

# **Planning, Design and Access Statement**

**Demolition of Farm Cottages adjacent to golf club house  
and barn adjacent to Pulham House, and  
erection of detached house with double garage  
adjacent to Pulham House on the site of the barn**

**Land at Essendon Country Club  
Cucumber Lane  
Essendon, Herts AL9 6GJ**

**For**

**Essendon Property Ltd**

HSF/130105  
April 2013

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## **1.0 BACKGROUND**

- 1.1 Planning permission was granted subject to a S106 Obligation to the demolition of Farm Cottages and the barn adjoining Pulham House, and the erection of a dwelling and garage on the site adjoining Pulham House under reference S6/2009/1877/FP on 29 October 2009. The development was not commenced.
- 1.2 Further permission reference S6/2012/1670/S73B, again subject to a S106 Obligation, was granted on 5 October 2012 to vary condition 1 relating to the time limit of the previous permission.
- 1.3 Although the development has not yet commenced, the latter permission remains extant until 5 October 2015.
- 1.4 The current proposal merely seeks a different design and layout for the dwelling to meet the applicants' requirements, but the house and garage remain in the same location as approved. As previously a basement is incorporated, and in order to minimise the visual impact, the width of the house and its front elevation is reduced, though the depth is slightly increased. The resultant total gross external floorspace is marginally greater than approved at 298 sq m.
- 1.5 A S106 Obligation is proposed as before regarding the demolition of the existing buildings, the landscaping of the site and a restriction on the use of the basement of the proposed dwelling.
- 1.6 The following plans are submitted with the application
  - 13/ECC/PL/01A Location Plan
  - 13/ECC/PL/02B Site Plans
  - 13/ECC/PL/03 Proposed layouts
  - 13/ECC/PL/04 Elevations and site section
  - 13/ECC/PL/05 Existing building plans
- 1.7 Also included with the application are
  - Ecological Assessment by ACD Ecology
  - Tree Survey and Report by ACD Arboriculture
  - Updated Bat Report by ELMAW
  - Bat License and Mitigation Strategy
  - Condition Survey of existing buildings by CBRE
  - Sustainability checklist
  - Biodiversity checklist

## **2.0 PHYSICAL ASSESSMENT**

- 2.1 The land is at the Essendon Country Club (formerly the Hatfield London Country Club), and comprises the site of an existing maintenance barn adjoining Pulham House and close to the listed Bedwell Park House, and separately about 1 km to the north east, a pair of dwellings known as Farm Cottages sited a couple of hundred metres from the golf club house.
- 2.2 Upon the opening of the Golf and Country Club in the early 1990s, the club house was located within Bedwell Park, a Grade II listed former mansion. Subsequently, a new club house was constructed, together with parking area approximately 1 mile to the north east, and the listed building was converted to residential use (S6/2003/0941/FP and S6/2003/0942/LB). The development included a substantial amount of enabling development, including 10 new dwellings (of which Pulham House is one), such that the area around Bedwell Park is now a substantial residential enclave comprising some 25 large dwellings. None of this residential area is within the ownership of the applicants.
- 2.3 The site of the proposed dwelling is presently occupied by a portal-framed Atcost barn, clad in asbestos cement sheeting, and used until recently for maintenance purposes in connection with the golf course – indeed it still contains a small amount of equipment. It is a discreet area of approximately 2060 m<sup>2</sup> surrounded on all sides by mature trees and hedgerows which screen the site from wider views. The barn is open-fronted and has a height of 5.9m to the ridge with a floorspace of 127m<sup>2</sup>. In addition the site presently contains an amount of arisings resulting from course maintenance.
- 2.4 Access to this site is from an internal estate road which runs in front of Pulham House and enters the site at its northern point. The land to the west is part of the practice area of the golf course. To the south is Little Bedwell a large established house accessed directly from Cucumber Lane.
- 2.5 Farm Cottages and their curtilage are located to the north of the new club house and comprise a pair of semi-detached former farm cottages, now in a state of some disrepair. They are of rendered brickwork with slate roofs and have matching single storey rear extensions. The curtilage of these two dwellings is now totally overgrown and unkempt, with the dwellings themselves being overwhelmed. A survey of the condition of the buildings as submitted in 2009 accompanies the application. No work has been undertaken on the site or to the buildings since that time.
- 2.6 The only access to the cottages is through the car park serving the Golf Club, which in turn is controlled by a security access barrier. There are no other dwellings in this area, though there are a number of public footpaths in the vicinity, with the site of Farm Cottages being clearly visible from at least one of these. If the undergrowth and vegetation were to be cut back within their curtilage, they would be highly visible.

