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For and on behalf of
Car Planet Trading Limited

Planning Statement

Cinnamon House, Baldwins Lane, Croxley Green, WD3 3RT

**Prepared by
DLP Planning Ltd
Bedford**

November 2023



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1.0 INTRODUCTION

- 1.1 This Planning Statement (PS) has been prepared by DLP Planning Ltd (DLP) on behalf of Car Planet Trading Limited (the Applicant) and is submitted in support of a retrospective full planning application for change in lawful use of the site from Class E (office) to a mixed use of Class E (office) and Sui-Generis (Car Sales) for a temporary period of 2 years. The application also seeks to retain two car ports at the site labelled as 'A' and 'B' on the site location plan and referred to accordingly within this report. Car port A is proposed to be altered from its current form to reduce its scale and impact following pre-application discussion with the Council. This is outlined in further detail in the development proposals section of this PS.
- 1.2 Car Planet Trading Limited, are an online car sales business operating in and around the Hertfordshire/north London area.
- 1.3 The application site comprises the existing two storey office building and associated land at Cinnamond House, Baldwins Lane, Croxley Green, WD3 3RT. The site was identified by TRDC as a 'Potential Site for Allocation' in the Local Plan Regulation 18 Preferred Policy Options and Sites for Potential Allocation Consultation (11 June - 20 August 2021). The site, which is referenced as CFS61, is identified as having potential for 133 residential dwellings to be delivered within the next 10 years. The Local Plan Regulation 18 consultation Part 4 is dated 27th October 2023 – 10th December 2023 and this allocation remains unchanged.
- 1.4 This PS sets out the principal planning issues as considered relevant. It includes an assessment of the proposals against local planning policies as set out in the development plan for Three Rivers; and the material considerations set out within the National Planning Policy Framework (the Framework). Before considering the policy context, the PS sets out the Site's planning history, a description of the proposals and proposed use and follows with a detailed analysis in relation to the planning policies as set out by the Council. At its conclusion the PS outlines the reasons why the development in all regards is one that is in accordance with the development plan and other material considerations and should be approved without delay.

1.5 The planning application is supported by the following plans and technical documents:

- Application form
- Planning Statement
- Covering letter
- Site Location Plan (Ref: 0001 – Revision P02)
- Existing Site Plan (Ref: 0002 – Revision P05)
- Proposed Site Plan (Ref: 0003 – Revision P05)
- Car Port A plan and elevations – current and proposed (Ref: 0004 – Revision P02)
- Car Port B plan and elevations - proposed (Ref: 0005 – Revision P01)
- Ground floor and first floor layouts of Cinnamond House (Ref:0006 – Revision P02)
- Transport Statement – TTP
- Parking Management Plan – TTP
- Delivery Management Plan - TTP
- Phase 1 Contamination Survey - EPS
- Biodiversity Checklist

2.0 SITE DESCRIPTION AND CONTEXT

2.1 The application site, as defined on the location plan below, extends to approximately 1ha and comprises the existing two storey office building and associated land at Cinnamon House, Baldwins Lane, Croxley Green, WD3 3RT.

