

**The White Hart Pub, St Albans  
Road, South Mimms, Herts,  
EN6 3PJ.**

## **Planning Statement**

April 2024



**WARNER**



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# 1 Introduction

Warner Planning submits this Planning Application on behalf of Griggs (South Mimms) Ltd for the partial demolition of some of the existing built form on the site and the conversion and extension of the former public house into six apartments, conversion of outbuilding into a two-bedroom apartment and construction of a detached two-bedroom infill dwelling, along with associated landscaping, bin store and parking at the former White Hart Pub, St Albans Road, South Mimms, Herts, EN6 3PJ. The submission will also include a listed building consent application to be determined alongside the planning application.

This application has been developed following pre-application (21/0116/PA) discussions with the Council, which agreed to the principle of the loss of the former public house, due to the length of vacancy, its condition and to ensure its preservation. It is clear that the principle of extending and converting the public house to residential use is accepted by the Council in the Green Belt location, and acceptable in line with the NPPF and Hertsmere Development Plan.

In addition to this Statement, the following documents and plans are submitted in support of the application:

- Location Plan (PL001)
- Existing Site Plan (PL002)
- Demolition Plan (PL003)
- Existing Cellar & Ground Floor Plan (PL004)
- Existing First Floor Plan (PL005)
- Existing Second Floor Plan (PL006)
- Existing Roof Plan (PL007)
- Existing Elevations & Sections (PL008)
- Demolition Cellar & Ground Floor Plan (PL009)
- Demolition First Floor Plan (PL010)
- Demolition Second Floor Plan (PL011)
- Demolition Roof Plan (PL012)
- Demolition Elevations & Sections (PL013)
- Proposed Site Plan – Ground Floor Layout (PL020)
- Proposed Site Plan – Roof Layout (PL021)
- Proposed Cellar & Ground Floor Plan (PL022)
- Proposed First Floor Plan (PL023)
- Proposed Second Floor Plan (PL024)
- Proposed Roof Plan (PL025)
- Proposed Elevations & Sections (PL026)
- Proposed Plot 8 Floor Plans & Elevations (PL027)



- Existing & Proposed Elevation Comparison (PL030)
- Bin Enclosure Details (PL031)
- Accommodation Schedule
- Comparison Figures
- Arboricultural Report
- Tree Protection Plan
- SuDS Drainage Strategy
- Preliminary Ecological Appraisal
- Bat Survey Report
- Energy and Sustainability Statement
- Desk Based Geoenvironmental and Geotechnical Site Assessment
- Heritage Assessment
- Transport Statement
- CIL Forms

This Planning Statement sets out the background relevant to the determination of the application, by describing the site and its general locality, before setting out details of the proposed development. The Statement provides an overview of the planning policy context against which the development is assessed, followed by a detailed consideration of the development proposals against this policy context and all other relevant material considerations.

In making this planning application, it is our submission that the application proposes a high quality, sustainable development that will complement the immediate locality, and the wider area.

The White Hart is a vacant former public House under Use Class A4 and has remained as such since the facility's closure in 2021. The Applicant purchased the site in 2021 following the closure of the site. The pub was owned and operated by McCullens, a renowned local brewery with nearly 200 years brewing heritage in Hertfordshire.

There are significant benefits to be delivered by the development. It is considered that there are compelling grounds to grant planning permission for the proposed development, with these set out as follows:

- Provide homes that can be delivered immediately.
- Re-use of a previously developed site.
- Retain and restore a listed building.
- Bring into use an under-utilised and vacant site.
- Appropriate form of development in the Green Belt.
- Sympathetic to on site and surrounding heritage assets.



- Create a high quality design.
- Provide homes at a time when the Council are unable to demonstrate a five-year housing land supply, and has also failed the housing delivery test,
- Additional residential units to further add to the mix of housing types.
- Alternative community facilities available locally within South Mimms to negate any loss.
- The proposal is well related to the adjoining buildings and complements the area's character.
- Reduction of hardstanding.
- New landscaping with a biodiversity net increase.
- New biodiversity opportunities – especially bird and bat boxes.
- Reduction of vehicle movements and activity from the site.
- The site is located in a sustainable location, close to facilities.
- Sustainability measures integrated into the development, including EV charging and air source heat pumps.
- Residents will deliver economic benefits by supporting local businesses.
- Economic benefits during the construction phase and post-construction, the occupiers of the dwelling will support the local economy by paying taxes and visiting local facilities and businesses.

This Planning Statement should be read in conjunction with the supporting documents, existing and proposed plans, submitted to accompany this planning application.



## 2 The site and surrounding area

The Application Site is situated in the northern portion of South Mimms (outlined in Figure 1 below) and, in regard to the wider context, is situated to the west of Potters Bar. The settlement of South Mimms is described in the adopted Development Plan as a 'Small Settlement', which is defined as being within the Green Belt and largely residential in character and land use, relying on larger settlements nearby for employment and local services.



**Figure 1: Site Location (not to scale, for identification purposes only).**

The Site area measures circa 0.27ha, a large majority of which is covered by the vacant public house (The White Hart), which closed in 2021. This includes the built form of the public house, a paved outdoor seating area and the car park, which is covered in hardstanding, with some planting on its southern boundary. On the northern portion of the site is the South Mimms Cross War Memorial with associated benches.

With regard to boundary treatments, the northern and eastern portions of the site do not have a physical boundary, but to the south-east, south and south-west there is a mixture of bordered fencing and vegetation which includes trees and hedgerows. The western edge of the site is defined by the built form of the public house, and the boundary treatments of the neighbouring residential properties.

There are currently two accesses onto the site, one on the western side of the site off Blanche Lane and the other on the eastern portion of the site via the B556. In terms of pedestrian access,



the site is almost completely encompassed by paths, providing convenient pedestrian access to the wider areas of South Mimms.

The surrounding uses of the site are predominantly residential, especially to the north, south, south-west and north-east.

Immediately abutting the eastern and southern boundaries of the site are the B556 and Blanche Lane. Looking slightly further to the west of the site is agricultural land, and to the east is a car wash, shop and garage. To the south of the site is St Giles Church.

## Site Images



**Figure 2:** Streetview of the application site from the B556, looking north-west from the access.



**Figure 3:** Streetview of the application site from Blanche Lane, looking southwards through the site.





**Figure 4:** Aerial view of the application site, looking north-west over the site.



**Figure 5:** Aerial view of the application site, looking east over the site.





**Figure 6:** Aerial view of the application site, looking east over the site.



**Figure 7:** Aerial view of the application site, looking south-east over the site.



**Figure 8:** Aerial view of the application site, looking south over the site.





**Figure 9:** Aerial view of the application site, looking west over the site.



**Figure 10:** Aerial view of the application site.





**Figure 11:** Modern extensions to the building.



## Site Planning History

Reference	Address	Proposal	Status
TP/76/0279	The White Hart P.H St Albans Road South Mimms Herts	Erection of single and two-storey extensions.	Approved 09/08/1976
TP/76/0280	The White Hart P.H St Albans Road South Mimms Herts	Extensions to 'White Hart' public house.	Approved 09/08/1976
TP/99/0205	The White Hart P.H St Albans Road South Mimms Herts	Single storey rear extension, external fire escape stairway and steps to garden area (Amended and additional plans received 28/6/99 and 19/7/99).	Approved 12/10/1999
TP/99/0206	The White Hart P.H St Albans Road South Mimms Herts	Demolition of existing single storey rear element and erection of new single storey rear extension, external fire escape and internal alterations (Listed Building Application)	Approved 12/10/1999
TP/99/0561	The White Hart P.H St Albans Road South Mimms Herts	Internal alterations to convert existing first floor function room into staff accommodation (Listed Building Application) (Additional and amended plans received 19/7/99)	Approved 02/09/1999
TP/00/0134	The White Hart P.H St Albans Road South Mimms Herts	2 non-illuminated wall-mounted signs (Listed Building Application) (Amended plans received 4.4.2000)	Approved 19/04/2000
TP/00/0136	The White Hart P.H St Albans Road South Mimms Herts	2 non-illuminated wall-mounted signs	Approved 19/04/2000
TP/00/568	The White Hart P.H St Albans Road South Mimms Herts	Retention of retaining wall and associated fencing to raised garden	Approved 21/07/2000
TP/05/0424	The White Hart P.H St Albans Road South Mimms Herts	Application for variation of license (Consultation by Licensing Officer)	Responded 20/05/2005
TP/07/0841	The White Hart P.H St Albans Road South Mimms Herts	Erection of a single storey front pergola. (Listed Building Application)	Refused 18/05/2007
17/1492/TRC	The White Hart P.H St Albans Road South Mimms Herts	T7-T12 6no. LIMES. Fell.	Approved 31/08/2017



## Planning Context

The following table provides an overview of the planning policies and designations which influence the site.

Attribute / Constraint	Comment
Green Belt	The site is located within the Green Belt, with all of South Mimms being washed over.
Area of Outstanding Natural Beauty	Not within or impacted by an AONB.
Within Settlement Envelope	The majority of the site is located within the settlement envelope, except the eastern corner of the site.
Conservation Area	Site is located within the Conservation Area for South Mimms.
Archaeological Interest	Abutting the southern boundary of the site is an area of Archaeological Interest.
Listed Building – Application Site	The White Hart – Grade II There is also the War Memorial on the northern portion of the site, which is a heritage asset.
Listed Building - Surrounding Area	<ul style="list-style-type: none"> <li>• Brewers’ Almshouses (Grade II) – Adjacent to the site.</li> <li>• Wall To Front Of St Giles Churchyard And Brewers' Almshouses (Grade II) - Adjacent to the site.</li> <li>• Church of St Giles (Grade I) – 10m south of the site.</li> <li>• Monument To Sir John Austen Member Of Parliament (Grade II) – 35m south-west of the site.</li> <li>• The Cavendish Bentwick Mausoleum (Grade II) – 125m south of the site.</li> </ul>
Flood Zone	Situated within Flood Zone 1, so at very low risk of surface water flooding, with the site considered to be at low risk of flooding from all identified sources.
Environmental Designation	The northern parcel of the site is designated as a Local Green Space. In addition, 30m to the south of the site is another Local Green Space.
Road Network	Road abutting the eastern boundary of the site, is designated as a Classified B Road (Secondary Distributor).
Neighbourhood Plan Area	No Neighbourhood Plan for South Mimms.
Public Rights of Way	None on the site, with the nearest circa 50m south of the site (South Mimms 032).
Tree Preservation Order	None on the site although with a CA, but to the immediate south is a blanket TPO.



## Pre-Application – 21/0116/PA

A Pre-Application was submitted to the Council for discussion on the 12<sup>th</sup> October 2021, with the written advice received by the applicant on the 20<sup>th</sup> April 2022. The submitted scheme was for the conversion and extension of the former public house into 6 x 1-bedroom apartments, the conversion of the outbuilding into a 1-bedroom apartment, and the construction of two detached infill dwellings.



Figure 12: Pre-Application Site Plan



Figure 13: Pre-Application Street Scene



Undertaking the Pre-Application was a useful element of the scheme's evolution, as it enabled the applicant and the Council to agree on common ground but also to highlight areas that required refinement or additional information, which have been suitably addressed by this application.

It is acknowledged that parts of the fabric of the existing building are in reasonable condition, but that the interior has been extended and altered significantly over the years, this is duly addressed within the accompanying Heritage Statement. Since the Pre-Application the building has declined further, with a water leak saturating much of the building and vandalism resulting in lead being stolen from the roof.

There is agreement that Policy SADM24 allows limited infilling in South Mimms, and the proposed new residential dwelling would constitute infill development of a clearly defined gap. In addition, following the comments received on the proposed dwellings, they have been made subservient to the listed building and had their crown roofs removed. In addition, it was agreed that the conversion of the public house to residential uses is acceptable in principle, subject to further information.

The conversion and revisions to the former public house were considered acceptable in line with the NPPF.

It is understood that a sympathetic overhaul of the existing built form, would be a positive to secure the preservation of the site, and this is set out in full within the submitted Heritage Statement. Furthermore, the introduction of the new elements on the site as part of the proposals and the relationship this will have on the listed buildings is fully justified within the Heritage Statement. It was also highlighted that having a vacant site within the Conservation Area, actually detracts from the value of the area, and as such there is a significant benefit to bring the site back into purposeful use.

Information has also been prepared and submitted relating to the proposed landscaping and transport matters relating to the development as per the comments made in the Pre-Application.

In terms of materials, the applicant is willing to proceed as suggested by the Council, with this detailed within the accompanying plans and documentation. The glazed doors on the conversion of the single storey building have been removed as per the discussions.

## **Amendments following the Pre-Application**

Following the receipt of the written advice for the Pre-Application the below amendments have been made to the scheme to ensure that all the points raised have been addressed in this



Amendments to the scheme following the pre-application include:

- Plot 9 has been removed reducing the proposed number of units from nine to eight.
- Additional and improved landscaping and boundary treatments have been included.
- The glass doors to the single storey conversion have been removed, with timber utilised instead.
- The amenity area to the rear of the car park has been enhanced, through the provision of paths and seating area.
- Design of the extension revised to be more subservient.
- For plot 8, the roof height has been lowered, and a Suffolk-hipped roof has been implemented to make it more subservient.
- Secure cycle storage now forms part of the submission.

