

Planning Statement

Planning application

Erection of eco-village comprising 9 dwellings and community hub with associated access, parking and landscaping

Land at Colne Spring Villa, Colney Heath AL4 0PB

DLA Ref: 2024/254

January 2025

CONTENTS

1.0	INTRODUCTION	1
2.0	SITE & CONTEXT ANALYSIS.....	2
3.0	RELEVANT PLANNING HISTORY.....	4
4.0	POLICY CONTEXT	7
5.0	DESCRIPTION OF DEVELOPMENT.....	9
6.0	PLANNING CONSIDERATIONS	10
7.0	CONCLUSIONS	32

1.0 INTRODUCTION

1.1.0 Background

1.1.1 This report relates to a planning application for erection of eco-village comprising 9 dwellings and community hub with associated access, parking and landscaping at Colne Spring Villa, Colney Heath, AL4 0PB.

1.2.0 Scope

1.2.1 This document comprises an overarching Planning Report. Sections 2 to 4 consider the physical, economic, social and historical context of the site, identifying the relevant local, regional and national planning policy framework; Section 5 sets out the details of the proposal. All these sections inform the evaluation of the proposal in Section 6 against the identified planning policy framework. The overall conclusions are set out in Section 7 and which are summarised below at paragraph 1.3.0.

1.3.0 Summary

- The proposal is not inappropriate development as it is considered to fall under Grey Belt.
- The proposal is also considered to amount to Very Special Circumstances.
- The proposal is considered to provide a high-quality development and there would be no harm to residential amenity.
- The proposal would have an acceptable impact on highway safety and will provide adequate parking.
- The proposals would not increase flood risk onsite or elsewhere as detailed in this report and are therefore deemed policy compliant on flood risk and SuDS grounds.

2.0 SITE & CONTEXT ANALYSIS

2.1.0 Location

2.1.1 The site is on the eastern side of Coursers Road to the south east of Colney Heath. The application is accompanied by a Design and Access Statement (DAS) which includes photographs and details of the site both current and historical.



Figure 1: Location of the application site

2.2.0 Application Site

2.2.1 The whole Colne Spring Villa site is irregularly shaped with a roughly triangular area adjacent to Coursers Road and a longer narrower stretch of land extending to the south east. The main dwelling is to the north of the site near the access from Coursers Road. To the south is a pool house and garage which replaced former kennels. A private access road extends southwards providing access to the other part of the sites described below.

2.2.2 In the centre of the site is The Lodge, a cottage originally used for residential use by game keepers that has continued in an independent residential use. A former Pheasant barn has been converted to two self-contained dwellings (called Oak Cottage and Pine Cottage), which was recently granted planning permission under LPA Ref: 5/2023/1032.

2.2.3 The site originally contained a number of other buildings structures and containers and some of these have been removed. To the south east of the site is a tennis court and a barn with the remainder of the site being woodland.

2.3.0 **Context**

2.3.1 The nearest dwelling is The Mill House on the opposite side of Coursers Road. To the south of the site is woodland and to the east is the river Colne. The surrounding area is semi-rural though the Site is in close proximity to the large village of Colney Heath and has an urbanising elements given there are a number of residential dwellings in close proximity.

2.4.0 **Proposals Map Notation**

2.4.1 The proposals map of the St Albans District Local Plan Review shows the site within the Green Belt settlement of Colney Heath.

2.5.0 **Local Services**

2.5.1 The local centre of Colney Heath, located near the junction of Coursers Road with High Street includes a small number of local facilities, including a combined Convenience Store and Post Office (circa 600 metres from the Site), a Take-away (approximately 580 metres), and a Hairdressers (at around 500 metres). Further to the west, a Public house and other local business are present (at circa 1.0 kilometre from the Site).

2.5.2 The Colney Fields Shopping Park located circa 3.5 kilometre drive south of the Site, near the southern end of Coursers Road, also offers a wide range of commercial options within a short distance from the Site.

2.6.0 **Accessibility**

2.6.1 Public Right of Way ('PRoW') Colney Heath 033 links the immediate area of the Site with Fellowes Lane and the eastern parts of the village. The access to the footpath is set directly to the north of the wider Site boundary, off the eastern side of Coursers Road.