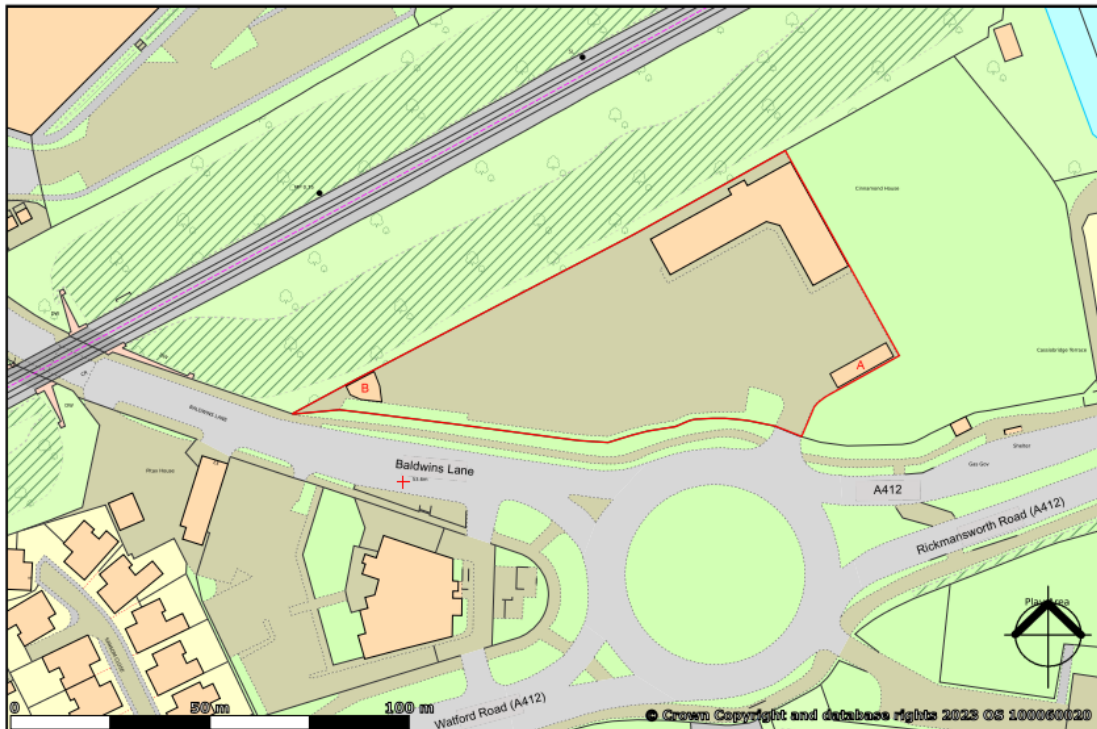


Figure 1: Site location plan

2.2 The site is located on the eastern edge of the built-up area of Croxley Green and is accessed via the A412 roundabout on Baldwins Lane. The surrounding area is comprised of a mix of residential and commercial uses; Croxley Danes School is located to the north, separated from the application site by tall trees and the train line. The site is also in close proximity to the Grand Union Canal to the East.

2.3 The site is owned by Thrive Homes and let to Car Planet under a commercial lease arrangement. Car Planet have been operating from the site since occupation on 7th June 2022.

2.4 The land comprises a modern two-storey pitched roof office building (Class E) with an 'L' shaped footprint which is located centrally to the rear of the site, this is shown in Figure 2 below. To the west and front of the building is hardstanding. Although not within the

application red line, the the wider site there is an undeveloped area of grass to the east. The site also includes two Car Port structures which were erected by Car Planet. Car Port A was erected on 22/12/2022 and Car Port B was erected on 31/10/2022.



Figure 2: Cinnamon House

2.5 The site has been identified by TRDC as a 'Potential Site for Allocation' in the Local Plan Regulation 18 Preferred Policy Options and Sites for Potential Allocation Consultation (11 June - 20 August 2021). The site, which is referenced as CFS61, is identified as having potential for 133 dwellings to be delivered within the next 10 years. The Local Plan Regulation 18 consultation Part 4 is dated 27th October 2023 – 10th December 2023 and this allocation remains unchanged.

Site Constraints

2.6 The site is located within the Metropolitan Green Belt however it is previously developed land mainly laid to hardstanding other than the soft landscaped area to the east of the office building. The land immediately to the south and west is not within the Green Belt.

2.7 It is also within 'Rural Character Area 11' of the Croxley Green Neighbourhood Plan (2018), 'Cassiobridge, River Gade, Canal and Common Moor'.

2.8 The site is not located within a conservation area, or within the vicinity of any heritage assets, is located within Flood Zone 1, and is located within Source Protection Zone 1.

- 2.9 The site is within the London Underground Zone of Interest and the British Waterways Consultation Zone.
- 2.10 There are no Tree Preservation Orders on the land.
- 2.11 The constraints at the site do not prevent the proposed use and development from being appropriate in this location.

3.0 PLANNING HISTORY

Application Reference	Development	Decision
Application Site		
20/0003/COMP	Enforcement enquiry: Use of site for commercial activity including car sales and construction of outbuildings.	Pending
10/1479/PREAPP	Redevelopment of site for Car Showroom and Servicing.	N/A
10/1392/PREAPP	Car showroom.	N/A
09/2071/PREAPP	Change of Use to Motor Car Sales Showroom	N/A
99/0053	Replacement of existing office building (amended scheme)	Permitted.