The following response are made in response to the pre-application report:

<b>Feedback</b>	<b>Response / Revision</b>
The principle of the development is acceptable subject to provision of marketing and viability information	An Alternative Use Assessment is submitted with the application
Concern over siting of proposed dwelling to southeast of car park	This dwelling has been removed
New dwelling to south and rear of site too large in terms of size and scale and should appear more subservient to existing buildings	The design of the infill dwelling amended to be subservient to the former public house.
Proposed extension has been designed with a crown roof and would be highly visible from public domain	The design of this element has been revised with the crown roof removed.
Prefer external material of brick rather than render for the new build elements	Shown as brick in the application proposal
Secure cycle parking should be implemented and provision of EV charging points	Included in the proposal and demonstrated on the site plan
Replacement of timber doors with new glazed doors is unsympathetic	Glazing element removed.
Archival research should be provided	This is included within the supporting Heritage Assessment

Overall, this planning application has positively responded to the Pre-Application.



## Planning Precedent

### Former King William Pub, Shenley Hertsmere – 20/0121/FUL

The applicant secured a change of use of the former public house (A4) to residential (C3) to include 2 storey rear extension to facilitate the creation of 4 x 2-bed apartments. Construction of an adjacent 2 storey building with a further 2 x 2 bed apartments with a glazed link between, together with car parking, cycle and bin store, associated boundary and landscaping work. Planning permission for the proposed scheme was subsequently granted planning permission in March 2020. The scheme, which is now completed, has won several awards.



**Figure 14:** Former King William public house.

### Queen Adelaide, Shenley, Hertsmere - TP/12/1483

Planning permission was granted for the demolition of the Queen Adelaide Pub and replacement with three dwellings on London Road. The site was also within the Green Belt and within the Conservation Area, is an example of how development can enhance the Conservation Area and comply with Local Plan policies.



**Figure 15:** Former Queen Adelaide and the resulting development.



## The Cat and Fiddle, Cobden Hill, Radlett, Hertsmere – 23/0441/LBC

Planning permission and listed building consent was granted in March 2024 for the demolition of the existing modern extension and conversion of the former public house into a single residential dwelling, as well as the erection of 7 x 3 bed residential dwellings with associated landscaping, parking, amenity space and refuse store. The former pub itself is listed, whilst site was within the Radlett South conservation area, and is an example of how development can fund the restoration of a listed building and enhance the conservation area through a carefully designed scheme.



**Figure 16:** Cat and Fiddle.



### The East (Great North Road) – 2018/2085/FULL

This application was approved in October 2018 for the erection of 8 x 4 bedroom dwellings with associated parking, bin/storage and retention of existing vehicular access following demolition of existing public house. This scheme was located within the Green Belt and highlighted that this type of proposal is considered as an appropriate form of development.



**Figure 17:** Approved proposed Site Plan for the application at The East, Great North Road, Welwyn Garden City.

### The Hope and Anchor, Welham Green – 6/2022/0866/FULL

Welwyn Hatfield District Council allowed the change of use from public house (A4) to three residential dwellings (C3) and the erection of six dwellings in 2022.



**Figure 18:** Approved proposed Site Plan for the application at Hope and Anchor, Welwyn Green.



The Officer's Reports states:

*'The application site hosts the Hope and Anchor public house. The development would convert the public house into three dwellings, resulting in the loss of this community facility.*

*The Hope and Anchor is located on Station Road, as is another public house, the Sibthorpe Arms. The Sibthorpe Arms is located approximately 250 metres from The Hope and Anchor. The Hope and Anchor has been operating recently as a 'wet' pub, serving only drinks as the comparatively limited floor area of The Hope and Anchor limits the potential for food sales*

*The Sibthorpe Arms however is substantially larger compared to The Hope and Anchor, with substantial indoor and outdoor seating as well as offering a daily food menu and regular events, such as quiz nights and coffee and chat mornings. The Sibthorpe Arms therefore presents an acceptable alternative means of meeting the demand of The Hope and Anchor, and in this case, the loss of the community facility would be acceptable due to the suitable facility in close proximity to The Hope and Anchor, in accordance with District Plan Policy CLT13, Emerging Local Plan Policies SP6 and SADM7 and the NPPF.'*



## Local Services

It should be noted that the White Hart has been vacant since 2021. However, South Mimms benefits from another public house, The Black Horse which is situated to north circa 270m, so the settlement does not lose the benefit of this service locally.

The site is considered to be within a sustainable location, with a number of amenities, facilities and services located within a short distance from the site area, which include:

- St Giles Church
- South Mimms Village Hall
- St Giles C of E School
- Convenience Shop (Off-License)
- Car Wash
- The Black Horse public house
- Hotel
- Motorway Services
- Local Businesses



**Figure 19: Map of local facilities**

The application site is well situated in relation to transport connections, with the A1(M) and M25 junction located circa 1.0km to the south of the site. There is also a pair of bus stops adjacent to the eastern portion of the site on the B556, which offers routes to St Albans, Borehamwood and Potters Bar.



The nearest train station to the site is located in Potters Bar circa 2.8km to the east of the site. The station is served by Great Northern and Thameslink, offering services to Welwyn Garden City, London (Kings Cross), Moorgate, Cambridge and Sevenoaks.



### 3 Proposed Development

This planning application seeks the partial demolition of the existing modern additions on the site and the conversion and extension of the former public house into six apartments, conversion of outbuilding into a two-bedroom apartment and construction of a detached two-bedroom infill dwelling, along with associated landscaping, bin store and parking (including listed building consent) at the former White Hart Pub, St Albans Road, South Mimms, Herts, EN6 3PJ.

As set out in the below figure, an element of the proposal includes the demolition of some of the structures on site, which are located within a Conservation Area, and the justification for this is set out within the Heritage Statement. This includes the removal and replacement of a portion of the current car park arrangement, with grass reducing hardstanding in the Green Belt.

In addition on the southern elevation of the public house, the more recent additions, which have no heritage merit, including the single storey side extension, fire escape and retained wall (including steps) are to be demolished and removed. The hedgerow between the site and the Almshouses will be trimmed back to the boundary but be retained. It should also be noted that there will be internal alterations to the existing buildings with these detailed within the submitted suite of plans.



Figure 20: Demolition Site Plan.



Following the demolition of the specified existing built form, the application seeks to create a two-storey extension on the southern elevation of the former public house, which is subservient in nature. This will then enable the conversion of the public house to create six apartments (four two-beds and two one-beds), with a series of internal alterations that are detailed in the submitted plans.

The other existing building on the site, situated to the south-east of the public house, will be converted into a single-storey and self-contained residential unit (two bed). There will also be the creation of a new infill dwelling (two bed) to the south of the public house, which will be two-storey in stature and is required in terms of viability to ensure that the listed building can be retained and restored, whilst ensuring that the scheme remains viable. In terms of the design and materials of the new elements of the proposals, these will look to form a continuation of the existing built form on the site and the surrounding character.



Figure 21: Proposed Site Plan.



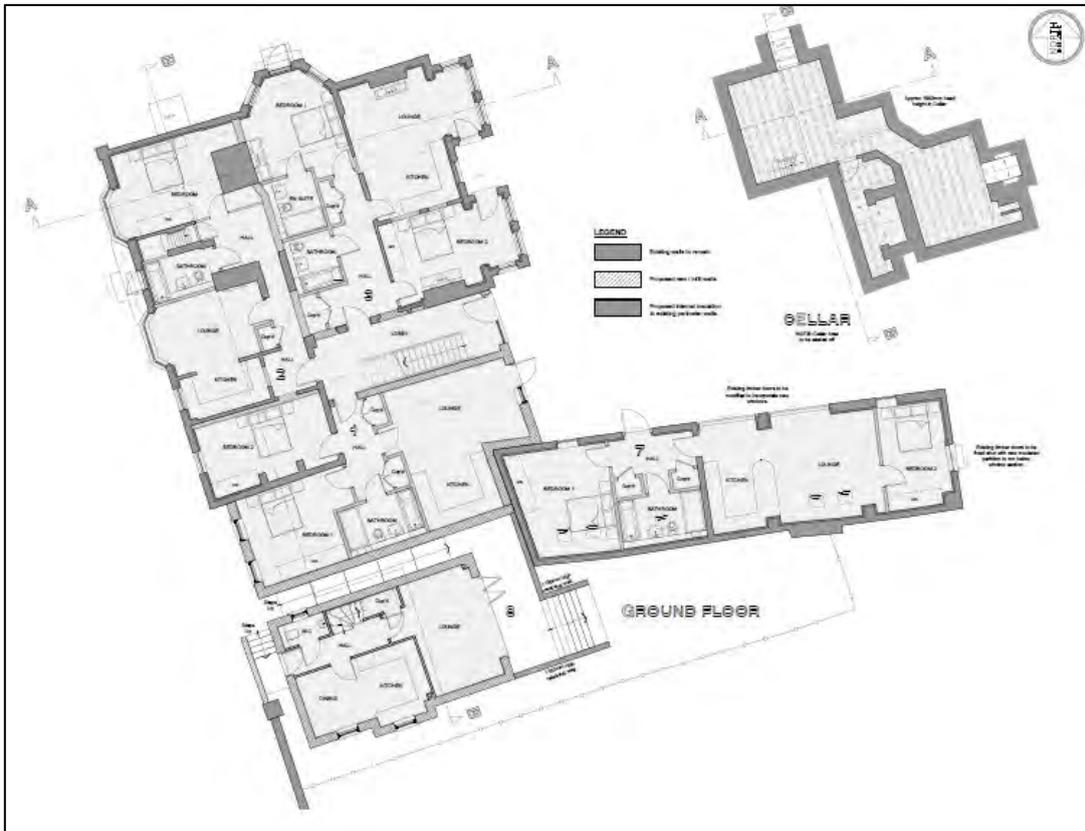


Figure 22: Proposed Ground Floor Plan.

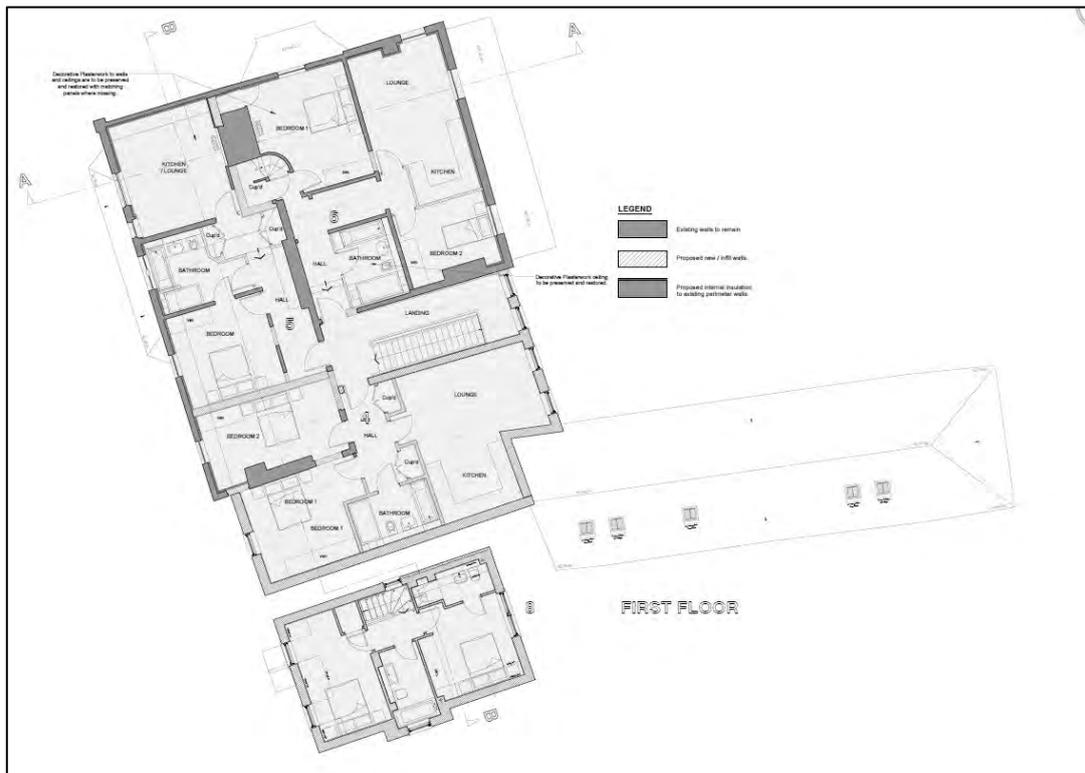
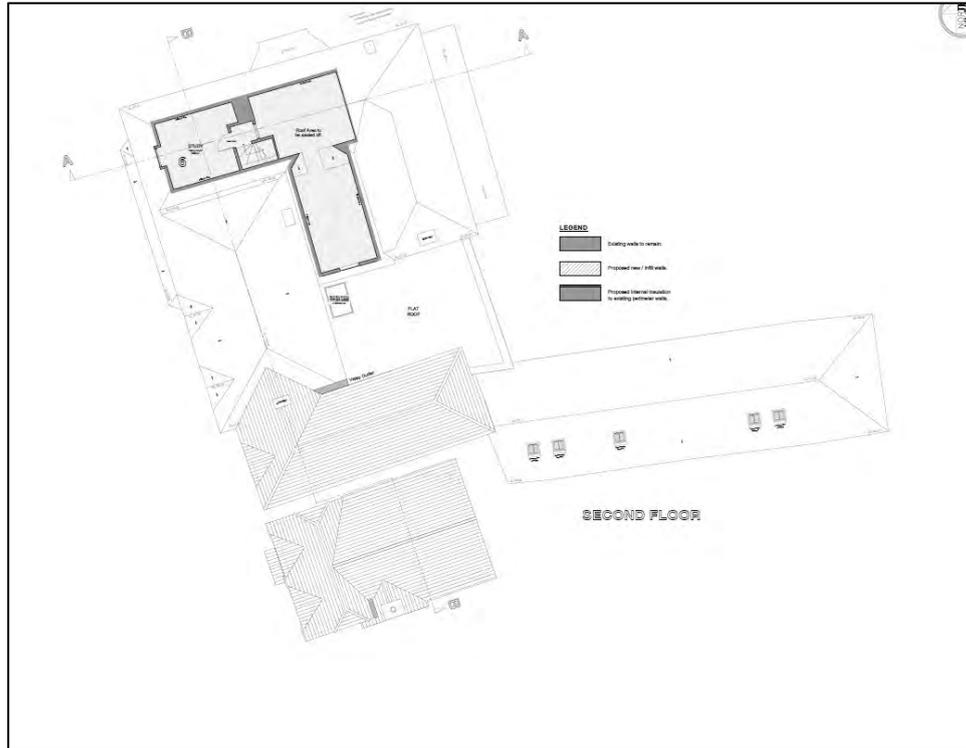