- 2.7 Access to the whole of the Country Club, Golf Course and the residential area of Bedwell Park is via an access at the junction of High Road (B158) and Cucumber Lane, and thence via internal estate roads to the separate residential area (of which the site of the proposed dwelling forms part) and the golf club and recreational area (of which Farm Cottages form part).

### **3.0 PLANNING POLICY**

- 3.1 At the national level, planning policy is now set out in the National Planning Policy Framework. Paragraphs 87 - 92 specifically deal with proposals for development within Green Belts.
- 3.2 Paragraph 215 states that after the expiry of a 12 month period following the publication of the NPPF (ie after 27 March 2013), due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)
- 3.3 There is no longer a Regional Spatial Strategy applicable, the East of England Plan having been revoked. The only elements of the Hertfordshire Structure Plan still in being, deal with Minerals and Waste, neither of which is applicable in this case.
- 3.4 The Local Plan is the Welwyn Hatfield District Plan 2005, and its saved policies. Those considered applicable are

SD1	Sustainable Development
GBSP1	Definition of the Green Belt
R3	Waste Management
R11	Biodiversity and Development
R17	Trees, Woodlands and Hedgerows
R29	Archaeology
M14	Parking Standards for New Development
D1	Design Quality
D2	Character and Context
D6	Legibility
D7	Safety by Design
D8	Landscaping
IM2	Planning Obligations
H3	Loss of Residential Accommodation
RA4	Replacement of Dwellings in the Green Belt
RA10	Landscape Regions and Character areas
RA25	Public Rights of Way

3.5 The site is situated within the Metropolitan Green Belt as defined on the Proposals Map forming part of the Local Plan. However policy RA1 – Development in the Green Belt, has not been saved.

#### **4.0 INVOLVEMENT**

4.1 The applicants have been in contact with the Council since their involvement with the site in early 2012. An initial pre-application inquiry was submitted in April 2012, with an approach predicated on the size and design approach of Pulham House on the adjoining site.

4.2 The Council's response of 17<sup>th</sup> April 2012, reference S6/2012/0313/PA, drew attention to the previous submissions and the considerations by the LPA which led to the approval of application S6/2009/1877/FP. In particular it was pointed out that neither the scale nor the appearance of Pulham House was considered to be an appropriate approach, given the scale of Farm Cottages.

4.3 The applicants were grateful for the information regarding the previously approved proposals and their considerations, and have taken note of the constraints applying, and have subsequently geared their proposals to take account of those constraints.

4.4 It is perhaps unfortunate that the response contained the overly definitive statement that the approved dwelling was the maximum size acceptable, given that no such indication was set out in any notes accompanying the decision on application S6/2009/1877/FP, nor was there any indication in the committee report relating thereto that the size of the development proposed was the maximum that was considered acceptable in the circumstances. Moreover no detailed submission had been made in the pre-application submission in relation to any larger or indeed different dwelling. This in turn led to the writer making a comparison solely between the submitted pre-application sketch and the approved dwelling, when the comparison should clearly have been with the situation re Farm Cottages, in the light of the considerations and approval of application S6/2009/1877/FP. This incorrect comparison was compounded by the fact that the writer had not visited the site and assessed the two sites with regard to impact on the openness of the Green Belt.

4.5 Much reduced-scale proposals were informally sent to the Council in November 2012, and elicited the response that without a further formal pre-application submission, formal comments could not be made, but that the bulk still appeared to be greater than that approved and was therefore likely to be unacceptable.