- 3.1 The above permission (99/0053) confirms the lawful use of the site as B1 office use which is now categorised as Class E. Prior to this 1999 application several applications relating to previous uses and developments at the site were made, however the building to which those applications were made had since been demolished as per the 1999 permission.
- 3.2 Following an initial enforcement investigation in early 2023 (20/0003/COMP), pre-application advice was sought from the Council in April 2023 with regards to a retrospective planning application. Written pre-application advice was provided on 6th June 2023 with a follow up meeting held on 5th July 2023. The pre-application response and subsequent meeting confirmed that the principle of the continued use of the site for a temporary period is acceptable and confirmed the Council's validation requirements. Discussions also took place with regard the siting of the temporary car port structures.

4.0 DEVELOPMENT PROPOSALS

4.1 This application seeks retrospective temporary planning permission for the change of use of Cinnamond House, Baldwins Lane, Croxley Green, WD3 3RT from an office (Class E) to a mixed use of office (Class E) and car sales (Sui Generis). Permission is sought on a temporary basis for two years.

Use

4.2 The proposed use for the main building on site is for Car Planet's Head Office. This building houses the company's main back-office operations (i.e. management, finance, HR), as well as the company's online sales and customer support operatives. The premises is currently occupied by circa 20-25 members of staff on a daily basis. Cinnamond House also contains a workshop area at ground floor level, which is utilised by Car Planet for minor servicing of cars ahead of sale, which is ancillary to the main use of the site for the storage and online sale of cars. The existing hardstanding area is to be used for the parking of cars for sale as well as staff and visitors as outlined in the transport statement and drawing number 0002 (Revision P05) in further detail.

Hours of Operation

4.3 Car Planet is an online sales business. Whilst most of the site's visitors book appointments to view cars or purchase online, the proposal is to allow customers to 'walk-in' to browse cars without an appointment. A small number of customer appointments are available via walk-ins. On average there are eight scheduled customer appointments per day, with two walk-in appointments. Access to the site would be strictly managed by site operatives. The proposed hours of operation are 09:00-20:00 Monday to Saturday and 10:00-17:00 on Sundays.

Car Port Structures

4.4 Permission is also sought for the retention of Car Port structures A and B for the duration of the temporary permission. Following discussions with the case officer during the pre-application meeting, proposed Car Port A will be reduced significantly in size from a six-bay car port currently to a four-bay car port. At present Car Port A has 6 bays and measures 16m x 4m with a 0.5m overhang roof on the front side. By removing two bays, the car port would be significantly reduced in size to 12m x 4m with the 0.5m overhanging roof to the front. This reduces the visibility and overall impact of the structure on openness. In terms of siting, Car Port A is tucked into the south-east corner of the site and well screened from view by mature vegetation on the site's southern boundary. Car Port A is used for the parking of vehicles due

for collection following being cleaned to protect them from the elements and is constructed of a black timber elevations and a corrugated metal sheet roof as shown in Figure 3 below.



Figure 3: Car Port A

4.5 Car Port B is used for the valeting of vehicles prior to sale. This is a timber framed building measuring 2.5 metres tall. It is irregular in shape with a maximum length of 9.84 metres and maximum width of 6.4 metres. This car port is located in the far western corner of the site and is completely screened from external view by mature vegetation and is pictured in Figure 4 below.



Figure 4: Car Port B

5.0 PLANNING POLICY CONTEXT

Development Plan

5.1 Section 38 (6) of the Planning & Compulsory Purchase Act 2004 (the Act) requires that the determination of planning applications and appeals is undertaken in accordance with the development plan, unless material considerations indicate otherwise.

5.2 For the purpose of this Planning Application, the statutory development plan comprises the following:

- Three Rivers Core Strategy (October 2011)
- Site Allocations Local Development Document (2014)
- Development Management Policies Document (2013)
- Croxley Green Neighbourhood Plan (2018)

Three Rivers Core Strategy (October 2011)

5.3 The following policies within the Core Strategy are deemed to be relevant to this proposal:

5.4 **Policy CP1 (Overarching Policy on Sustainable Development)** – outlines that all development in Three Rivers is required to contribute to the sustainability of the district.