Figure 23: Proposed First Floor Plan.





**Figure 24: Proposed Second Floor Plan.**

The accommodation schedule for the proposed residential units on the site is as follows:

Plot Reference	No. Bedrooms	Floor Area (m <sup>2</sup> )
<b>Apartments – Ground Floor</b>		
1	2 Bed	72.7
2	1 Bed	60.7
3	2 Bed	81.0
<b>Apartments – First Floor</b>		
4	2 Bed	72.3
5	1 Bed	54.0
6	2 Bed	81.8
<b>Detached Dwellings</b>		
7	2 Bed	74.6
8	2 Bed	80.0

All the plots exceed the minimum floorspace standards.

Plots one, three, seven and eight will benefit from their own designated private amenity space attached to the associated plot. The remaining plots will have use of the substantial communal gardens situated to the south of the site, which can be accessed via a designated footpath.

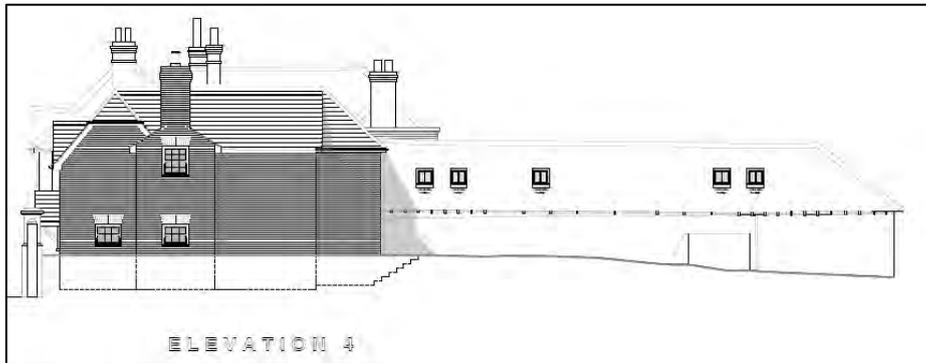




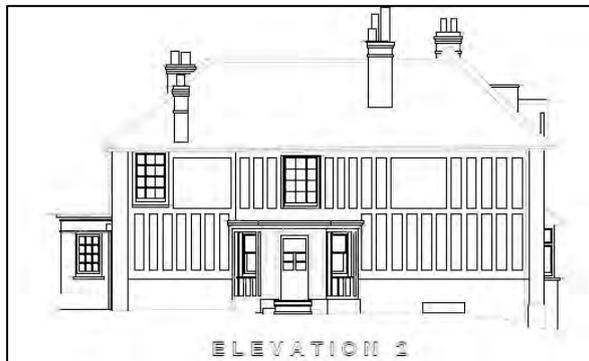
**Figure 25:** Proposed Western Elevation of the site.



**Figure 26:** Proposed Eastern Elevation of the site.



**Figure 27:** Proposed Southern Elevation of the site.



**Figure 28:** Proposed Northern Elevation of the site.





**Figure 29: Proposed Northern Elevation of the Converted Barn Building.**

In regard to the northern portion of the site, this will remain as current, with no amendments, with retention of the war memorial and the two benches.

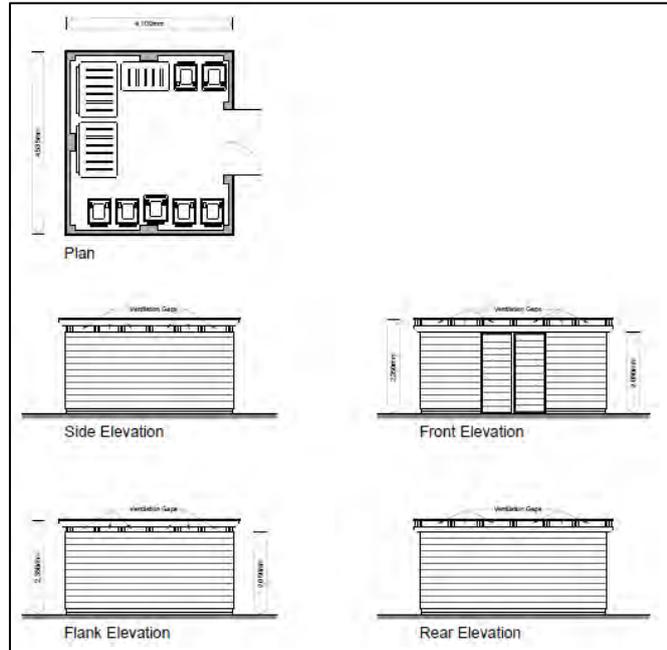
The existing access off the B556 will be retained, with the access off Blanche Lane being reduced to just a pedestrian through route and a parking space, with the vehicular access at this portion of the site, being removed.

In line with the Council’s Parking Standards (Sustainable Transport and Parking SPD), the proposed mix of two one-bed apartments, four two-bed apartments, one two-bed detached infill dwelling, and one two-bed apartment will in total require 10 and a half car parking spaces. However, it is proposed that twenty parking spaces are provided (which includes two spaces for disabled users, eight EV charging points), in line with the provision previously used to serve the former pub, in excess of the stated requirements in the SPD, and agreed in the Pre-Application. This will take the form of nineteen bay parking spaces to the east of the site, and a single parking space accessible to the northwest via the Blanche Lane access point, which accords with the Pre-Application response received.

The scheme will also deliver cycle parking for all of the units, at a level of at least one space per bedroom in the form of a secure dedicated cycle storage within the site.

Plots one through seven will utilise a communal bin store, which is located between the car park and the proposed built form. Plot eight will benefit from its own dedicated bin store that is located within the amenity space.





**Figure 30: Proposed Communal Bin Store Plans.**

The overarching landscape strategy is to retain and enhance the landscaping on site creating wildlife opportunities and positively enhancing the visual appearance of the site. The proposal reduces the amount of hardstanding on the site which is a benefit to the Green Belt.



## 4 Planning Policy Context

The planning policy context relating to the application site is formed through:

- National Planning Policy
- Local Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan material for this proposal comprises:

- Core Strategy 2013
- Site Allocations and Development Management Policies Plan 2016
- South West Hertfordshire Joint Strategic Plan
- Draft Biodiversity Net Gain SPD
- Draft Carbon Offsetting SPD
- Draft Sustainable Transport and Parking Standards SPD
- Community Infrastructure Levy Regulations
- Technical Note on Waste Storage
- Parking Standards SPD 2014
- Equality Act 2010
- Planning and Design Guide - Part D: Guidelines for High Quality Sustainable Development (draft revised version 2016)
- Planning and Design Guide - Part E: Guidelines for Residential Extensions/Alterations (2006)
- Affordable Housing SPD
- Biodiversity and Trees SPD
- Biodiversity Next Gain SPD
- Sustainable Transport and Parking Standards SPD
- Planning and Design Guide SPD
- Developer Contributions Framework
- Waste Storage Provision Requirements for New Development
- Interim Planning Policy Position Statement – Climate Change and Sustainability

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing, and other development can be produced.



Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

At the heart of the Framework is a "presumption in favour of sustainable development". Therefore, where there are no relevant development plan policies or the policies which are most important for determining the application are out of-date, planning permission should be granted unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

### **Chapter 5 – Delivering a Sufficient Supply of Homes**

60. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

70. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

83. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

### **Chapter 11 – Making Effective Use of Land**

123. Planning policies and 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. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

124. Planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, as well as promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.



## **Chapter 12 – Achieving Well-Designed Places**

131. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

## **Chapter 13 - Protecting Green Belt Land**

143. Green Belt serves five purposes:

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

154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

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

## **Chapter 16 – Conserving and Enhancing the Historic Environment**

200. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

206. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration



or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional.

208. 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, where appropriate, securing its optimum viable use.

## Core Strategy

### Policy: SP1 Creating Sustainable Development

The Council will work with Hertfordshire County Council, Hertfordshire Constabulary, NHS Hertfordshire, Registered Housing Providers and other key local stakeholders to enable development in the Borough to make a sustainable contribution to delivering the Core Strategy Spatial Vision and Strategy. Accordingly new development will be required to prioritise the efficient use of brownfield land in delivering the land use requirements of the private sector, local service providers and the different needs of the hierarchy of settlements across the Borough. There will be a focus on prioritising development opportunities in Borehamwood but all existing built up areas within urban settlements will be expected to accommodate opportunities which arise for meeting local housing, jobs growth and other development and service needs. All development across the Borough should:

- ensure a safe, accessible and healthy living environment for residents and other users of a development;
- conserve and enhance biodiversity, protected trees, and sites of ecological value in the Borough and provide opportunities for habitat creation and enhancement throughout the life of a development;
- mitigate the environmental impact of transport by promoting alternatives to the car for accessing new development and existing development and other destinations across the Borough, and opportunities for linked trips;
- be of high quality design and appropriate in scale, appearance and function to the local context and settlement hierarchy, taking advantage of opportunity to improve the character and quality of an area;
- avoid prejudicing, either individually or cumulatively, characteristics and features of the natural and built environment;
- minimise and mitigate the impact on local infrastructure and services; vii) avoid inappropriate development in the Green Belt;
- seek the maximum level of Affordable Housing on site;
- ensure a safe, efficient and affordable transport system that allows access for all to everyday facilities;
- be constructed and operated using a minimum amount of non-renewable sources and be required to use energy efficiently, such as from decentralised and renewable or low



carbon sources;

- as a minimum standard, achieve the required levels of the Code for Sustainable Homes for residential development and emissions reductions in line with the Building Regulations for non-residential development;
- do not create an unacceptable level of risk to occupiers of a site, the local community and the wider environment;
- conserve or enhance the historic environment of the Borough in order to maintain and where possible improve local environmental quality;
- avoiding development in the floodplain and close to river corridors unless the requirements of the sequential and exceptions tests have been met and flood prevention/mitigation measures are in place;
- incorporate the use of Sustainable Urban Drainage Systems (SUDS) where appropriate and where required by the Flood and Water Management Act 2010 to help reduce the risk of flooding;
- ensure that pollutants are minimised, including emissions to air, water, soil, light and noise; and
- make provision for waste minimisation and recycling within the development during the construction phase and following occupation

#### **Policy: SP2 Presumption in Favour of Sustainable Development**

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly, in particular through the preapplication process, to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

#### **Policy: CS1 The Supply of New Homes**

The Council will make provision for at least 3,990 additional dwellings within the District between 2012 and 2027, a development rate of a minimum of 266 dwellings per year. In providing for the new homes and identifying new locations for development in the Site Allocations DPD, the Council will take account of:

- environmental constraints and compliance with the key environmental policies set out in the Core Strategy (including Policies CS12, CS13, CS14, CS15, CS16 and CS17);
- the character, pattern and density of the surrounding area;
- the need to retain existing housing;
- the need to locate new development in the most accessible locations taking account of local infrastructure capacity;
- the settlement hierarchy identified in the Hertsmere Core Strategy; and
- the need to focus development within the boundaries of existing built-up areas.