- 4.6 A further set of pre-application submission drawings was made on 29 November 2012, with a response being made on 4 January 2013. In particular, the applicants' attention was drawn to the need for comparisons to be made on a like-for-like basis and that since the submitted proposals were based on internal measurements whilst the approved proposals had been based on external measurements, the submitted pre-application proposals were still considerably and unacceptably larger than those previously approved.
- 4.7 Again the applicants were grateful to be advised of their misconceptions, but noted that once again the comparisons were being made solely with the approved proposals rather than the existing situation and the considerations leading to that approval, and that specific size limits were being imposed when no case had been submitted or considered, whether as very special circumstances or not, regarding any other approach.
- 4.8 The applicants' proposals have again been amended and reduced to take account of the advice given by the Council. The width of the house and its front elevation facing towards the access have been reduced such that it is now less than that of the original cottages and the previously approved dwelling. The depth has however been slightly increased, such that the dwelling is now marginally larger (by gross external measurement) than that previously approved. The plans of the proposals now submitted have been provided to the owners of the adjoining dwelling at Pulham House, who have responded with a letter of support, a copy of which is attached as an appendix to this statement.
- 4.9 In the light of the sad passing of one of the adjoining owners of Little Bedwell, and the transference of the other to a nursing home, no approach has been made in this direction.

## **5.0 EVALUATION**

### **5.1 Green Belt**

- 5.1.1 As set out above, the site is situated within the Metropolitan Green Belt. Formerly, national policy in relation to Green Belts was set out in PPG2 – Green Belts, whilst Local Plan policy was set out in policies RA1 – RA9.
- 5.1.2 National policy is now set out in the NPPF Section 9, with paragraphs 79 – 86 dealing with the concept, purpose and definition of Green Belts and paragraphs 87 – 92 setting out the criteria for assessing proposals. The fundamental aim of Green Belt policy as set out in paragraph 79 is

*“to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”*

5.1.3 Local Plan policy RA1 – Development in the Green Belt, is no longer saved, leaving the NPPF to define what development is appropriate within the Green Belt, with or without constraints and caveats as appropriate. The remaining Local Plan policies relating to the Green Belt have a greater or lesser conformity with the NPPF policies depending on the specific context.

5.1.4 The concept of previously developed land (brownfield land) is now applicable to Green Belts, and limited infilling or partial or complete redevelopment of brownfield land is now acceptable as a matter of principle. Both the site of Farm Cottages and the barn (being a maintenance barn as part of the golf course) are now regarded as previously developed (brownfield) land.

5.1.5 Other changes to Green Belt policy have been introduced. Whereas PPG2 stated that

*“The replacement of existing dwellings need not (my emphasis) be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces”*

NPPF paragraph 89 now clearly defines that the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces, is not (my emphasis) inappropriate. Moreover paragraph 89 is **not** prefaced, as is paragraph 90, with the constraint that

*“Certain other forms of development are also not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”*

5.1.6 The clear distinction between paragraphs 89 and 90 is that the generality of developments accepted as appropriate by virtue of paragraph 89 involve additional development, and that additional development should not be tested against the concept of “preserving the openness”, otherwise it could never be permitted.

5.1.7 Since replacement dwellings are now appropriate development, the NPPF does not require as PPG2 did, that LPAs set out criteria relating to the circumstances of replacement. Nothing in the NPPF, or in the Local Plan, indicates that a replacement dwelling must be on the same site as that to be replaced, or within a specific distance of it.



- 5.1.8 In the originally approved application in 2009, specific references were put forward of appeal decisions which had accepted that a replacement dwelling other than on the site of that being replaced was not inappropriate development in the light of PPG2. Those arguments were considered in the Committee Report to have merit, but at the end of the day the view was taken that the distance separation meant that the proposal should be considered inappropriate development in the Green Belt, contrary to PPG2 and policy RA4. No supporting information was put forward for that view, but the consequence was that very special circumstances were considered necessary to overcome that inappropriateness. Those very special circumstances were of course subsequently accepted.
- 5.1.9 The negative wording of policy RA4 is no longer consistent with the positive wording of paragraph 89 of the NPPF, which accepts that the replacement of a building is not inappropriate development
- 5.1.10 In the light of the abovementioned changes to the policy considerations since the original and renewed grants of permission, and indeed since the pre-application responses provided in April 2012 and January 2013, it is considered that the proposal clearly falls within the criterion of replacement of an existing dwelling, and that accordingly the impact upon the openness of the Green Belt does not fall to be addressed.
- 5.1.11 If notwithstanding the above submissions, and the alterations to Green Belt policy and its considerations resulting from the NPPF, the Council forms the view that the proposal amounts to “inappropriate development” within the Green Belt, very special circumstances exist which overcome the harm that is otherwise alleged to arise.
- 5.1.12 The siting of the proposed development results in far less impact upon the openness of the Green Belt, being situated within a very well screened discrete plot, not visible from any public viewpoint and forming part of a significant enclave of substantial dwellings recently approved by the Council, by comparison with the isolated location of Farm Cottages on land the topography of which results in the site being visible from public footpaths. In addition the reduction in width of the proposed dwelling, notwithstanding the small increase in depth, actually reduces the impact on the openness of the Green Belt compared with the previously approved dwelling.
- 5.1.13 The siting of the proposed dwelling is appropriate in locational terms in relation to the recently completed residential development at Bedwell Park. Effectively it will be viewed as part of that development, albeit one that is far better screened from any public or private views as a result of the substantial natural screening around the plot.