5.5 **Policy CP6 (Employment and Economic Development)** - The Council will support development that:

- Sustains parts of the District as attractive areas for business location
- Provides an appropriate number of jobs to meet strategic requirements
- Promotes skills and learning of the local workforce
- Provides for a range of small, medium and large business premises
- Reinforces the south-west Herts area's existing economic clusters including film, printing and publishing, telecommunications and construction
- Further develops knowledge-based industries (including high-tech manufacturing, finance and business services, computing and Research & Development, communications and media industries)
- Aligns economic growth with housing growth in the area in order to balance the provision of homes and jobs and reduce out-commuting
- Retains overall levels of industrial and warehousing floorspace in the District and adopts a more flexible approach to the release of office floorspace for other uses
- Reduces the need to travel by promoting mixed-use development, including 'live-work' units (where these can be demonstrated to be appropriate), and homeworking, whilst taking into account the need to protect existing residential amenities.

The sustainable growth of the Three Rivers economy will be supported by:

- Continuing to focus employment use within the key employment areas within the

District: Leavesden Aerodrome, Croxley Business Park, Tolpits Lane, Maple Cross/Maple Lodge, Kings Langley Employment Area, Carpenders Park West, Rickmansworth Town Centre

- Ensuring that employment uses are accessible through a range of transport modes including by public transport
- Supporting economic development in rural areas where this would contribute to sustainable development objectives would be consistent in scale with the rural location and would not result in harmful effects on the environment or local communities
- Supporting opportunities for economic development in the South Oxhey area as part of plans for regeneration of the area to help address identified deprivation in the South Oxhey area in relation to access to employment, education, skills and training and income
- Releasing office space from employment use where this is expected to be surplus to employment needs across the plan period as indicated by an up to date Employment Land Study
- Generally retaining general industrial and warehousing space in employment use, but recognising opportunities for relocation or mixed use redevelopment of industrial and warehousing space where this would contribute to wider sustainability objectives and would not harm the overall economic performance of the District.

5.6 **Policy CP8 (Infrastructure and Planning Obligations)** – requires developments of a certain size or nature provide, or make adequate contribution towards, infrastructure and services. Developments must also demonstrate that water supply, waste water capacity, electricity supply and gas supply provision is adequate at the site for the proposed development.

5.7 **Policy CP10 (Transport and Travel)** – highlights that development will need to demonstrate that:

- It provides a safe and adequate means of access;
- It is appropriate in scale to the existing transport infrastructure;
- Is integrated with the wider network of transport routes;
- Makes provision for all users, including car and other vehicle parking;
- It includes, where appropriate, provision for public transport either within the scheme or through contributions; and
- The impact of the proposal on transport has been fully assessed.

5.8 **Policy CP11 (Green Belt)** - outlines that the council will encourage appropriate positive use of the Green Belt. There will be a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it.

5.9 **Policy CP12 (Design of Development)** – states that the Council will expect all development

proposals to, amongst a further list of requirements:

- Have regard to the local context and conserve or enhance the character, amenities and quality of an area.
- Conserve and enhance natural and heritage assets.
- Protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.
- Make efficient use of land whilst respecting the distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials.

Development Management Policies Document (2014)

5.10 The following policies within the Development Management Policies Document are deemed to be relevant to this proposal:

5.11 **DM2 (Green Belt)** – outlines that the re-use and conversion of buildings in the Green Belt will be supported where:

- the form, bulk and general design of the building is in keeping with the surroundings.
- any proposal by way of alterations/extensions, parking/turning areas, modifications to access or landscaping does not have a significant adverse effect on the openness of the Green Belt and does not appear excessively prominent.
- the scale of the proposed use is not likely to have a detrimental effect on the locality (e.g. by noise, smell or bringing heavy traffic into narrow lanes or involving uses not appropriate to the Green Belt or areas of open land).
- the building is suitable for reuse/conversion without extensive alteration, rebuilding and or extension.
- proposals do not include open or agricultural land to provide new gardens/amenity space or include doors giving access from buildings directly onto such land.

5.12 **DM6 (Biodiversity, Trees, Woodland, Watercourses and Landscaping)** – outlines that Development should result in no net loss of biodiversity value across the District as a whole. Development must conserve, enhance and, where appropriate, restore biodiversity. Development should seek to retain trees and other important landscape and nature conservation features.

5.13 **DM8 (Risk and Water Resources)** – outlines that development will only be permitted where it would not be subject to unacceptable risk of flooding; and would not unacceptably exacerbate risk of flooding elsewhere. Where practicable existing flood risks should be reduced. In terms of water resources, the Council will support development where the quantity and quality of surface and groundwater resources are protected from aquatic

pollution and where possible enhanced and there is an adequate and sustainable means of water supply and sufficient foul and surface water drainage. Developments must also make efficient use of water resources.