**Policy: CS2 The Location of New Homes**

Within rural locations and in particular, Shenley, Elstree and South Mimms limited, small scale infilling on suitable sites will be supported.

**Policy: CS3 Housing Delivery and Infrastructure**

Where housing delivery has fallen below the required minimum rate over a rolling three year period by at least 20% and at the same point in time the expected completions over the following five years will be insufficient to compensate for the shortfall of the minimum required annualised rate, a review of housing allocations will be undertaken including consideration of safeguarded land for housing and land presently designated as Green Belt. New housing development will only be permitted if satisfactory arrangements are in place to provide the necessary infrastructure.

**Policy: CS4 Affordable Housing**

To increase the supply of Affordable Housing, developments of 5 self-contained, residential units or more (gross), or residential sites of more than 0.2 hectares, should make provision for an element of Affordable Housing. On sites of fewer than 15 units, this may be delivered through the provision of intermediate housing (including shared ownership and share equity), with sites of 15 units or more containing a mix of social rented housing, affordable rent and intermediate housing.

A provision of 35% would be expected in this location.

The policy equates to an affordable housing target of 1,140 from 2012 to 2027. The Council will seek the maximum level of Affordable Housing on site. A lower level of provision will not be acceptable unless the Council agrees exceptional circumstances are demonstrated. Only in exceptional circumstances will an alternative to on-site provision be appropriate.

Where scheme viability may be affected, developers will be expected to provide full development appraisals to demonstrate an alternative affordable housing provision.

This policy was prior to the Written Ministerial Statement and NPPF revisions, which set the threshold at 10 dwellings.

**Policy: CS7 Housing Mix**

To help meet local housing needs, proposals for new housing should provide an appropriate mix and size of new homes in terms of housing size and type within each tenure. Consideration will be given to the incorporation of minimum floorspace guidance in revisions to Part D of the Planning and Design Guide Supplementary Planning Document in support of the provision of high quality residential environments.



### **Policy: CS12 The Enhancement of the Natural Environment**

All development proposals must conserve and enhance the natural environment of the Borough, including biodiversity, habitats, protected trees, landscape character, and sites of ecological and geological value, in order to maintain and improve environmental quality, and contribute to the objectives of the adopted Greenways Strategy and the Hertsmere Green Infrastructure Plan. Proposals should provide opportunities for habitat creation and enhancement throughout the life of a development. In the case of the highest quality agricultural land (Grades 1, 2 and 3a) and Preferred Areas of mineral extraction, proposals will only be permitted where there is no likelihood of the land being sterilised for future agriculture or mineral extraction.

### **Policy: CS13 The Green Belt**

There is a general presumption against inappropriate development within the Green Belt, as defined on the Policies Map and such development will not be permitted unless very special circumstances exist. Development proposals, including those involving previously developed land and buildings, in the Green Belt will be assessed in relation to the NPPF.

Limited infilling within the village envelopes of those parts of Elstree, Shenley and South Mimms which are in the Green Belt will be considered appropriate, provided that it is sympathetic to its surroundings, retains and protects features essential to the character and appearance of the village and complies with other relevant policies in this Plan. Village envelopes for Elstree, Shenley and South Mimms for limited infilling will be identified through the Site Allocations DPD.

Key Green Belt Sites (previously known as Major Developed Sites) contain established educational, research and other institutions within the Green Belt and are suitable locations for appropriate infilling: Development within defined boundaries for infilling will be considered acceptable and these boundaries will be reviewed through the Site Allocations DPD.

The Green Belt boundary will remain unchanged from that shown in the Hertsmere Local Plan (2003) except where the boundary will be redrawn in the Site Allocations DPD around Shenley to reflect the recent development of Shenley Hospital and at Borehamwood, to the east of Rowley Lane, where it will be redrawn to reflect the removal of land for safeguarding for employment development.

### **Policy: CS14 Protection or Enhancement of Heritage Assets**

All development proposals must conserve or enhance the historic environment of the Borough in order to maintain and where possible improve local environmental quality. Development proposals should be sensitively designed to a high quality and not cause harm to identified, protected sites, buildings or locations of heritage or archaeological value including Conservation Areas, listed buildings, Historic Parks and Gardens, Scheduled Ancient Monuments or their



setting, and identified and as yet unidentified Archaeological Remains. The Council will take account of available historic environment characterisation work, including Conservation Area appraisals and archaeological assessments, when making decisions affecting heritage assets and their settings.

### **Policy: CS16 Environmental Impact of New Development**

The Council will work with key partners, including the Environment Agency and Natural England, to ensure that development proposals do not create an unacceptable level of risk to occupiers of a site, the local community and the wider environment. Development proposals should take account of the policy recommendations of the Councils SFRA and the guidance set out in the jointly produced guidance of the Hertfordshire Planning Authorities 'Building Futures' the Hertfordshire Guide to Promoting Sustainability in Development. Proposals will be required to incorporate sustainability principles, minimising their impact on the environment and ensuring prudent use of natural resources by measures including:

- avoiding development in the floodplain and close to river corridors unless the requirements of the sequential and exceptions tests have been met and flood prevention/mitigation measures are in place as required by the Environment Agency;
- improving water efficiency by reducing water consumption through measures such as water saving devices in line with the Code for Sustainable Homes and BREEAM as a minimum requirement;
- incorporating the use of Sustainable Urban Drainage Systems (SUDS) where appropriate and where required by the Flood and Water Management Act 2010 to help reduce the risk of flooding;
- ensuring that pollutants are minimised (including emissions to air, water, soil, light and noise);
- remediating land affected by instability and contamination, and maintaining appropriate distance from establishments containing hazardous substances;
- ensuring efficient use is made of natural resources through their layout, design and construction, including locally sourced materials where possible in line with the requirements of BREEAM on sustainable design;
- achieving reduced levels of energy consumption and the use of energy from renewable resources;
- making provision for waste minimisation and recycling within the development during the construction phase and following occupation; and
- development proposals must demonstrate that they accord with Policy CS12 and that any adverse effects can be overcome by appropriate alleviation and mitigation, which are capable of being secured through planning conditions or an obligation in accordance with Policy CS21.

### **Policy: CS17 Energy and CO2 Reductions**



All new residential developments will be required to achieve the following levels of the Code for Sustainable Homes (Code) as a minimum as and when successive updates to Part L of the Building Regulations become mandatory:

- 2010 - Code level 3
- 2013 - Code level 4 once updates to Part L come into effect.
- 2016 - Code level 5 once updates to Part L come into effect.

The Council will further encourage all new development or major refurbishment to incorporate energy from decentralised and renewable or low carbon sources. All large scale development will be required to incorporate on-site renewable energy generation, unless it is not feasible or viable or alternative decentralised and renewable, low carbon sources can be identified. The Council will also permit new development of sources of renewable energy generation subject to:

- local designated environmental assets and constraints, important landscape features and significant local biodiversity;
- minimising any detriment to the amenity of neighbouring residents and land uses; and
- meeting high standards of sustainable design and construction.

#### **Policy: CS18 Access to Services**

The Council will work with local service providers to facilitate and promote their land use and buildings requirements through the identification of mixed-use and other development opportunities in the Site Allocations DPD. The Council will also require new development to contribute to the Community Strategy aim of achieving fair access to key community facilities and the wider goal of creating a safer and more sustainable environment. New proposals will be assessed against their impact on existing local infrastructure, services and resources and where necessary, new provision of required key community facilities should be made as part of the development in consultation with the local community and local service providers and in order to meet or fund any infrastructure impact, having regard to the provisions of Policy CS21.

#### **Policy: CS19 Key Community Facilities**

Proposals for the provision or dual use of key community facilities, including educational, healthcare and recreational facilities, will be supported, subject to any environmental constraints and other relevant policies. The loss, reduction or displacement of facilities and sites will not be permitted unless it can be demonstrated that they are surplus to the needs of the local community or are no longer fit for purpose. It should also be demonstrated that there is no reasonable scope for alternative community uses to be provided and that any required, replacement accommodation elsewhere is satisfactory for all of its users, having regard to the provisions of Policy CS21.



### **Policy: CS21 Standard Charges and Other Planning Obligations**

Up until April 2014 (or until the Council has adopted a Community Infrastructure Levy (CIL) charging schedule), provision for on and off-site facilities, services and improvements, for which a need is known to arise from new residential development, in addition to obligations towards Affordable Housing, will be secured through:

- the use of individually negotiated planning obligations and / or any standard charge(s) on the approval of each new home on smaller sites, typically of fewer than 15 units (gross), to be secured through a planning obligation under Section 106 of the Town and Country Planning Act; and
- the use of individually negotiated planning obligations entered into by the Council under Section 106 of the Town and Country Planning Act, on sites of 15 or more units (gross).

### **Policy: CS22 Securing a High Quality and Accessible Environment**

In line with the Planning and Design Guide SPD the Council will require all development to be of high quality design, which ensures the creation of attractive and usable places. Development proposals should take advantage of opportunities to improve the character and quality of an area and conserve the Borough's historic environment. The Council will take account of the cumulative impact of new development, including the impact arising from residential intensification and redevelopment.

Development should be planned with the principles of crime prevention and community safety integrated. All new development should be designed to ensure that buildings and land within their curtilage are fully accessible to groups with special mobility requirements. Where practicably possible 100% of new residential units should be built to the Lifetime Homes Standards based on the Joseph Rowntree Foundation standards highlighted in the Council's Planning and Design Guide Supplementary Planning Document. The proportion of wheelchair accessible homes on new residential redevelopments of 15 or more units will be considered on a site by site basis, having regard to current needs in the Borough.

### **Policy: CS24 Development and Accessibility to Services and Employment**

The Council will work towards Hertfordshire County Council's vision of providing a safe, efficient and affordable transport system that allows access for all to everyday facilities. To obtain the best use of the existing highway network, major trip generating development should be focused principally on Transport Development Areas and town centres, as indicated on the Key Diagram. Major developments will only be permitted where:

- it does not conflict with the Transport Objectives of the Hertfordshire Local Transport Plan (as amended);
- it is accompanied by a suitable Travel Plan (where required by the Hertfordshire Local



Transport Plan (as amended)), prepared in accordance with guidance set out in the Parking Standards Supplementary Planning Document and DfT guidance on preparing travel plans;

- it is in accordance with Hertfordshire County Council guidance and relevant Local Plan (as amended) policies relating to the operation of the Highways network and the achievement of vehicular, pedestrian and equestrian safety;
- it contributes, where required, to the provision or funding of new infrastructure or improved public transport services and non-motorised routes; and
- the cumulative impact on the highways network can be adequately mitigated.

### **Policy: CS25 Accessibility and Parking**

In order to facilitate fair and convenient access to local services, the quantity of off-street parking for all modes of transport, to be provided at new developments, will be based on an assessment of:

- a site's location;
- local car ownership;
- the proposed land use;
- housing tenure;
- the potential for shared parking, over various times of the day and week, with other uses;
- local on-street parking conditions and controls, including those likely to be available within the new development;
- highway and pedestrian safety considerations including whether roads have been designed to an adoptable standard;
- incentives to reduce dependency on the car and the provisions of any Travel Plan submitted;
- the Accessibility Zones for the Borough; together with the extent of compliance with requirements set out in the Parking Supplementary Planning Document; and
- the extent to which permeable and semi-permeable surfaces are incorporated into the area of off-street parking to be provided.

### **Policy: CS26 Promoting Alternatives to the Car**

The Council will support a wide range of measures to provide safer and more reliable alternatives to the car for accessing new development and existing development and other destinations across the Borough including:

- improved public transport facilities;
- additional public transport routes and stops;
- enhanced and new non-motorised links (including Greenways) within and between urban and rural areas, along or additional to the existing rights of way and highways



- network, which increase walking, cycling or riding opportunities; and
- the safeguarding of proposed non-motorised routes, where necessary, to preclude development occurring which would prevent their future implementation.

New developments will be assessed in terms of their accessibility by a range of transport modes and where appropriate, measures to promote alternatives to the car will need to be provided as part of a proposed scheme, having regard to the requirements of the Parking Standards Supplementary Planning Document, and the adopted Greenway Strategy.

## Site Allocations and Development Management Plan

### Policy: SADM3 Residential Developments

Proposals which would result in the net loss of satisfactory residential units or accommodation will not be permitted. Replacement residential unit(s) will be required where existing housing is to be demolished as part of any redevelopment scheme for alternative uses.

The redevelopment of sites for residential use will be permitted in existing urban areas, subject to the requirements of relevant development plan policies. In particular, development within residential areas must be of a scale and design which respects its immediate surroundings including the local pattern of development, not result in a tandem development layout and as far as possible improve the quality of the area.

Proposals which would result in the net loss of affordable housing units will not be permitted. Where exceptionally a net reduction in units is demonstrated to be unavoidable, applications should

- provide at least an equivalent floorspace of affordable housing; and
- achieve an appropriate mix of housing types and tenures in line with local housing need.