2.6.2 There are three existing bus stops located close to the Site, near the junction of Coursers Road with High Street, Tollgate Road and Roestock Lane (one on each road), all circa a 540 metre walk north of the Site. These provide access to 6 different bus services, including route numbers 200, 230, 305, 312, 355, and 356.

2.6.3 Welham Green Train Station is situated circa 4.3 kilometre (or a 13-minute cycle ride) to the east of the Site, linking the local area to the East Coast Main Line Network running between Moorgate in Central London and Welwyn Garden City to the north of the Site. Two train services in each direction operate from this station throughout the course of the day.

3.0 RELEVANT PLANNING HISTORY

3.1.0 Application Site

3.1.1 The relevant history of the application site is summarised in Figure 3.1.0 below.

LPA Ref	Proposal	Outcome
5/2023/1032	Demolition of existing container, shed, workshop shed and caravan, extension and conversion of existing barn to create two residential units with associated works (retrospective)	Granted 17/05/2024
5/2015/0161	Erection of a pool house with garage following demolition of existing outbuildings	Granted 13/04/2015
5/2015/0147	Single storey side and rear extensions, front, side and rear dormer windows	Granted 16/03/2015
5/2004/0909	Certificate of Lawfulness (existing) - Use as residential without agricultural occupancy condition	Permitted 20/08/2004
5/1989/2244	Change of use of existing barn to kennels and dog training	Granted 13/02/1990

3.2.0 Other Relevant Decisions

3.2.1 Account is taken of three recent cases relating to the residential development of green field sites located in the Green Belt, which were approved on the basis that the definitional harm to the Green Belt and any other would be clearly outweighed by other considerations.

3.2.2 **Case 1: Roundhouse Farm, Land Off Bullens Green Lane, Colney Heath** Appeals were allowed for the erection of up to 100 dwellings at this Site of 5.25 ha, located partly within St Albans District and partly within Welwyn Hatfield Borough on 14th June 2021 (PI Refs APP/B1930/W/20/3265925 & APP/C1950/W/20/3265926).

3.2.3 The Inspector concluded that the other considerations in the case clearly outweighed the harm caused by reason of inappropriateness and harm to openness - to which he attached substantial weight – and the harm to the character and appearance of the area – to which he attached moderate weight. He found that very special circumstances existed, citing in

particular the acute housing delivery shortages in both St Albans District and Welwyn Hatfield Borough to which he attributed very substantial weight.

- 3.2.4 **Case 2: Sewell Park - Land to Rear of 112-156b Harpenden Road, St Albans** Outline planning permission was granted on 12th January 2022 for the residential development of this site of around 5.24 ha with up to 150 dwellings (LPA Ref 5/2021/0423).
- 3.2.5 The Officer's Report relating to the proposal identified significant harm to the Green Belt by definition of inappropriate development; significant harm in relation to openness; and low to moderate harm in relation to encroachment into the countryside and restricting urban sprawl. This harm was deemed to carry substantial weight in line with the NPPF. Limited harm to character and appearance of the locality was also identified.
- 3.2.6 With regard to the other considerations which weighed in favour of the proposal, the Officer's report afforded very substantial positive weight to the delivery of market and affordable housing - having noted that the ministerial statement of 2015 which indicated that housing need in itself was unlikely to constitute very special circumstances has been withdrawn from the NPPG; substantial weight to the provision of self-build; moderate positive weight to the commitment from the applicant to deliver a 10% Biodiversity Net Gain and the site's '*highly sustainable location*'; and limited positive weight to the accordance with the masterplanning process. In this context it was accepted that as a matter of planning judgement, these '*other considerations*' clearly outweighed the harm to the Green Belt and any other harm.
- 3.2.7 **Case 3: Land at London Road, Thundersley, Benfleet, Essex** This outline proposal for the erection of 22 dwellings was allowed on appeal on 6th August 2020 (PI Ref APP/M1520/W/20/3246788). The Site comprised an area of open Green Belt land of around 0.40 ha, such that the Inspector noted that the proposal would result in a '*spatial diminution*' of the openness of the Green Belt and – where visible – a loss of openness as '*perceived visually*'. The Inspector also noted that the undeveloped site contributed to four of the five purposes of the Green Belt identified by the NPPF.
- 3.2.8 He attached substantial weight to the harm by reason of inappropriateness and the identified harm to openness and other purposes. Notwithstanding this, he concluded that the harm was mitigated by a number of factors, such as the presence of development on 3 sides and thick woodland development to its open side. Other considerations identified include the following:
- The Local Plan (1998) was many years old and '*unequivocally out of date*' and that whilst an emerging plan was '*on the horizon*' its adoption '*remained some way off*'.
 - Green Belt boundary reviews will form a necessary part of the emerging plan.