- 5.14 **DM9 (Contamination and Pollution Control)** – In relation to pollution and contaminated land, this policy states that the Council will refuse planning permission for development, including changes of use, which would or could give rise to polluting emissions to land, air and/or water by reason of disturbance, noise, light, smell, fumes, vibration, liquids, solids or other (including smoke, soot, ash, dust and grit) unless appropriate mitigation measures can be put in place and be permanently maintained. It is also required that developments do not result in adverse impact on the quality of local groundwater or surface water quality.
- 5.15 **DM13 (Parking)** – outlines that development should make provision for parking in accordance with parking standards.
- 5.16 **Appendix 2 (Design Criteria)** and **Appendix 5 (Parking Standards)** of this plan are also relevant to this application.

Croxley Green Neighbourhood Plan (2018)

- 5.17 The following policies within the Croxley Green Neighbourhood Plan are deemed to be relevant to this proposal:
- 5.18 **CA1 (New Developments)** – sets out that new development should seek to conserve and, wherever possible, enhance the key elements of the character and appearance of the Character Areas described in Appendix B through careful design and massing of new buildings and the protection and enhancement of private gardens and open space without inhibiting innovative design. The policy also requires new development to pay respect to adjoining buildings to conserve the visual cohesion of the locality.
- 5.19 **RE3 (Encouraging New Employment)** – outlines that the Council will support all existing and new businesses which are compatible with neighbouring properties and will encourage the erection of buildings or the conversion and extension of buildings to new business premises where they are compatible with neighbouring residential properties.

Other Material Considerations

Emerging Three Rivers District Council Local Plan 2038

- 5.20 It is important to note, although not part of the development plan, the draft Local Plan 2038 is currently at Regulation 18 (Draft) stage and includes the site within its 'Sites for Potential Allocation' document for up to 133 residential dwellings. Given the current stage of the draft Local Plan, relevant development management policies within the emerging plan are considered to carry very limited weight at present and have therefore not been listed.

National Planning Policy Framework 2023 (NPPF)

- 5.21 The National Planning Policy Framework is a material consideration in the determination of planning application. It is considered that the following paragraphs are of relevance:

- 5.22 **Paragraph 11 (Sustainable Development)** deals with the presumption in favour of sustainable development and requires that development proposals that accord with an up-to-date development plan should be approved without delay. Where there are no relevant development plan policies, or the most important policies for determining the application are out of date, permission should be granted unless:

- *"The application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development; and,"*
- *"Any adverse impacts of doing so would significant and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole."*

- 5.23 **Paragraph 38 (Working Proactively)** requires local planning authorities to decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. The paragraph also outlines that decision-makers at every level should seek to approve applications for sustainable development where possible.

- 5.24 **Paragraph 47 (Determining Applications)** *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."*

- 5.25 **Paragraph 81 (Economy)** requires planning decisions to create conditions where

businesses can invest, expand and adapt. This paragraph also makes it clear that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

5.26 **Paragraph 119 (Making Effective Use of Land)** states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

5.27 **Chapter 13 (Green Belt)** Outlines the purpose of the Green Belt, what constitutes as an inappropriate development within the Green Belt and the exemptions to this.

5.28 The following documents are also to be considered:

- The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).
- The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.
- The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

6.0 PLANNING BALANCE AND CONCLUSIONS

6.1 This section of the PS discusses the main planning considerations in relation to the relevant planning policies contained within the adopted development plan.

Principle of Development

6.2 The application site constitutes previously developed land as per the definition outlined in the NPPF (2023). The site has been in commercial use historically and the continued use of the land for commercial purposes is therefore appropriate in principle as confirmed by the Council in their pre-application response dated 6th June 2023 and subsequent meeting. As such, the use and its associated buildings are suitable in principle, subject to various material planning considerations, each of which is justified in this report.

6.3 The change of use element of the proposals simply seeks to continue the 'office' use of the main building and ancillary hardstanding areas. No additional extensions to the main building or hardstanding are proposed as part of this application.

6.4 The site has been identified by TRDC as a 'Potential Site for Allocation' in the Local Plan Regulation 18 Preferred Policy Options and Sites for Potential Allocation Consultation (11 June - 20 August 2021). The site, which is referenced as CFS61, is identified as having potential for 133 dwellings to be delivered within the next 10 years. The site was not identified as a "Site not being taken forward" in a further consultation undertaken between 27 January and 30 March 2023. It can therefore be assumed the site will be taken forward as a potential allocation for redevelopment in the next iteration of the plan as it progresses towards submission to the Secretary of State.