For any development which provides a new flat or flats, the following principles will apply:

- each flat should be self-contained with access direct from a street frontage or a common entrance hall;
- each flat should provide a good standard of accommodation and internal space; and
- suitable communal or private garden provision should be made for each flat.

Where planning permission is required, the conversion of existing homes, offices or other buildings, to

- smaller self-contained units or
- houses or buildings in multiple occupation (Use Class C4 or sui generis)



will be refused planning permission if:

- there would be insufficient off-street parking provision (in line with the Parking Standards SPD) and the potential effect on the adjoining highway would be unsatisfactory;
- the size of garden space would be inadequate or access to it would be difficult;
- there would be inadequate provision for the storage and collection of waste, or (iv) there would be more than 1 in 5 conversions in a defined row of houses.

All development should be consistent with Hertsmere's Planning and Design Guide SPD (and any successor document).

**Policy: SADM10 Biodiversity and Habitats**

Sites of Special Scientific Interest (SSSI), Regionally Important Geological Sites (RIGS), Local Nature Reserves (LNR) and Local Wildlife Sites are identified on the Policies Map. Development that would adversely affect any such site or a protected species (UK or European Law, or identified for conservation by the Hertfordshire Biodiversity Action Plan) will not normally be permitted in accordance with legislation and planning policy guidance. The Council will expect developers to avoid significant harm to sites of importance for ecology, geology and biodiversity by relocating their proposed development

- on an appropriate alternative site, or
- elsewhere within the same site (where the harm would be avoided).

Where this cannot be achieved, planning permission will be refused unless:

- adequate mitigation measures can be employed, which will outweigh the harm caused; or, as a last resort
- adequate compensatory measures will be provided and the benefits of the development are clearly shown to outweigh the harm to the natural environment.

The acceptability of any development proposal will further be assessed with regard to:

- the level of impact that the development proposal would have on the ecological interest of the habitat concerned and the wider ecological network;
- the opportunity available to create, incorporate, enhance, or restore habitats or biodiversity as part of the development;
- arrangements for the future maintenance and management of the wildlife or habitat affected by the proposal;
- the detailed design of the proposal including its conformity with the Biodiversity, Trees



and Landscape SPD.

The Council will work in partnership with the Hertfordshire Local Nature Partnership, Hertfordshire Environmental Records Centre, the Wildlife Trust and Natural England to minimise the impacts on biodiversity, habitats and geodiversity in Hertsmere.

**Policy: SADM11 Landscape Character**

Development will be managed to help conserve, enhance and/or restore the character of the wider landscape across the borough. Individual proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition, including as described in the Hertfordshire Landscape Character Assessments. The location and design of development and its landscaping will respect local features and take opportunities to enhance habitats and green infrastructure links. Landscaping schemes should use native species which are appropriate to the area.

**Policy: SADM12 Trees, Landscaping and Development**

Planning permission will be refused for development which would result in the loss, or likely loss, of:

- healthy, high quality trees subject to a Tree Preservation Order; or
- any healthy, high quality trees and/or hedgerows that make a valuable contribution to the amenity or environment of the area in which they are located.

If development is approved which would result in the removal of trees and/or hedgerows, equivalent and appropriate replacement planting will be required. All development affecting trees, hedgerows and other plants or landscaping should be consistent with the Biodiversity, Trees and Landscape SPD and BS5837 (or any subsequent guidance). This includes the requirement for appropriate landscaping schemes and, if necessary, replacement trees. Where possible, the Council will make additional Tree Preservation Orders to ensure that existing trees, or groups of trees, which are healthy and contribute to the amenity of the area, are retained and protected.

**Policy: SADM14 Flood Risk**

The risk of flooding will be avoided and reduced by:

- locating development within areas of lower flood risk through the application of the sequential test and then applying an exception test in line with the National Planning Policy Framework (NPPF).

**Policy: SADM15 Sustainable Drainage Systems**

The design of new development should include sustainable drainage measures. In particular,



the Council will require the introduction of sustainable drainage (SuDS) on all major developments (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and any subsequent order). The drainage scheme should provide the most sustainable option from the SuDS hierarchy. Measures should attenuate water runoff at source (e.g. through attenuation ponds, filter strips, swales) and achieve multiple benefits (including management of flood risk and surface water pollution, amenity and biodiversity). The drainage scheme will:

- achieve the greenfield runoff rate, or as close to it as practicable;
- provide a 1 in 100 year attenuation taking into account climate change;
- provide arrangements for future maintenance and management.

#### **Policy: SADM17 Water Supply and Waste Water**

Development proposals must take into account the demand for off-site water service infrastructure. In particular, developers will be required to demonstrate that there is adequate waste water capacity on and off the site to satisfactorily serve the development. Development proposals will be permitted where:

- sufficient infrastructure capacity already exists; or
- extra capacity can be provided in time to serve the development.

Water efficiency measures should be incorporated into the development. For residential development, efficiency measures should enable a maximum potable water usage of 110 litres per person per day to be achieved. The design of non-residential building development should enable achievement of the BREEAM 'Excellent' standard or the best practice level of the Association for Environment Conscious Building Water Standards or equivalent.

#### **Policy: SADM19 Waste Storage in New Development**

Adequate provision for the storage of waste (which includes recycling facilities) will be fully integrated within the design and layout of new development. New development will be permitted where:

- full provision is made within the curtilage of the development site;
- waste storage areas are readily accessible by occupiers and by local waste collection agencies allowing easy removal and replacement of bins;
- waste storage areas would not obstruct pedestrian, cyclist or driver sight lines;
- the siting or design of waste storage areas would not result in any adverse impacts to the amenity of occupiers; and
- the conditions of the Planning and Design Guide SPD and the Technical Note for Waste Storage Provision Requirements for New Residential Developments are satisfied.



**Policy: SADM22 Green Belt Boundary**

The boundary of the Green Belt, to which Policy CS13 (Core Strategy) and Policy SADM26 apply, is shown on the Policies Map.

**Policy: SADM23 Village Envelopes**

Village envelopes are shown on the Policies Map for parts of Elstree, Shenley and South Mimms. The areas defined by the village envelopes are part of the Green Belt, within which limited infilling will be permitted if it complies with Core Strategy Policy CS13 and other relevant plan policies.

**Policy: SADM24 Key Green Belt Sites**

Any proposal for infilling or redevelopment within the 'envelope' must be ancillary to or support an existing or approved use on the site. This development will be permitted provided it:

- a) would not have a greater impact than the existing development on the openness of the Green Belt and the purpose of including land within it and
- b) meets the criteria set out below.

All proposals must satisfy the following criteria:

- the proposed development should protect, conserve or enhance any relevant heritage assets in accordance with Policy SADM 29;
- the relocation or introduction of a hard surfaced area such as car park or playground should not have unacceptable impacts;
- the development should not result in a significant increase in motorised traffic; and
- there should be no significant adverse impact on:
  - designated open space and sports and leisure facilities;
  - wildlife sites and ecological network; and
  - the amenity of adjacent properties.

**Policy: SADM26 Development Standards in the Green Belt**

The Council will assess all applications for development in the Green Belt, as defined on the Policies Map, in accordance with Core Strategy Policy CS13 and to ensure they comply with the following principles:

- developments should be located as unobtrusively as possible and advantage should be taken of site contours and landscape features in order to minimise the visual impact;
- buildings should be grouped together: isolated buildings in the countryside should be avoided;
- existing open and green space in the area, including garden areas, should be retained;
- the scale, height and bulk of the development should be sympathetic to, and



compatible with, its landscape setting and not be harmful to the openness of the Green Belt;

- developments should use materials which are in keeping with those of the locality, and, where modern materials are acceptable, they should be unobtrusive;
- existing trees, hedgerows and other features of landscape and ecological interest should be retained and enhanced in order to enrich the character and extent of woodland in the Community Forest in line with Policy SADM12;
- the viability and management of agricultural sites should not be undermined, there also being a strong presumption against development which would fragment a farm holding.

The scale of development will be controlled. In particular:

- a replacement building (which is for the same use) must not be materially larger than the one it replaces;
- an extension or alteration to a building must not individually or cumulatively be disproportionate to the original building<sup>1</sup> ; the addition(s) must be subordinate to the original;
- limited in-filling or redevelopment on a previously developed site must have no greater impact on the openness or purpose of the Green Belt than the existing permanent development.

In judging scale the Council will make a comparison between the existing and proposed development having regard to:

- the proposed change in floor space;
- the proposed change in the volume of development;
- the proposed changes to the site coverage of building and hardstanding;
- the proposed changes in height and orientation of development; and
- the proposed change and intensity of the use(s) and the buildings at the site.

A like for like replacement in terms of building is not necessarily acceptable. The nature and intensity of the new use, its effect on amenity, landscape and the purpose of the Green Belt in that locality will be important considerations.

#### **Policy: SADM29 Heritage Assets**

Planning applications will be considered in accordance with the NPPF. When applications are submitted for proposals affecting any heritage asset the applicant must clearly explain what the proposal is for and provide sufficient detail to allow for an informed decision to be made. When assessing proposals, the Council will have regard to the significance of the heritage asset and the potential harm to it.



The Council will not permit development proposals which fail to protect, conserve or where possible enhance the significance, character and appearance of the heritage asset and its setting. The scale, design, use and character of the proposal will be taken into account, as well as the detailed provisions following.

In Conservation Areas the Council will seek to:

- retain buildings, structures and historic features;
- retain important open spaces and views;
- avoid the cumulative effect of smaller scale proposals harming the area; and
- obtain improvements which enhance the area.

In particular, proposals resulting in the loss of buildings and structures in Conservation Areas will not be permitted unless:

- the building or structure is beyond economic repair; or
- its removal and replacement would be beneficial to the character or appearance of the area.

The Council will also take into account any additional guidance provided by a Conservation Area Appraisal including buildings identified as making a positive contribution to the Conservation Area.

The Council will not permit development proposals which would materially harm the setting or endanger the fabric of a listed building. Listed building consent will not be granted for alterations or extensions that would be detrimental to the special architectural or historic character of a listed building.

The Council expects features of known or potential archaeological interest to be identified, assessed, surveyed, recorded and wherever possible retained. Developers will therefore be required to undertake an archaeological field assessment and submit a report on the findings before the Council will grant planning permission. Where a proposal would affect archaeological remains and it is considered acceptable for the development to proceed, conditions will be imposed to ensure that the remains are properly recorded, and where practicable, preserved and enhanced, and the results analysed and published.

### **Policy: SADM30 Design Principles**

Development which complies with the policies in this Plan will be permitted provided it:

- makes a positive contribution to the built and natural environment;



- recognises and complements the particular local character of the area in which it is located, and
- results in a high quality design.

In order to achieve a high quality design, a development must:

- respect, enhance or improve the visual amenity of the area by virtue of its scale, mass, bulk, height, urban form; and
- have limited impact on the amenity of occupiers of the site, its neighbours, and its surroundings in terms of outlook, privacy, light, nuisance and pollution.

### **Policy: SADM40 Highway and Access Criteria for New Development**

Development will be permitted where:

- it can be accessed by a range of transport modes including, where appropriate, public and other sustainable transport modes;
- it provides safe and convenient links through the site and within the site and enables access to adjoining routes and services for all users;
- it will not harm the safety of any users of the highway network, cause or add significantly to road congestion or unduly harm the flow of vehicles;
- the proposed design and layout give priority to pedestrians, cyclists and other non-vehicle users and provide for safe and convenient:
  - movement, circulation, parking, manoeuvring and picking up or dropping off;
  - accommodation of larger vehicles including emergency and servicing vehicles and/or coaches where required and
  - site access for all users (including adequate visibility splays);
- off-street car and cycle parking is provided in accordance with Core Strategy Policy CS25 and is consistent with the Parking Standards SPD; and
- for major trip generating schemes, the applicant provides a Transport Statement or Transport Assessment (prepared in compliance with guidance issued by the Council and local highway authority), which demonstrates that the scheme accords with the policies in the Local Plan.

Where development may be expected to have negative impacts, appropriate mitigation measures will be required at the developer's expense

### **Biodiversity Net Gain SPD**

The development has been considered and prepared in light of the guidance set out within the guidance of the SPD, with the development providing a net gain in biodiversity on site as a direct result of the proposals, with this been set out and evidenced within the accompanying ecological documentation.



## Draft Carbon Offsetting SPD

In order to address the requirements of this SPD, an Energy and Sustainability Statement has been prepared and submitted alongside the application to set out the suitability of the development.

## Sustainable Transport and Parking Standards SPD

The proposals have been prepared in accordance with the SPD in regards to sustainable transport and parking, with this been highlighted within the accompanying Transport plans and documentation.