- 5.1.14 The extent of the residential development that now exists at Bedwell Park is highlighted by the aerial views of the site attached as appendices to this statement, which show the situation prior to and after the provision of that development. The extent to which the existing barn on the application site is screened by the trees and hedges around the site is clearly visible. This situation and the screening will of course remain following the replacement of the barn by the proposed dwelling.
- 5.1.15 The aerial photo of the current situation also highlights the fact that the minor increase in the floorspace of the proposed dwelling as compared with that previously approved will have no realistic impact on the openness of the Green Belt, when viewed in relation to the recently completed adjoining residential development.
- 5.1.16 The siting of the proposed dwelling is far more appropriate in terms of residential amenity than the location of the existing Farm Cottages. They can only be accessed through the car park to the golf club – an entirely inappropriate approach. Moreover, the location of Farm Cottages close to the north of the golf club house is such that it is impacted by noise and disturbance particularly from evening functions held at the club house.
- 5.1.17 The relationship of the site of Farm Cottages to the golf club house and its car park results in a security hazard to the golf club, since access is controlled by a security barrier.
- 5.1.18 Finally it is submitted that the fallback position created by the extant permission is a highly significant and very special circumstance which warrants the acceptance of the proposed development in the Green Belt.

## **5.2 Size of Proposed Dwelling**

- 5.2.1 The submissions in relation to the original approved application set out that the gross external floorspace of 280 m<sup>2</sup> of the proposed dwelling excluding the basement area and garage, would be approximately 21% larger than the 230m<sup>2</sup> of the existing cottages. This level of increase was considered by the applicants to fall within the criterion set out in policy RA4 that the replacement dwelling should not be materially greater than the existing dwelling. The committee report did not disagree with this proposition, and nor did it indicate in any way that the proposed size was at the maximum level appropriate.
- 5.2.2 The applicants' submissions were not however based upon any specific assessment of the amount by which the existing dwellings could be extended under permitted development rights, or by reference to the size of extension of dwelling normally permitted by the authority in relation to dwellings within the Green Belt. It was in fact an arbitrarily proposed figure by the applicants.

5.2.3 In fact permitted development extensions to the existing dwellings, comprising single storey side extensions and two storey rear extensions could be constructed without the need for permission, which would result in increases to both the floorspace and the volume of the existing dwellings well in excess of 30%. Planning permission is frequently granted for extensions to dwellings in the Green Belt of 30% or more.

5.2.4 Given the size of extensions which the Council frequently permit, and the size of extensions that could be added to the existing Farm Cottages of 30%+, it is clearly the case that a replacement dwelling 30% larger than the existing cottages could not be considered to materially exceed the original building or to be contrary to NPPF paragraph 89, or indeed policy RA4.

5.2.5 The proposals now submitted result in a small increase of just 20 m<sup>2</sup> by comparison with those previously approved, and an overall increase in relation to the existing cottages of less than 30%. It is not however relevant that they are larger than the approved application but whether the increase in relation to the existing cottages is acceptable. It is the applicants' case that the increase is not excessive, nor material, but quite appropriate.