6.5 Given the current progress of the emerging Local Plan, and nature and duration of the applicant's lease arrangement with the landowner, Thrive Homes, a temporary permission of two years for both the change of use and car port structures is requested. This will allow Car Planet to operate at the site for a reasonable amount of time and provide a suitable meanwhile use for the site that generates local employment and additional GVA for the local economy.

6.6 The current (and proposed) use of the site by Car Planet allows for an effective meanwhile use of a brownfield site as supported by Paragraph 119 and 120 of the NPPF. Without this use, the site would otherwise be sitting vacant for several years, neglecting the benefits

generated from the use of the site which are outlined below.

- 6.7 By operating at this site, Car Planet is creating local employment with a total of 70 employees, approximately 20-25 of whom will be employed directly on site. This is supported by Neighbourhood Plan Policy RE3 which aims to support local businesses and the conversion and erection of buildings where they are compatible with neighbouring residential properties. Staff and visitors also contribute to the local economy through spending in local shops and using local services. This is also supported by Policy CP6 of the Core Strategy which relates to employment and economic development; the creation and retention of jobs on this otherwise vacant site is a clear benefit to the area. The Council's pre-application response has confirmed that this weighs in favour of the development.
- 6.8 The continued active use of this site will also generate business rates income for the local authority which in turn benefits the local area and community.

Green Belt Impacts

Change of use

- 6.9 Paragraph 150 of the NPPF states that certain other forms of development are not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. Part e) of paragraph 150 of the NPPF allows material changes in the use of land as is proposed here.
- 6.10 The impacts on the Green Belt from the proposed temporary change of use are negligible. Cinnamond House is an existing building and already exhibits a large amount of existing hardstanding extending to approximately 50-60% of the total site area. The use of the forecourt by Car Planet does not extend this area and all cars parked are within the existing hardstanding area. Under its current permitted use, the applicant is not aware of any condition or control that the Council has to limit the use of the car parking area to a specific number of cars. As such, the car parking area is simply being used to its capacity, rather than being extended. This is not considered to constitute development and no additional impacts on openness would arise, beyond the existing permitted use.
- 6.11 The Council's pre-application response confirmed the Council's view that the change of use does not have a greater impact on the openness of the Green Belt than the current Class E

permission (99/0053). The response also outlined that the change of use does not conflict with the five purposes of including land within the Green Belt as set out in the NPPF.

Car Port Structures

- 6.12 The application proposes two temporary car port structures which are required to enable Car Planet to undertake their day-to-day operations and ensure cars are suitable and ready for customers to view/collect. These have been labelled Car Port A and Car Port B on the proposed site plan (Ref: 0003 – Revision P05).
- 6.13 Both structures are already in situ and have been deemed by officers to require retrospective planning permission.
- 6.14 Following discussions with the case officer during the pre-application meeting, the proposed Car Port A has been reduced significantly in size from a six-bay car port currently to a four-bay car port. At present Car Port A has 6 bays and measures 16m x 4m with a 0.5m overhang roof on the front side. By removing two bays, the car port would be significantly reduced in size to 12m x 4m with the 0.5m overhanging roof to the front. This reduces the visibility and overall impact of the structure on openness. In terms of siting, Car Port A is tucked into the south-east corner of the site and well screened from view by mature vegetation on the site's southern boundary.
- 6.15 Car Port B is located in the far western corner of the site on existing hardstanding. The location of Car Port B and its complete screening from external view by dense and mature vegetation prevent any tangible impacts from this structure on the openness of the Green Belt. This is further assisted by the timber materials used and limited scale of the structure.
- 6.16 As is the case with the change of use, the structures are proposed for a temporary period of time of two years. The Planning Practice Guidance sets out that the *“the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness”* is an important factor to consider in terms of the impact of development on the openness of the Green Belt. In this case, structures A and B would both be removed upon the end of the temporary permission granted, returning the land to its original state.
- 6.17 A final material consideration in this case is that once the new Local Plan is adopted and the

site is formally allocated for re-development, it will no longer form part of the Green Belt.