- There has been a long period of housing under delivery and having met only 48% of its 2015-2018 requirements, the Council would need to include a 20% buffer to the required 5-year supply of housing.

3.2.9 In the Green Belt balance the Inspector concluded thus:

“In the context of an out of date plan, and where some sacrifice of the Green belt is unavoidable in order to provide enough homes in the Borough, this scheme provides substantial social benefits, relative to its size, by the contribution made to housing need. The environmental harm in terms of the development of a small area of Green Belt is relatively quite limited. There would be local economic benefits also from the building works and additional household expenditure. Drawing all the factors together, I find that the other considerations in this case clearly outweigh the Green Belt harm identified. Looking at the case as a whole, I consider that very circumstances exist to justify housing on this site.”

3.3.0 Case Law – Green Belt

The Court of Appeal case below relates to the issue of openness and the Green Belt. It is noted that the case makes reference to paragraphs 89 and 90 of the NPPF (2012), however it is considered that – at least with regard to a consideration the issue of openness – the provisions of paragraphs 154 and 155 of the NPPF (2023) are broadly the same, such that the case remains a relevant consideration.

3.3.1 **Turner v Secretary of State for Communities and Local Government & East Dorset Council [2016]** In support of his conclusion that the concept of ‘openness of the Green Belt’ is not ‘narrowly limited to a volumetric approach’ Lord Justice Sales stated at paragraph 14 as follows:

“The word openness is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual aspect of the openness which the Green Belt presents.”

3.3.2 **Samuel Smith Old Brewery v North Yorkshire County Council [2020]** The Supreme Court found that *Turner* had rightly disproved an earlier judgement in *Timmings* that it was wrong in principle to arrive at a conclusion as to openness by reference to visual impact. The Court held that the weight given to visual impact was a matter of planning judgement and not legal principle

4.0 POLICY CONTEXT

4.1.0 National Policy / Guidance

4.1.1 The National Planning Policy Framework (NPPF) 2024, sets out the Government's planning policies for England. The following sections are considered directly relevant:

- Section 2: Achieving Sustainable Development
- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well designed places
- Section 13: Protecting Green Belt land
- Section 15: Conserving and enhancing the natural environment

4.1.2 The National Planning Policy Guidance contains detailed guidance on the application of the NPPF. Account is also taken of the National Design Guide - Planning practice guidance for beautiful, enduring and successful places, which aims to illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice.

4.2.0 Development Plan

4.2.1 Of relevance to this proposal are the saved policies of the St Albans District Local Plan Review 1994, as set out in turn below.

Policy No.	Title
1	Metropolitan Green Belt
2	Settlement Strategy
34	Highways Consideration in Development Control
39	Parking Standards, General Requirements
40	Residential Development Parking Standards
69	General Design & Layout
70	Design and Layout of New Housing
74	Landscaping and Tree Preservation

4.3.0 Supplementary Planning Guidance / Documents

4.3.1 The following guidance is considered relevant:

- Design Advice Leaflet No.1 – Design and Layout of New Housing (November 1998)

4.4.0 Other Relevant Guidance

As detailed in the latest Authority Monitoring Report (AMR) 2023, the standard method gives an outcome for the District of an average of 888 new households / dwellings per annum. Reflecting paragraph 79 of the NPPF, a buffer of 20% is added to this requirement, due to the significant under delivery of housing over the previous three years, as set out at paragraph 3.15 of the AMR:

“Results from the 2022 Housing Delivery Test for SACD28 (published in December 2023) indicated a HDT measurement of 55%. This result was calculated for the period 2019/20 to 2021/22, with 1,273 net homes delivered against the HDT housing requirement of 2,307 dwellings. As housing delivery for the District was below 75% of the Government’s new assessed housing requirement, at this time a 20% buffer as set out in NPPF 2023 paragraph 79c 14 has been applied to the Council’s 4/5 year housing land supply calculation. In accordance with NPPF 2023 paragraph 79c, the Council will prepare the St Albans Housing Delivery Test Action Plan 2024. The HDT Action Plan will analyse the key reasons for historic under-performance against the Government’s new assessed housing requirement and identify measures the Council intends to undertake to increase/maintain the delivery of new housing in the District.”

4.4.1 The AMR thus identifies a need for 1,066 dwellings per annum for the 4-year period. Set against this target, the AMR identifies only a 1.7 year supply. The failure to identify anything close to a 4-year supply of deliverable housing land is a longstanding issue in the District as evidenced by the Table below, which shows the Council’s own estimated 5 (or 4)-year housing supply for each year since 2015.

Date of Council’s Annual Monitoring Report	Estimated 5-year Supply of Deliverable Housing
December 2015	3.49 years
December 2016	3.72 years
December 2017	3.33 years
December 2018	2.4 to 3.4 years
March 2020	1.9 to 2.6 years
December 2020	2.4 to 3.4 years
December 2021	2.2 years
December 2022	2 years
December 2023	1.7 years

5.0 DESCRIPTION OF DEVELOPMENT

- 5.1.0 The proposal is for the erection of nine eco-living cottages, comprising 6 x two-bedroom dwellings and 3 x three-bedroom dwellings. Access will be provided from the existing private road, which currently serves the surrounding residential properties.
- 5.1.1 The two-bedroom dwellings will be single-storey and the three-bedroom dwellings will have a double storey/loft component. Dwellings have been located along the existing access road in an organic pattern to optimise the use of natural daylight and views across the woodland setting. Each cottage will have a front garden and a generous, private rear garden.
- 5.1.2 The proposal includes 18 allocated car parking spaces and 1 unallocated spaces, and all plots will have secure bicycle storage pods for four bikes, as well as a bin and parcel storage shed.
- 5.1.3 A residential/community hub will run parallel to the existing tennis court to the south-western corner of the Site. This will serve as a communal social meeting space for existing and future residents, offering a games area, seating and shared kitchen space for events. There will also be an allotment to the north-east of the site available to all residents to grow their own food.
- 5.1.4 Materials include the use of vertical timber cladding and zinc roof sheeting in dark grey. Windows will match the dark grey roof. Further details have been provided in the Design and Access Statement (DAS) prepared by Create Design and Architecture.

6.0 **PLANNING CONSIDERATIONS**

Based on the analysis set out in Sections 2 to 5, I consider that the application proposal raises the following issues, which I will consider in turn below:

1. Principle
2. Layout & Design
3. Highway Safety & Access
4. Environment

6.1.0 Issue No 1: Principle – Green Belt

6.1.1.0 Policy Context

The most salient policy position with regard to Green Belt land is provided by Section 13 of the NPPF. Paragraph 142 thereof states that the fundamental aim of the Government’s Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies the essential characteristics of Green Belts as being their openness and their permanence. NPPF Paragraph 143 identifies the following 5 purposes which are served by Green Belt land:

- “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.”*

6.1.1.1 To this end paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness.. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

6.1.1.2 Paragraph 154 states that the construction of new buildings should be regarded as inappropriate Green Belt development. Whilst 7 exceptions are identified to this general policy of restraint it is acknowledged that none are applicable on this occasion.