5.2.6 By way of comparison, the following table sets out the relative sizes:-

	Existing m/m <sup>2</sup>	Demolition m/m <sup>2</sup>	Approved m/m <sup>2</sup>	% change re existing	Proposed m/m <sup>2</sup>	% change re existing
Cottages floorspace	229.5	229.5	277.3	+20.8%	298	+29.8%
Cottages footprint	125.5	-	144.0	+14.7%	162.6	+29.6%
Cottages height	8.8	-	9.02	+2.5%	9.02	+2.5%
Cottages width	15.65	-	16.6	+6.1%	15.0	-4.1%
Barn floorspace	127.0	127.0	-	-	-	-
Barn height	5.9	-	-	-	-	-
Garage floorspace	-	-	42.0	-66.9%	43.3	-65.9%
Garage height	-	-	5.0	-15.2%	5.2	-11.9%
<b>Total</b>	<b>356.5</b>	<b>356.5</b>	<b>319.3</b>	<b>-10.4%</b>	<b>341.3</b>	<b>-4.2%</b>

- 5.2.7 As with the previously approved proposal, the area of the basement is not included in the above calculations, as it is entirely below ground, and will have no impact.
- 5.2.8 Also as with the approved proposals, and as can be seen from the above table, the total floorspace proposed is less than the existing floorspace of the cottages plus the barn, and there will therefore be an actual decrease in the impact on the openness of the Green Belt by comparison with the existing situation.
- 5.2.9 From this aspect, it must also be remembered, as previously noted, that the existence of the maintenance barn means that in accordance with the NPPF, the maintenance barn and its site are now considered to be brownfield within the Green Belt.
- 5.2.10 The argument set out in the committee report on the previously approved proposal, that the demolition of the barn should be of no account since it was “appropriate”, was difficult to justify. Indeed the opposite was the case. Had the barn itself been inappropriate, or even unlawful, then it could certainly be argued that its removal should be of no account. However, the barn is now clearly “appropriate” development in accordance with paragraph 89 of the NPPF, in conjunction with outdoor sport, whether or not it was previously “essential” as set out in PPG2.
- 5.2.11 Whilst therefore the replacement of a maintenance barn with a dwelling is not “appropriate development” in accordance with NPPF para 89, that is not what is proposed. The proposed dwelling is a replacement of (two) existing dwellings. But it is also proposed to remove existing, lawful, “appropriate” floorspace which presently has a degree of impact on the openness of the Green Belt. The totality of the development being demolished is greater than that of the above-ground development proposed, and the reduction in the total amount of built form will thus have a beneficial impact upon the openness of the Green Belt in accordance with the basic Green Belt concept as set out in paragraph 79.
- 5.2.12 Other aspects of the size of the dwelling are entirely comparable to the previously accepted considerations. The volume of the proposed dwelling, as with the floorspace, is less than 30% greater than that of the existing cottages and not therefore materially greater. The height remains as previously approved at 9.02m and a barely perceptible increase of 0.22m above the existing cottages.

### **5.3 Design**

- 5.3.1 Policy D1 requires the design of new buildings to be of high quality and policy D2 requires their character to have regard and respect to their context.

- 5.3.2 In terms of context, the submitted site section shows that the dwelling is appreciably smaller than the dwellings to north and south at Pulham House and Little Bedwell. Though not possible to depict on a section, it will sit comfortably as part of the residential enclave of substantial dwellings allowed by the Council and centred on the listed former mansion of Bedwell Park. Its existing mature boundaries and the additional planting proposed will further ensure that it is assimilated into the character of this small and high quality rural residential development.
- 5.3.3 When the previously approved dwelling was proposed, the applicants pointed out that it was not considered appropriate to specifically reflect the styles of either Bedwell Park or Pulham House. Bedwell Park is of considerably greater scale, and though listed is separated by numerous trees and is sufficiently far from the proposed dwelling such that its setting will not be impacted by the proposed house. Pulham House, though large, is considerably smaller than Bedwell Park, but its design is considered too “grand” to copy as set out in the Council’s pre-application response, even though it is a very recent dwelling.
- 5.3.4 The previous dwelling was not therefore predicated on any particular architectural “style”, and of course paragraph 60 of the NPPF indicates that it is not appropriate for policies and decisions to impose particular styles or tastes.
- 5.3.5 Similarly for the current proposal, it is not proposed to promote a building of a particular style, whether “Georgian” or “Tudor” or “Art Nouveau”, but to produce a dwelling of substance but not of false grandeur, comprised of elements which create a domestic scale and minimise the overall massing.
- 5.3.6 The proposed design is therefore grounded in traditional good quality red multi-stock brickwork and red-brown clay tile roof, with details providing the visual interest. Hipped gables and a small octagonal spire break up the roof mass and provide a focal element above the entrance, aiding “legibility”. The bulk and detailing of the proposed chimney stack have been reduced and simplified from that proposed at pre-application stage
- 5.3.7 The amount of surrounding trees and hedges demands a degree of fenestration sufficient to provide adequate internal light, and the windows have been specifically designed to provide the required levels of light and visual interest. On the front elevation they comprise ground and first floor square projecting bays to the left and a ground floor projecting bay to the right, with a glazed screen lighting the stairs and hallway to the left of the entrance. To the side and rear they are provided with lightweight balcony screens, again to prevent light impedance. To add to the emphasis on the entrance as part of the concept of legibility, the entrance doorway and widow above will have stone detail surrounds.