Design and Impact on the Street Scene

- 6.18 Policy CP12 requires development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' whilst Policy CP1 promotes buildings of a high enduring design quality that respect local distinctiveness.
- 6.19 No changes to the existing office building are proposed and the hardstanding area of the site is used for the parking of cars for sale and employee parking rather than just the employee parking allowed under the existing planning permission. It is noted the Council have referred to the intensification of the use of the site and therefore parking, however an increased number of parked cars could happen without the change of use being permitted. In addition to this the hardstanding area is heavily screened from public view.
- 6.20 Structures A and B which are retrospectively proposed are of a suitable design, scale and location to avoid any detrimental impact to the streetscene. Their appearance is suitable for the temporary period proposed and both are well screened from public view. Whilst structure A is partially visible from Baldwins Lane from due to gaps in the tall vegetation it is not detrimental to the wider streetscene and any views are set within the context of the commercial site. The reduced size of Car Port A further reduces its visibility from Baldwins Lane. The Council's pre-application response confirms that both the change of use and structures have an acceptable impact on the character of the streetscene. Figure 5 below shows the vegetation screening of the site which is mature and well established.

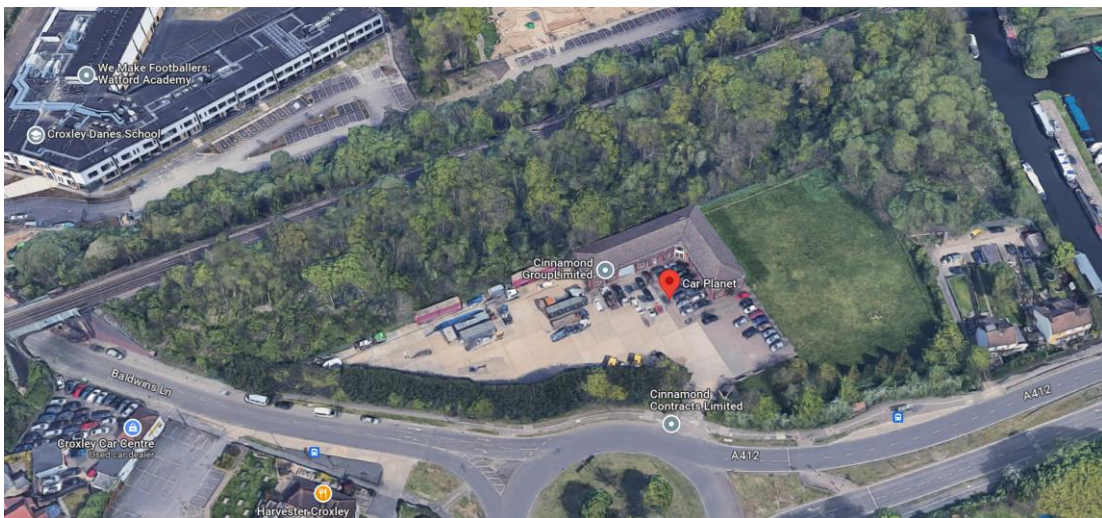


Figure 5: Arial image highlighting site screening (Google)

Amenity Impact on Neighbours

- 6.21 Policy CP12 of the Core Strategy advises that development will be expected to protect residential amenity. Policy DM9 of the Development Management Policies LDD (adopted July 2013) states that development will not be permitted where it would have an adverse impact on the acoustic environment of existing or planned development. The proposed development meets the requirements of this policy as outlined below.
- 6.22 The closest residential properties are numbers 1-8 Cassiobridge Terrace to the south-east of the site. The closest of these properties is approximately 50m from the office building and hardstanding where business operations take place. As highlighted in the Council's pre-application response, the open green space in the site creates a buffer between the commercial activity and Cassiobridge Terrace. It should also be noted that, the lawful and pre-existing use of the site is for commercial. It is acknowledged that minor vehicle servicing such as wheel changing takes place in the workshop area at ground floor level of the main building before cars are sold. The minor work undertaken does not generate significant noise and is sheltered by the building itself. The applicant has not been made aware of any complaints from neighbouring properties on amenity matters such as noise or otherwise. As such it can be concluded that no detrimental impact on neighbouring amenity of the occupiers of any neighbouring property is adversely affected by the change of use.
- 6.23 As confirmed in the Council's pre-application response, the nature and scale of structures A and B, as well as their screening, prevent any amenity issues to neighbouring properties.