The document includes an updated parking standard:

C3 – Residential units*				
General Needs Housing (including flats and bungalows)	Car parking spaces		Cycle storage spaces	Charging Plug in Points
	Curtilage	Communal		
Studio	0.5 per unit		1 per bedroom long term	1 socket/charging point per house with private parking-  Communal parking - 1 active charging point per dwelling unit  Remaining spaces passive provision over and above 1 space per unit and above 10 units
1 bedroom	0.75 per unit			
2 bedroom	1 per unit	1.5 per unit		
3 bedroom (flat)	1.5 per unit			
3 bedroom (house)	2 per unit	1.5 per unit		
4 bedroom	2 per unit			
5 bedroom	To be determined on a case by case basis			
6 + bedroom				

Figure 31: Hertsmere Parking Standard

## Community Infrastructure Levy Regulations

In accordance with the adopted CIL at Hertsmere, the application is accompanied by the relevant CIL forms. Noting that the site is located within Area A, the CIL charge per sqm for residential development is £120, but with indexation for 2024 this will be £191.30.

## Biodiversity and Trees SPD

In accordance with the SPD, the scheme will be compliant with the relevant policies, with this being set out in the below Analysis section and with the accompanying ecological and arboricultural reports.

## Planning and Design Guide - Part D & E

The scheme has been developed and evolved in accordance with this SPG to ensure that the resulting development is of high quality and meets the relevant parameters. As such this is formally explored with the subsequent Analysis section of this Statement.



## **Waste Storage Requirements for New Development**

The development will provide the necessary waste storage and collections matters in line with the policy of the SPD.

## **Interim Planning Policy Position Statement – Climate Change and Sustainability**

In order to address the requirements of this SPD, an Energy and Sustainability Statement has been prepared and submitted alongside the application to set out the suitability of the development.

## **South West Hertfordshire Joint Strategic Plan**

As of October 2023, all of the relevant authorities have endorsed a vision and objectives guide to the future preparation of the plan. However, as yet a formal document is yet to be published detailing policies and allocations, meaning that the Plan currently has no weight.

## **Five Year Land Supply**

In accordance with the latest published document available on the Council's website, the authority can only demonstrate a 2.6 year housing land supply, which is below the Government's requirement. However, in a recent appeal this has been identified as 1.36 years, the lowest in the Country.

## **Emerging Local Plan**

Following a Full Council meeting in April 2022 to consider the options in relation to the Local Plan. It was agreed to set aside the current Regulation 18 draft Local Plan, but continue the Local Plan process by completing consideration of the Regulation 18 engagement responses and carrying out additional work as necessary to inform a Local Plan spatial strategy. A revised Local Plan is due to commence political consideration at committees in March and April.



## 5 Analysis

An assessment of the proposed development has been undertaken against the relevant planning policy framework for the site, and other material considerations in accordance with Section 38 (6) of the 2004 Planning and Compulsory Purchase Act. The Assessment considers the following matters:

- Principle of Development
- Green Belt
- Heritage
- Design
- Highways & Parking
- Drainage
- Arboriculture
- Ecology & Biodiversity
- Landscape
- Energy, Sustainability & Climate Change
- Ground Investigation
- Flood Risk & Drainage
- Refuse & Recycling
- Affordable Housing
- Amenity
- Community Infrastructure Levy

### Principle of Development

The proposal comprises two components, firstly it seeks the redevelopment of a previously developed former public houses, and secondly it seeks the erection of an infill dwelling.

The settlement hierarchy within the Hertsmere Core Strategy at Policy CS2 supports the provision of new homes in rural locations such as South Mimms, which are for small scale infill sites, especially where they utilise brownfield land and are located within the defined settlement envelope as per Policy SADM23.

The application proposal meets this criteria, and is acceptable to both the local and national planning policy. Both the NPPF and the Hertsmere Development Plan seek that opportunities are taken to maximise brownfield sites such as this. Chapter 11 of the Framework sets out that Council should seek to promote effective use of available land for meeting the need for housing on previously developed land. Paragraph 123 of the Framework notes the need to support the



development of under-utilised buildings, especially if this would result in meeting needs for new houses, which this scheme completely aligns with.

Furthermore, in order for a scheme to be considered a sustainable form of development, it must adhere to the three objectives set out in Paragraph 8 of the Framework and to comply with Policy SP2. In terms of meeting the economic objective, the development would revitalise a previously developed site, which in its current form is not viable to continue.

In terms of meeting the economic objective, the development would bring into use an underutilised parcel of land, which in its current form is not viable and the proposal would enable the redevelopment of a previously developed site.

The future residents would be economically active, and the construction phase would also bring considerable economic benefits. Using the Home Builders Federation multiplier of each new equating to 3.1 jobs per new home, the development as proposed would result in 25 new jobs. Helping to deliver a significant boost to the local economy through 'first occupation' expenditure. This is expenditure on new furniture and other household goods that residents spend as 'one-offs' when moving into a new home. Generating a further significant economic boost from residents moving into the Borough's existing housing stock which were vacated so that the owners could move into the proposed new homes. This is a result of the spending on renovations, household goods, removals, surveys, estate and legal fees that are associated with the purchase of existing rather than new homes within the Borough's housing stock. In terms of household expenditure, data from ONS Family Expenditure Survey 2019-2020 shows that the 'average UK household spend' is £585.20 per week (Table A33) (or £30,514 per year), whereas in the East of England it is 3.8% higher than the UK average (Table A33). This means the average weekly spend per household is £607.70 (or £31,687 per annum). Given the current economic challenges facing the UK these are significant economic benefits.

Thus, making the site viable as a residential development which enables growth in the right place at the right time. In the review of the social objectives, development of the site will keep the land in use and prevent the site from gradually deteriorating over time as the current use does not optimally utilise the land available. Furthermore, the loss of the public house which is currently vacant is mitigated through South Mimms still having use of a local public house in The Black Horse to the north of the settlement. The future residents will help support and contribute to other local services in the village. The proposed dwellings will also include sustainable and energy saving measures as set out in the Love Design report.

In regard to the environmental objective, given the limited environmental merit of the site currently, the proposed redevelopment offers an opportunity to provide a greater level of biodiversity across the site, whilst making effective use of the site. As referenced the proposal will make best use of this previously developed site, reducing pressure on greenfield sites.



Therefore, the schemes as submitted meet the three objectives of the Framework and can be considered a sustainable form of development, which also meets the necessary parameters of Policy SP1. The development will increase the amount of greenspace on the site with the removal of the wealth of hardstanding and introduction of landscaping and rear gardens. The proposed dwellings will also include bird and bat boxes which will increase biodiversity opportunities. The proposal will reduce the amount of hardstanding on the site, and substantially increase the amount of greenspace.

In regard to the extension and repurposing of the former public house, additional information including viability, market commentary and local information have been prepared and submitted alongside the application to show that the use of the site is no longer viable. The remaining demand is suitably addressed by the existing facilities in South Mimms, meaning that the 'loss' of this community facility acceptable and meets the policy requirements of CS19.

The former public house was nominated for consideration as an Asset of Community Value. However, this was assessed by the Council, who considered the facility did not meet the appropriate criteria.

Within Hertsmere there is a clear precedent for similar development such as the King William and Queen Adelaide in Shenley. This demonstrates in-principle acceptability of this type of development in Hertsmere Borough Council, these are discussed in the precedent chapter of this statement.

The principle of the development was also considered acceptable in the Pre-Application discussions with the Council.

Chapter 5 of the Framework highlights the importance of ensuring a sufficient delivery of new homes on a variety of sites which is allowed to come forward without delay to significantly boost the housing supply as per paragraph 60 of the NPPF. Paragraph 70 highlights the merit of smaller sites, as they are able to make a contribution to meeting housing needs much more quickly than the larger sites as they can be built out relatively quicker, as would be the case with this site. As set out in Paragraph 83, development should be located where it will enhance or maintain the vitality of rural communities. Noting the former use of the site and building is no longer viable, following the closure of the public house the proposal would enable the site to be utilised in growing and supporting a well-serviced village, with good connections. It should also be noted that in order to retain and restore the listed building on the site the proposed infill dwelling (plot 8) is required to ensure that the whole development is a viable scheme.

There is an inherent need to deliver housing in Hertsmere. The Council are unable to meet the five year housing land supply and unable to meet the Housing Delivery Test. The proposal will make a contribution to the acute housing need and housing land supply, and so the principle



of the development is acceptable. The proposals must be considered a sustainable form of development which can then assist in the Council meeting the targets set out in Policy CS1.

The latest published document available on the Council's website, the authority can only demonstrate a 2.6 year housing land supply, which is below the Government's requirement. This has recently been proven in an appeal inquiry to be only 1.36 years. Given that this site is available, the development of this site would be readily available to assist in boosting the housing land supply for Hertsmere, with the proposals swiftly being built out. Such a windfall site would make an important contribution to housing in Hertsmere, for which there is an acute need. The development of such brownfield sites also reduces the pressure for greenfield sites. The Government also publishes a Housing Delivery Test. With the latest results showing a 69% delivery of homes against Hertsmere target, which is well below the target, and the NPPF encourages the application of the presumption in favour of sustainable development – and maximisation of brownfield sites in local authorities with such a low delivery of homes,

Policy SP1 of the Core Strategy enables sustainable development within the Borough. The policy highlights the importance of ensuring that development is sustainable. Policies CS1 and CS2 further seek to ensure that residential development is sustainable and in suitable locations. SADM3 supports the redevelopment of sites for residential use if the scale and design respect the immediate surroundings and ensuring that the environmental constraints, character, pattern and density of the surrounding area are taken into consideration. Each of the dwellings will have a self-contained access, and exceed the national space standards, they also include a provision of outdoor amenity space, sufficient parking levels and adequate space for the storage and collection of waste. The policy also promotes the use of brownfield land to meet the need of housing. The development as set out would meet all of the relevant criteria set out within Policy SADM3.

The scheme has been developed via pre-application discussions, with the subsequent amendments set out in Section 3 of this Application, which have enabled the scheme to evolve with the Council's input, and agreement that the use of the site for residential purposes was acceptable. This included the conversion of the vacant public house, with the site being serviced adequately by the surrounding services and facilities and with another public house being located in South Mimms, meaning the proposal will comply with the parameters of Policy CS18 and CS19.

Paragraph 154 of the framework allows infilling in villages and the redevelopment of previously developed sites, whilst this is considered in more detail below, this demonstrates the principle of development is acceptable.

In light of all of the above the proposal is an appropriate form of development and fully accords with the development plans and NPPF, therefore can be considered in principle to be an



acceptable form of development.

## Green Belt

Paragraph 143 of the Framework sets out the purposes of the Green Belt. Given the limited scale of the development proposed and the location of the development within the settlement of South Mimms. Along with the substantial existing built form on the site, it is considered that the proposals are acceptable with respect to the purposes of the Green Belt. This also meets the criterion of Policy CS13 which encourages development within the defined settlement envelope, and being sympathetic to the surrounding area. This proposal meets there policy requirements.

Paragraph 154 of the Framework sets out situations where the construction of new buildings in the Green Belt can be considered appropriate.

Sub-section e states that limited infilling is acceptable within villages and sub-section g sets out the acceptability of limited infilling or the partial or complete redevelopment of previously developed land subject to the proposal not having a great impact on the openness of the Green Belt.

The proposed infill plot fully accords with paragraph 154(e) and is an appropriate development, and no openness requirement assessment is required for this element. The site is located within the settlement of South Mimms, where SADM23 directs infill developments within Hertsmere.

*That policy SADM23 allows for the limited infilling within the defined village envelope of South Mimms... Officers note that the proposed dwelling would be sited in a position which would result in the limited infilling of a gap along a clearly identifiable built-up frontage. Which in this case the proposal would infill the gap that currently exists between the former pub building and the neighbouring Almshouses and could therefore be considered to accord with policy SADM23 which allows for the limited infilling within village settlements.*

Paragraph 154(g) allows for 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 than the existing development. Its states specifically:

*"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*" f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*

*g) limited infilling or the partial or complete redevelopment of previously developed land,*



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

Previously Developed Land is defined within Annex 2 as "Land which is or was occupied by a permanent structure, including the curtilage of the developed Land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. Given the site's commercial use it is agreed that the Site is previously developed and is fully compliant within the provision of Paragraph 154 (g) of the NPPF. The conversion and replacement extensions accord with the framework and are appropriate development.

Policy SADM26 sets out a design criteria that development proposals should be compliant with; this application accords with these criteria, especially noting that this is a brownfield development opportunity.

The development would also result in the replacement of unsympathetic extensions with more appropriate extensions, which improve the appearance of the building.

In light of the above, the proposals are compliant with the necessary criteria stipulated within Policy SADM23, which was confirmed in the Pre-Application.

It was also agreed as part of the Pre-Application, that the conversion of the public house to residential uses is acceptable in principle for this Green Belt location.

The proposals will utilise a previously developed site, to locate the proposed built form in an acceptable location within the site. Furthermore, the scale of the new built form will be subservient to the existing built form. Given the context of the site, which is surrounded by built form, there would be no impact on the openness of the Green Belt.

Additionally, the proposals will utilise appropriate materials that reflect the surrounding built form and the existing built form. It would also present the opportunity to create a sympathetic development, with the proposals creating a simple, high-quality development in place of an existing area of hardstanding. The proposal would also assist in meeting the local need for housing as necessitated by the Framework.