- 5.3.8 As set out previously, it is not intended to produce an architectural style of any particular period (the previous application suggested it was based on a 1930s approach, though there was and is no requirement to use such a basis), but to produce a cohesive design of substance which though of smaller scale than Little Bedwell, Pulham House and the nearby dwellings recently approved by the Council, will sit comfortably in their company. The applicants are confident the proposals achieve as much, and that they comply with the Council's design requirements as set out in policy D1 and in Supplementary Design Guidance.
- 5.3.9 The siting of the dwelling, with its major windows and door facing the site entrance also achieves a good level of overview of the access in accordance with the principles of Secured by Design and policy D7 – Safety by Design. Nonetheless, with the design guidance in mind, and with a view to achieving security at night time and when the dwelling is unoccupied, simple wrought iron gates in keeping with those at Pulham House will be provided.

#### **5.4 Neighbour Amenity**

- 5.4.1 The location and orientation of the house, lack of side facing windows, siting of the garage, and existing and proposed planting all combine to ensure that there will be no overlooking or loss of privacy to Pulham House. Nor will any overshadowing result. The letter received from the residents of Pulham house confirms that not only do they have no objections, but they actually support the proposal.
- 5.4.2 Similarly the distances involved, the existing intervening trees and the planting proposed along the common boundary, and the nature of the flank wall to the annexe to Little Bedwell all combine to ensure that there will be no loss of privacy to that property.
- 5.4.3 In order to ensure privacy of garden use for the proposed dwelling and the occupants of Little Bedwell and Pulham House, the boundaries common with those dwellings will be provided with close boarded fencing as well as additional hedge planting as shown on the submitted plans.

#### **5.5 Trees and Landscaping**

- 5.5.1 The application is accompanied by a Tree Report and Survey undertaken by ACD Arboriculture. This concludes that the removal of 1 oak tree the health of which is poor following previous lightening strike should be undertaken (NB It is not necessary to remove the tree in order to erect the dwelling). Two dead oak trees identified in the survey carried out in conjunction with the 2009 application have already been removed.
- 5.5.2 No other trees require removal or will be removed.

- 5.5.3 The tree report indicates that the dwelling is so sited as to prevent incursion into the root protection areas of any of the trees on the site and that there is no undue proximity to trees or their canopies. Adequate space exists to enable the provision of such additional tree and hedge planting as is required to provide any boundary enhancements, as well as to provide more than adequate space for useable amenity.
- 5.5.4 Metal estate rail fencing, similar to that used at Pulham House will also be provided along the western boundary with the golf course to provide security whilst ensuring it does not detract from the health or appearance of the indigenous hedgerow.
- 5.5.5 The development therefore complies with policies D8 – Landscaping and R17 – Trees, Woodlands and Hedgerows as set out in the Local Plan

## **5.6 Bats**

- 5.6.1 A bat survey was previously carried out by ELMAW Consulting, and an updated survey provided in connection with the effective renewal of the permission in 2012.
- 5.6.2 No further update is required, but a mitigation and compensation strategy (by ELMAW consulting) is submitted together with copies of the bat licenses in relation to the removal of bats from the building prior to demolition works and the provision of the required alternative habitats.
- 5.6.3 The proposal therefore meets the relevant European and National legislative requirements regarding bat species, as well as policy R16 – Protection of Species.