Parking, Access and Highways

- 6.24 The application is accompanied by a Transport Statement (TPP, November 2023) including a Parking Management Plan and Delivery Management Plan. Vehicular access is taken to the north of the Baldwins Lane/Watford Road roundabout.
- 6.25 A trip generation analysis using the TRICS database and information provided by the occupier suggests that the expected level of vehicle trips generated by the proposed site is not considered to be detrimental to the safe operation of the local highway network, and in overall terms is likely to be negligible given the existing office and ancillary vehicle uses at the site. Car parking will be provided for staff and customers, with 20 spaces including 2

disabled car parking spaces allocated for staff, and 6 spaces including 1 disabled car parking space for customers. Cycle parking is also provided in line with local standards.

- 6.26 All delivery and servicing activity will take place on-site, as per the existing situation and waste storage will be provided on-site, and collected by a private waste collection service, with collections typically taking place at a specific time each week, or as and when required to meet the needs of the business. These arrangements are outlined in detail in the transport statement.
- 6.27 The Transport Statement concludes that the proposed scheme is consistent with relevant transport planning policy guidance and will not rise to any material transport-related impacts. It therefore meets the test of the NPPF and Paragraph 111 which states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
- 6.28 It has been demonstrated that the development is also in line with Policy CP10 of the Three Rivers Core Strategy (October 2011) and DM13 of the Development Management Policies Document (2014).

Impact on Trees and Landscape

- 6.29 The proposed development does not involve the removal or alteration of any trees or soft landscaping at the site and there would be no trees impacted on neighbouring sites. The application site is not in the Conservation Area and neither the change of use nor the structures have any impact on trees or landscaping at the site. The site is not located in the Conservation Area. As such, the proposal is in compliance with Policy DM6 of the Development Management Policies LDD.

Contamination, Pollution and Flood Risk

- 6.30 A Phase 1 Contamination Survey has been undertaken by EPS to identify any potential contamination from previous or current uses of the Site and surrounding area. The report concludes that for the current and ongoing low-sensitivity commercial usage, it's unlikely that any significant or unacceptable risks to site users exist so no further works have been recommended. Although plausible risks to the water environment have been identified from

any underlying residual contamination, EPS advise it's unlikely that they represent significant risks to underlying groundwater or the nearby watercourses. In addition, given the relatively minor changes to the site as covered by this retrospective application, it's unlikely that any meaningful remediation to reduce risks to controlled waters would be proportionate to the scheme overall. The development therefore meets the requirements of Policy DM9 of the Development Management Policies Document (2014).

- 6.31 The site is in Flood Zone 1 and no additional hardstanding is proposed from the development. The introduction of semi-permanent structures at the site will not materially impact the current drainage situation or generate any flooding issues. The existing drainage system at the site is unchanged. The development therefore meets the requirements of Policy DM8 of the Development Management Policies Document (2014).

Wildlife and Biodiversity

- 6.32 The application is accompanied by a completed version of the Three Rivers Local Biodiversity Checklist. The completed checklist demonstrates that the proposal will not affect any species, habitats or designated sites. The proposed development conserves biodiversity and the site and does not result in any loss to biodiversity. The proposed development therefore meets the requirements of Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies LDD.

CIL

- 6.33 Following discussion at pre-application stage, the applicant has received confirmation from Debbie Wilson, Land & Property Information Manager at Three Rivers District Council that neither the change of use nor the structures are CIL liable.

7.0 CONCLUSION

- 7.1 Section 38 (6) of the Planning & Compulsory Purchase Act (2004), states that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. This is reinforced by the National Planning Policy Framework, which has at its heart the presumption in favour of sustainable development.
- 7.2 The continued use of the site in the manner proposed for two years provides a suitable meanwhile use that creates an efficient use of land on an otherwise vacant site waiting for housing development. As highlighted, the local area benefits from the operation of this site through job creation, business rates and footfall to local nearby local businesses. Structures A and B will be removed at the end of the temporary permission and will therefore have no lasting impact on the Green Belt whatsoever.
- 7.3 The proposal is supported by specialist consultant input and has evolved from feedback received through pre-application discussions with the Council. The Application is supported by a package of technical assessments which demonstrate no legal, physical or environmental constraints to the continued use of the site on a temporary basis.
- 7.4 Therefore, it is concluded that the proposed development is acceptable in planning terms and that temporary planning permission should be granted without delay.



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