As such and in compliance with the above, the proposals constitute an appropriate form of development in the Green Belt. In addition, there are considerable benefits arising from the scheme, and these are set out in the conclusion of this report. Overall, the principle of



development especially in the context of Green Belt policy is acceptable.

## Heritage

The application has been reviewed and supported by consultants Cogent, who have produced a Heritage Statement in support of the application.

The application site is located within the Conservation Area for South Mimms, and the former public house is a Grade II listed building. There are also several other listed assets located around the application site, with the area abutting the southern boundary of the site being an area of archaeological interest.

The Heritage Statement considers each of the proposed elements in turn. Firstly, in regard to the conversion of the public house to residential purposes the first floor element is already being utilised for residential accommodation. As such, the ground floor then being used for residential purposes could not, therefore, result in the significance of the building being 'fundamentally harmed', with a great deal of the significance of the building being encapsulated in its fabric rather than its use. It also noted that the site has been vacant for a significant period of time, therefore to ensure the long-term preservation of the built form a viable conversion option is acceptable in principle. To ensure that the scheme is viable and to enable the preservation the proposed infill dwelling (plot 8) will be required to ensure that this is plausible. The Assessment considers that the internal alterations to the public house, would materially and considerably enhance the significance of the listed building by better revealing its most significant features.

Additionally, the removal of the existing rear extension and a replacement extension of the public house would result in the preservation and enhancement to the significance of the listed building. This is on the basis that the extensions are of poor quality and the proposed additions would be of significantly greater quality, that would assimilate within its context.

The conversion of the outbuilding to residential has also been considered, with few changes proposed to the external elements and internally there is nothing of significance that would be impacted by the conversion. The contribution of the curtilage listed structure, as a pleasant outbuilding to the main pub, would remain unchanged.

In regard to the proposed new dwelling there is nothing inherently unacceptable about the addition of a two storey building in this location. The proposal would make for a logical and visually coherent transition between the public house and the almshouses, with the dwelling being of a traditional design to help it blend in unassumingly. This modest new building would blend in well, and preserve and enhance the character, appearance and significance of the conservation area, and the setting of the almshouses and The White Hart.



It should be noted that during the Pre-Application, that the Case Officer confirmed that the on-site built form had been extended and altered significantly over the years, with the interior particularly being impacted, this is also addressed in the Heritage Statement. As such the Council recognised that a sympathetic overhaul of the existing buildings would result in an enhancement of the building, which would ultimately result in a greater preservation of the historic elements. The introduction of new elements as part of the proposals is fully justified within the accompanying Heritage Statement. It was agreed that having a vacant site (such as this one) in the Conservation Area, actually detracts from the value of the area, and there is a significant benefit to bringing the site back into purposeful use, especially noting the heritage assets located around the site.

The proposed development has been designed with cognisance of the history of the application site and the Conservation Area designation, whilst ensuring that the resulting development will be of high quality. It has been carefully considered to beneficially redevelop this site, and materially improve the local townscape. This proposal enhances the site's contribution to the Conservation Area. In the same way that the townscape would be enhanced, the setting of the nearby Grade II listed building would also be qualitatively enhanced. As it is evident there is a long history of development on the application site, but particularly the vacant nature of the site has fragmented the townscape and is, in its own right, something of an eyesore that could be beneficially developed. Therefore the scheme accords with Policy CS14 of the Core Strategy.

When considered on the whole, the proposals would be acceptable in terms of the principle of the change of use, and the internal changes would considerably enhance the most significant parts of the listed building. These are weighty, heritage-specific benefits. The rear extensions would in part facilitate the reinstatement of the room currently interrupted by the later staircase, and would replace poor quality accretions with well-designed new additions that would preserve and enhance the significance of the building. The conversion of the outbuilding would preserve the significance of the building, and the conservation area. The modest infill building would blend in well, and preserve and enhance the character, appearance and significance of the conservation area, and the setting of the almshouses and The White Hart.

The enhancements to the listed building would comfortably outweigh any limited harm. Overall, the heritage-specific benefits of the proposals therefore clearly and compellingly outweigh any harm, and leaves a net heritage enhancement in the heritage balance, which attracts great weight in favour of the proposed development in the overall planning balance.

This means paragraphs 205-208 of the NPPF are not engaged and the provisions of s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) are satisfied. The proposals satisfy Core Strategy Policy CS14 and SADM Policy SADM29.

In accordance with the NPPF, the net heritage-specific benefits of the scheme should be brought forward into the overall planning balance, and given the appropriate 'great weight'.



## Design

The proposed scheme has been developed and evolved in accordance with the Development Plan and also Pre-Application discussions. Chapter 12 of the Framework sets out the requirement for all forms of development to result in the creation of high quality, beautiful and sustainable buildings and places, which in turn makes the proposals acceptable to the communities they are integrated with, which this scheme has sought to achieve. It should also be noted that following on from the Pre-Application, several amendments to the scheme have been made to ensure that the development conformed to the Council's comments.

Amendments to the scheme following the pre-application include:

- Plot 9 has been removed reducing the proposed number of units from nine to eight.
- Additional and improved landscaping and boundary treatments have been included.
- The glass doors to the single storey conversion have been removed, with time utilised instead.
- The amenity area to the rear of the car park has been enhanced, through the provision of paths and seating area.
- For plot 8, the roof height has been lowered and a Suffolk hipped roof has been implemented to make it more subservient.
- Secure cycle storage now forms part of the submission.

The design is of a high quality and is reflective of the immediate character and context, especially in relation to the heritage assets on and around the application site. The proposals will also provide continuity between the existing and proposed, whilst ensuring the legibility of the design accords with the surroundings and creates a safe development which assists in reducing the fear of crime and seeking to prevent it where possible, through bringing a vacant site back into viable use. Enhanced landscaping has been utilised to assist in the integration of the proposed and existing to ensure seamless assimilation between the two environments. The proposals will also ensure that the proposals are designed and accessible for all, with suitable provisions of amenity space. All of these elements mean that the development will be in accordance with Policy CS22 and will look to conserve the Borough's historic environment.

The site is located within the Green Belt, and as such will need to comply with the design criteria Policy SADM26. The scheme has been designed to utilise the existing built form across the site, and to concentrate the proposed built form in similar portions of the site. The existing open areas of the site, as part of the proposals these areas will be retained.

All of the proposed development will be subservient in nature to the existing built form on the site, and relate well to the surrounding historic assets. The scheme also utilises materials which are similar to those that are part of the existing buildings or are sympathetic in nature, which was agreed as part of the Pre-Application. The proposals in terms of ecology, landscaping and arboriculture are addressed in the below sections of this Analysis. In addition, the development



also addresses the other general design policy of SADM30 and all of its criteria.

In terms of the housing mix on the site, this has been provided in accordance with Policy CS7, and the space provision of each unit accords with the National Space Standards, Policy CS7 and the Planning and Design Guide.

The applicant, Griggs, has an enviable track record of delivering high-quality developments, especially in the Green Belt and has other examples of similar schemes relating to public houses and their associated land, with some of these schemes set out in Section 2 of this Statement.

Overall the design of the proposal accords with the NPPF and Hertsmere Development Plan.

## Highways & Parking

The proposal is supported by a Transport Statement, that has been prepared by EAS, which highlights the sites sustainable nature, due to the wide range of local facilities within walking and cycling distance from the site. Additionally, the site is well serviced by buses due to the close proximity of the stops and the accessible distance of the nearest train station in Potters Bar, meaning that the site accords with Policy CS24 and CS26. It should also be noted that there are a low number of recorded incidents on the roads in close proximity to the site, meaning that the local highway is therefore considered to be safe, and no potential risks have been raised.

The Transport Statement sets out that the existing vehicular access point off the B556 is to be retained. This will lead into the proposed car park which will retain its location to the east of the site. A secondary access point will be located to the northwest of the site, off the existing spur to the north of the pub accessed via Blanche Lane. This will provide access to a single parking space. In terms of the visibility splays, they have been drawn at 2.4m x 43.0m from the proposed access in line with standards stated in MfS for a road restricted to 30mph, demonstrating unimpaired visibility for vehicles utilising the proposed access. Therefore, demonstrating that both of the access as proposed will be in complete compliance with Policy SADM40.

It is proposed that 20 parking spaces be provided, in line with the provision previously used to serve the former Public House, in excess of the stated requirements in the SPD, but as agreed in the Pre-Application. This will also includes the necessary provisions of disabled spaces (two), electric charging points (eight) and cycle storage across the site. Thus the parking provision on the site accords with the criteria set out within Policy CS25 and the Sustainable Transport and Parking SPD.

A delivery bay is located to the east of the site, allowing service vehicles to enter and egress the site in a forward gear, without having to stop in the carriageway. Kerbside refuse collection



to be carried out by the waste collection team as per the existing arrangements for all surrounding structures.

The proposed scheme is expected to generate 2 vehicle movements (1 in/2 out) in the AM peak hour and 3 vehicle movements (2 in/1 out) in the PM peak hour. Multi-modal results indicate the scheme would generate 9 daily pedestrian trips, with 1 AM peak hour movement and 1 PM peak hour movement as well as 1 daily cycle trip and 4 public transport trips. This is a considerable reduction to the former use as a Public House.

The proposed development is compliant with national and local policies and will have negligible effect on the local highway network. All advice from the Pre-Application pertaining to highways matters has been considered and implemented. There is therefore no highways or transportation reason why the proposed development should not be granted planning consent.

## Drainage

A Flood Risk Assessment and SUDs Report has been prepared by EAS and is submitted in support of the proposals alongside the application.

The Statement demonstrates the site is located in Flood Zone 1 of the Flood Map for Planning and is at very low risk of surface water flooding. The site is considered to be at low risk of flooding from all identified sources and no specific mitigation measures are considered necessary. The development accords with Policy SADM14, SADM15 and CS16 as it would enable development in an area of fluvial lower flood risk. As demonstrated from the national flood maps there is no risk from surface water or reservoir flooding.

The site is brownfield comprising a public house, outbuilding and associated parking area. Currently, surface water runoff from the site outfalls unrestricted and untreated to the nearby adopted foul and surface water sewers at a rate of 54.3 l/s in a 1:100yr storm event with an pre-development discharge volume of 87.4m<sup>3</sup>.

Review of the underlying geology and historic borehole logs determine that the site is underlain by layers of firm to stiff clay. It is clear that infiltration is not viable. There are no watercourses in the vicinity which could offer a suitable outfall.

Taking the above into consideration, there are no other viable options than to utilise SuDS Features to attenuate surface water runoff from the proposed development and outfall at a restricted rate to the adopted surface water sewer network. The existing adopted surface water drainage network is shallow. The sewer in St Albans Road is approximately 800mm below ground level and the adopted surface water sewers to the west of Blanche Lane are also shallow, at around 1.0m deep. In order to outfall to the closest sewer in St Albans Road, it will therefore be necessary to pump surface water flows from the site to a demarcation chamber





management company.