## **5.7 Ecology**

- 5.7.1 An ecological assessment of the site of the proposed dwelling has been carried out by ACD Ecology.
- 5.7.2 Being an open building, the existing maintenance building has negligible potential for bats, but a further survey of the damaged oak tree No 1 which is to be removed due to its poor health should be undertaken prior to removal.
- 5.7.3 Various recommendations are made, with which the applicants are pleased to comply, regarding enhancements for such wildlife as does or might resort to the site, including the provision of bat, bird and hedgehog boxes and facilities to encourage beneficial insects.

## **5.8 Heritage Assets**

- 5.8.1 The site of the proposed dwelling is adjacent to but not within the locally designated historic garden associated with Bedwell Park mansion. However Bedwell Park is not a formally registered historic garden, and the application site is not therefore affected by either a designated or undesignated historic garden.
- 5.8.2 The site does however lie within an Area of Archaeological Significance as shown on the Proposals Map forming part of the Local Plan. The previous approvals imposed an appropriate archaeological condition.
- 5.8.3 The proposal is accompanied by a Design Brief for Archaeological Evaluation provided by the Historic Environment Unit of Hertfordshire County Council, and this will be used as the basis of the necessary archaeological evaluation.

## **5.9 Sustainability**

- 5.9.1 In accordance with policy SD1 – Sustainable Development, the required sustainability checklist has been completed and accompanies the application.
- 5.9.2 The site of the proposed dwelling is defined as brownfield in the NPPF. The site was not so defined when planning permission was originally granted and renewed. Permission in relation to application S6/2012/1670/S73B remains valid until 5 October 2015.
- 5.9.3 None of the materials arising from the demolition of the existing cottages or the maintenance barn are appropriate for re-use, and will be disposed of to licensed disposal sites, and in accordance with regulations governing the dismantling and disposal of hazardous materials.
- 5.9.4 No external lighting is proposed for the development, other than to the entrance porch.
- 5.9.5 Materials to be used throughout the development will be high quality and durable, requiring minimal maintenance. Hard surfaces to vehicular access, parking and pedestrian areas will be permeable to allow for surface water dispersal.
- 5.9.6 Water efficient fixtures, including low flush cisterns, high aeration showers, and low water white goods will be employed throughout.
- 5.9.7 The building will be constructed to achieve level 4 of the Code for Sustainable Homes, and will incorporate photo voltaic panels to provide electricity for space and water heating, whilst all lighting and installed electrical equipment will be low energy. A



condensing boiler will be installed. Investigations regarding the efficiency and effectiveness of the provision of a ground source heat pump are continuing.

- 5.9.8 It is acknowledged that the location of the dwelling is not the most sustainable from the transport aspect, but of course permission exists for a dwelling on the site, it is within an enclave of other recently permitted dwellings to which the same transportation considerations apply, whilst the location is considerably less isolated than the existing cottages that are to be replaced.
- 5.9.9 Storage space for cycles will be provided within the proposed double garage, and ample space is available for the storage of refuse and recycling bins.
- 5.9.10 Construction will be carried out in accordance with Considerate Constructor guidelines.

## **5.10 S106 Obligation**

- 5.10.1 As with the previously approved applications, the demolition of the existing Farm Cottages and the removal of the debris, together with the subsequent landscaping of the site, and the restriction of the use of the basement to the proposed dwelling to incidental purposes will be secured by a S 106 Obligation.
- 5.10.2 The applicants have already been in discussion with the Council's solicitors, and a draft Obligation will be submitted well in advance of the determination of the application once the parties are satisfied with the wording thereto.

## **6.0 ACCESS**

- 6.1 The site is situated relatively close to the access to the overall Country Club and the recently approved and provided residential development centred on Bedwell Park. It is well served therefore by existing internal estate roads, and no additional construction of estate roads will be necessary.
- 6.2 Whilst the rural location means that accessibility for non-car modes of transport is not good, as is acknowledged in section 5.9 above, the situation is effectively the same as that considered acceptable in relation to the residential development at Bedwell Park, and is considerably less isolated than that in relation to the site of Farm Cottages.
- 6.3 The proposed dwelling is located on a relatively flat site, and will present no difficulties of access for the disabled as a result of levels. The development will comply with Part M of the Building Regulations with regard to accessibility.

