological Appraisal by Maydencroft has been undertaken, submitted to and approved by the local planning authority.**

Reason: to establish the presence of roosting bats within the identified Oak tree, in order to protect protected species on site.