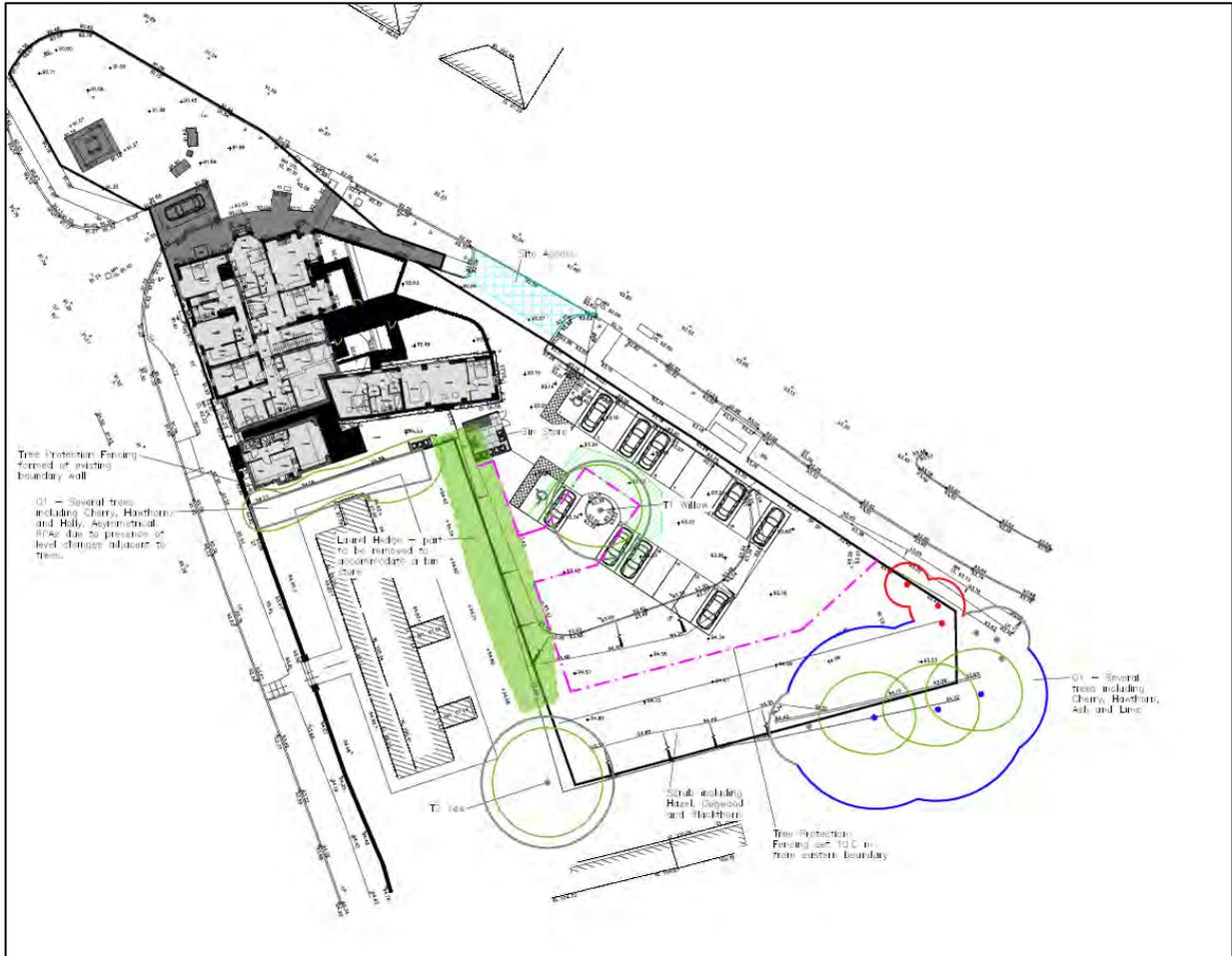
There are no identified Flood Risks which require mitigation. The proposed surface water drainage strategy follows the SuDS Hierarchy and utilises SuDS Features wherever possible. The proposals do not increase flood risk on or off site. It is concluded there are no reasons on flood risk or surface water drainage grounds as to why permission not be granted.

## **Arboriculture**

An Arboricultural Report and Tree Protection Plan has been prepared by David Clarke Chartered Landscape Architect and Consultant Arboriculturist Limited and is submitted in support of the proposals alongside the application.

The Arboricultural Report has been prepared following the relevant guidance, which found that three trees are to be removed irrespective of this planning application due to condition and life expectancy. As such no trees need to be removed in order to implement the development as set out. It is noted that there will be incursions within, or adjacent to, the RPAs and canopy spreads of trees as part of the development of the site, but these have been assessed within the Arboricultural Impact Assessment to either have a minimal and insignificant impact on retained trees or can be reduced to an insignificant level through the use of relevant construction techniques.





**Figure 32: Tree Protection Plan**

Therefore, the scheme complies with the necessary criteria of SADM12 and the Biodiversity and Trees SPD, and can be considered as acceptable in arboricultural terms and should receive planning consent.

## Ecology & Biodiversity

A Preliminary Ecological Assessment (PEA) has been undertaken by CSA Environmental to identify any ecological constraints to development, inform scheme design, highlight opportunities for ecological enhancement and determine the need for any additional investigation/survey.





**Figure 33: Ecological Site Plan**

As part of this PEA, a desk study and field survey of the Site were undertaken in May 2023, including a UK Habitat Classification survey. The PEA noted the following points:

- No direct or indirect adverse effects are anticipated on statutory or non-statutory sites given the small scale of the development and separation from these designations.
- Habitats currently present within the Site are generally common and widespread, with the greatest ecological interest associated with the other neutral grassland and mixed scrub in the south-east of the Site. Hedgerows and trees will be retained where practicable and will be buffered from development edge effects.
- Habitats suitable for nesting birds and reptiles were identified within the Site, with precautionary mitigation measures set out in the PEA.
- The buildings on Site were assessed to have 'Moderate' suitability for roosting bats based on the potential roosting features identified and potential ingress/egress points, with a further report commissioned to assess this.
- Recommendations for ecological enhancement measures:
  - Provision of new bat roosting and bird nesting opportunities within new buildings and retained mature trees.
  - Incorporation of native plants and those of wildlife importance into a landscaping



- o Provision of hedgehog gaps (13x13cm) in new fencing to promote habitat connectivity for small mammals across and within the Site.

Furthermore, the Bat Survey Report set out that the following mitigations measures would be required and incorporated into the Method Statement of the EPS licence application, in order to mitigate the impact on bats as a result of the proposed works and provide adequate replacement roosting opportunities:

- One Schwegler zF bat box (or similar and approved) will be installed on a retained tree prior to commencement of works.
- Any features within the building with potential to support bats will be searched and dismantled ('soft-stripped').
- An endoscope and other such equipment will be used to investigate crevices where appropriate and possible.
- In the event that any bats are found during supervised works the licensed bat worker will catch them by hand, or a hand net, and place them in a breathable holding bag for immediate relocation to one of the bat boxes on nearby retained trees.
- Once potential roost areas have been stripped under supervision, further work will then proceed swiftly without the supervision of an ecologist.
- To compensate for the loss of roosting opportunities, a further bat box will be integrated within the wall of a building on-site.
- Any new lighting scheme for the Site will be designed to avoid illuminating any of the bat roosting boxes/integrated units that are to be installed as part of mitigation/enhancement, as well as minimising illumination of hedgerows and mature trees and suitable habitat.
- In addition to the bat box required for mitigation as set out above, a minimum of two further bat boxes will be integrated within the new buildings.

In regard to the delivery of biodiversity net gains on the site, Defra has also confirmed that the small sites metric will be introduced in April 2024 as originally planned. This applies to developments of less than 10 residential units on a site area of less than one hectare. However, the scheme will still seek to achieve and implement biodiversity enhancements to still result in a net gain on site as a direct result of the development.

As such, the scheme fully complies with Policies CS12, SADM10 and SADM26, whilst also being compliant with the Biodiversity Net Gain SPD and Biodiversity & Trees SPD.

## Landscape

The site plan includes an indicative high-level landscaping strategy to show how the proposed landscaping could be developed. This includes several new trees and new hedgerows. This will



result in an enriched landscaping location, with wildlife enhancement opportunities, that will ultimately result in a more attractive appearance to the site. The formal detail and layout will need to be confirmed through a suitably worded condition pending the outcome of the application.

Furthermore, given that the site currently contains a significant proportion of built form and hardstanding, the development would not impact upon the landscape character for the area, the proposal results in a reduction of hardstanding and therefore complies with the parameters of Policy SADM11.

## **Energy, Sustainability & Climate Change**

An Energy and Sustainability Statement has been prepared by Love Design Studio in support of the application that has been submitted.

This sets out that the new build element of the proposed development, consisting of two apartments and a detached dwelling, has incorporated energy efficiency measures through a well-insulated building fabric shell to reduce the demand for space heating. Additionally, the new build energy strategy will make use of high efficiency air source heat pumps for space heating and domestic hot water to maximise on-site CO<sub>2</sub> reductions.

The new build currently provides a regulated CO<sub>2</sub> reduction of 55% against a notional dwelling compliant with Part L (2021) Building Regulations.

The conversion element of the proposed development, consisting of five apartments, will benefit from an improved thermal performance via internal insulation to existing parameter walls, roof, and floors, and replacement of all non-conservation windows and doors to meet the minimum U-Values for existing buildings as per Table 4.3 of the Part L (2021) Building Regulations.

The conversion currently provides a regulated CO<sub>2</sub> reduction of 49% compared against a baseline building based on the existing context.

Therefore, the energy strategy results in an on-site cumulative CO<sub>2</sub> reduction, exceeding the 40% requirement stipulated in Hertsmere's Carbon Offsetting SPD.

The scheme will integrate core sustainability principles within its design, including sustainable construction, waste, health, and wellbeing.

Furthermore, the scheme will comply with the water usage as set out within Policy SADM17.

The scheme fully accords with Policy CS17, the Carbon Offsetting SPD and the Interim Planning



## Ground Investigation

The application is supported by Desk Based Geoenvironmental and Geotechnical Site Assessment by consultants TRC. The report recommends additional surveys to be undertaken following the grant of planning permission which can be secured through a suitably worded condition. This approach fully applies with policy CS16.

## Refuse & Recycling

In accordance with the relevant guidance and policy (SADM19), sufficient space has been allocated for each of the proposed units for the storage and collection of waste and recycling, which is illustrated within the accompanying plans.

The provision will include a bin store structure to the west of the car park that will serve units 1 to 7, with plot 8 benefiting from a separate area within its own curtilage. This arrangement is in accordance with the Hertsmere Draft Planning and Design Guide SPD.

A delivery bay is located to the east of the site, allowing service vehicles to enter and egress the site in a forward gear, without having to stop in the carriageway. Kerbside refuse collection to be carried out by the waste collection team as per the existing arrangements for all surrounding structures.

Further details including the swept path analysis is demonstrated within the EAS Transport statement. The proposal fully complies Part D Design Guide, and the Waste Storage Provision Requirements for New Development SPD.

## Affordable Housing

The application falls below the threshold for affordable housing as set out in the NPPF.

## Amenity

In addition to the site providing a compliant provision of amenity space which is a mix of private and communal areas, the above the development will result in a high quality living environment and experience for the future occupiers of the scheme, which will be a desirable location that attracts people to the area, especially when coupled with the available services and facilities.

The amenity provision will include areas of landscaping that will enable outdoor social space, which will result in a marked improvement when compared to the existing environment.

## Community Infrastructure Levy



In accordance with the adopted CIL at Hertsmere and Policy CS21, the application is accompanied by the relevant CIL forms. Noting that the site is located within Area A, the CIL charge per sqm for residential development is £120, but with indexation for 2024 this will be £191.30.



## 6 Conclusion

Warner Planning submits this Planning Statement on behalf of Griggs (South Mimms) Ltd for the partial demolition of the existing built form on the site and the Conversion and extension of the former public house into six apartments, conversion of outbuilding into a one-bedroom apartment and construction of a detached infill dwelling, along with associated landscaping, bin store and parking (including listed building consent) at The White Hart Pub, St Albans Road, South Mimms, Herts, EN6 3PJ.

This application has been developed following pre-application (21/0116/PA) discussions with the Council, which highlighted the acceptability of the loss of the public house on the site, owing to the length of vacancy and to ensure its preservation. It is clear that the principle of extending and converting the public house to residential units is accepted by the Council in the Green Belt location along with an infill dwelling, which complies with the necessary elements of the Framework and Local Planning Policy.

In addition, owing to the vacant nature of the site currently, the development would ensure the retainment, restoration and preservation of a listed building with a viable scheme.

The application shares many similarities to the recently approved application at the former Cat and Fiddle in Radlett, which was praised for its removal of unsympathetic extensions, and improving the visual appearance of the entrance to Radlett. This application also removes the unsympathetic structures, improving the appearance of the listed building and improving the appearance of the site. Significant weight should be attributed to these benefits.

It is considered that there are compelling grounds to support the proposed development, including:

- Provide homes that can be delivered immediately.
- Re-use of a previously developed site.
- Retain and restore a listed building.
- Bring into use an under-utilised and vacant site.
- Appropriate form of development in the Green Belt.
- Sympathetic to on site and surrounding heritage assets.
- Create a high quality design.
- Provide homes at a time when the Council are unable to demonstrate a five year housing land supply, and has also failed the housing delivery test,
- Additional residential units to further add to the mix of housing types.
- Alternative community facilities available locally within South Mimms to negate any loss.



- The proposal is well related to the adjoining buildings and complements the area's character.
- Reduction of hardstanding.
- New landscaping with a biodiversity net increase.
- New biodiversity opportunities – especially bird and bat boxes.
- Reduction of vehicle movements and activity from the site.
- The site is located in a sustainable location, close to facilities.
- Sustainability measures integrated into the development, including EV charging and air source heat pumps.
- Residents will deliver economic benefits by supporting local businesses.
- Economic benefits during the construction phase and post-construction, the occupiers of the dwelling will support the local economy by paying taxes and visiting local facilities and businesses.

The application site is located within the settlement envelope of South Mimms, where the principle of this form of residential development is acceptable and the settlement is noted as having a range of services and facilities. The proposal seeks to optimise and maximise this brownfield site as encouraged by the Development Plan and Framework, which again is an acceptable parcel of land to be developed within the Green Belt, and would mean that an equivalent greenfield parcel would not need to be brought forward. As such the development is an opportunity to create a high quality development, with the applicant having a desirable track record in delivery similar projects.

As demonstrated within this Statement and the supporting documents the proposal is policy compliant with local policies and is aligned with the aims of the Framework. It is fundamentally sound.

The applicant is committed to working with the Council and is happy to meet the Council to discuss the application, consider any amendments where appropriate and liaise over potential conditions.

In view of the above information contained within this report, and the supporting plans and statements, we respectfully invite the Council to approve this application.