- 6.4 The dwelling is of a size to accommodate stair lifts or ground floor sleeping and bathing facilities should the need arise at some time in the future.
- 6.5 Parking provision in accordance with the Council's adopted standards is provided via the proposed double garage and the space in front thereof, as is shown on the site plan.
- 6.6 Ample facility for the storage of cycles is also available within the garage.

## **7.0 CONCLUSIONS**

- 7.1 The application seeks the demolition of Farm Cottages and the erection of a new house and garage in a different location, following the further demolition of a maintenance barn.
- 7.2 Both sites are located within the overall area occupied by the former Hatfield London Country Club, now the Essendon Country Club.
- 7.3 The whole area is situated within the Metropolitan Green Belt.
- 7.4 Planning permission has been granted and remains extant until October 2015 for a very similar development. The grant of that permission confirms that the development is appropriate within the Green Belt, and constitutes an indisputable fallback.
- 7.5 The policies of the NPPF in relation to development within the Green Belt accept additional types of development with lesser constraints than did PPG2 or the policies of the Local Plan.
- 7.6 Although the Adopted Local Plan remains in situ, the policies of the Local Plan dealing with development in the Green Belt are no longer consistent with those set out in the NPPF, and by virtue of paragraph 215 of the NPPF cease to have significant weight or relevance.
- 7.7 Both the site of Farm Cottages and the site of the existing maintenance barn where the new dwelling is proposed are now by definition brownfield. The proposal will result in one of those two sites (that of Farm Cottages) no longer being brownfield.
- 7.8 The proposal amounts to the replacement of 2 dwellings, and a barn, and constitutes appropriate development within the Green Belt.
- 7.9 Nothing in the NPPF or for that matter in the Local Plan indicates that a replacement building must be on the same site as existing, or within any specified distance.

- 7.10 The replacement building will be less than 30% larger than the dwellings to be demolished and less than the size to which the dwellings could be extended under permitted development rights. By any token, such an increase in size is less than “materially larger”.
- 7.11 The proposal thus constitutes appropriate development in the Green Belt in relation to which the impact upon the openness of the Green Belt does not fall to be assessed.
- 7.12 In the event that it is considered that the proposal is not appropriate but is “inappropriate” development, very special circumstances exist which indicate that the development is appropriate within the Green Belt.
- 7.13 The impact upon of the proposed dwelling on the openness of the Green Belt will be considerably less than that of the existing Farm Cottages which are in a far more conspicuous location in the landscape and visible from public vantage points on the adjoining definitive footpath.
- 7.14 The location of the proposed dwelling is adjoining and within a residential area resulting from recent decisions by the Council to allow such development. The location of the dwellings to be replaced is by comparison isolated from any other dwellings.
- 7.15 The existing dwellings are only accessible through a barrier controlled car park – an entirely unsuitable arrangement not pertaining to the proposed house location.
- 7.16 Planning permission exists for a very similar dwelling which actually has a wider frontage than that now proposed, such that the proposal will have less impact on the openness of the Green Belt than that previously approved.
- 7.17 The proposed development will be of less floorspace than the buildings to be demolished and significantly less floorspace than the existing dwellings on either side at Pulham House and Little Bedwell.
- 7.18 The design of the previously approved dwelling was not required to be predicated on any specific individual building or style, but was accepted as appropriate by the LPA. The designs of Bedwell Park, Pulham House and Little Bedwell are all different. The alterations to the design approach now proposed produce a respectful building of substance, quality and character which will sit comfortably in the context of the surroundings.

- 7.19 The bat report, mitigation strategy and license now provided show that the requirements in relation to the protected bat species occupying Farm Cottages have been and will be met in accordance with the legislative requirements in place.
- 7.20 The design brief for an archaeological evaluation provided by HCC Historic Environment Unit indicates that an appropriate archaeological investigation can and will be carried out, and the applicants are willing to accept a condition as such.
- 7.21 Prior to the determination of the application, the applicants will submit a S106 Obligation in terms similar to those used previously, relating to the demolition, clearance and landscaping of the site of Farm Cottages, and the incidental use of the basement of the proposed dwelling.
- 7.22 It is accordingly requested that planning permission is granted.