6.1.1.3 However, the December 2024 version of the NPPF has introduced the concept of grey belt, which is defined in the glossary as:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

6.1.1.4 Paragraph 155 of the new NPPF states that:

“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”*

6.1.1.5 The “Golden Rules” are then defined by paragraph 156 as follows:

“Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions (‘Golden Rules’) should be made:

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- b. necessary improvements to local or national infrastructure; and*
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.”*

6.1.1.6 The upshot of this new policy approach by the Government is that if a site is shown to be grey belt and, where applicable, the golden rules are met then development should not be considered inappropriate and very special circumstances are not required to be demonstrated. This is a fundamental shift in approach.

6.1.2.0 Grey Belt

The first step is to consider whether the appeal site could be considered grey belt. The site is only part PDL, so it is a question of whether the site “strongly contributes” to Green Belt purposes a), b) and d). A Green Belt Analysis by LVIA LTD has been submitted with this application, which has been summarised in the table below.

Purpose of the Green Belt	Assessment	Level of Contribution
<p><i>a) to check the unrestricted sprawl of large built-up areas</i></p>	<p>The Site falls within woodland and is surrounded by residential curtilage and Coursers Road.</p> <p>The site will not physically extend further into the countryside than the existing surrounding dwellings that form this part of the boundary of Colney Heath in any direction, as the existing settlement edge extends further in the landscape to the north, east, south and west than the site's extents.</p> <p>A combination of the scale of the site, its containment and relationship with the existing built development boundary, will help ensure that development of it will not result in urban sprawl. As a result, the site has no function when assessed against the first purpose.</p>	<p>None</p>
<p><i>b) to prevent neighbouring towns merging into one another</i></p>	<p>The site currently sits within woodland and has existing residential development to the north, and west beyond Coursers Road. These elements form strong physical enclosure.</p> <p>The site's development footprint will result in development extending no further towards any other settlement and will not reduce the gap between the current built edge of Colney Heath and neighbouring settlements. Development of the site would not result in any merging of settlements and as a result has no function when assessed against the second purpose.</p>	<p>None</p>
<p><i>d) to preserve the setting and special character of historic towns</i></p>	<p>There is no intervisibility between the site and the core of Colney Heath, nor with listed buildings or other features of interest within the settlement or surrounding countryside. Development of the site would therefore have no impact upon the historic setting of the</p>	<p>None</p>

	settlement and as a result no function when assessed against the fourth purpose.	
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6.1.2.1 The Green Belt Analysis goes on to conclude *“that the site performs as a None/Weak functioning part of the Green Belt and does not contribute to the fundamental aim of Green Belt; preventing urban sprawl by keeping land permanently open. The current site boundaries and surrounding landscape features mean that the site is strongly enclosed and not experienced as open land”*. On the basis that there is nothing approaching the “strong contribution” to Green Belt purposes referred to in the glossary and that none of the footnote 7 aspects apply, that the site is clearly grey belt.

6.1.2.2 The next question is whether the four requirements of paragraph 155 are satisfied and these are addressed below:

- a) Given the findings above and the site’s contained nature as described above and in the Green Belt Analysis report, it seems clear that development of this site would not fundamentally undermine the purposes of the remaining Green Belt.
- b) The demonstrable need for housing is clear by virtue of the lack of a five-year supply.
- c) The sustainability of the location is discussed at length in in the Transport Statement and later on in this Planning Statement. It is accepted that the site is not the most sustainable location in the District, however Paragraph 110 of the NPPF notes that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. In addition, the proposals will improve the sustainability for existing and proposed residents through a shuttle service and thus complies with the aims of Paragraph 110. The site can therefore be considered as a sustainable location for new development.
- d) Paragraph 156 of the NPPF sets out the “Golden Rules” only apply to major development. The proposal is for 9 houses and therefore the Golden Rules are not applicable.

6.1.2.3 On the basis of the above, the site is considered to represent grey belt, the provisions of paragraph 155 are satisfied and the three “Golden Rules” do not apply. The proposed development is therefore not inappropriate development in Green Belt terms and should be considered acceptable in principle.

6.1.3.0 Very Special Circumstances

If the Inspector does not consider the site as Grey Belt then a case has been made for Very Special Circumstances (VSCs). In the context of paragraphs 153 of the NPPF, it is necessary to demonstrate that there are very special circumstances which would clearly outweigh the harm by reason of inappropriateness **and** any other harm.

6.1.3.1 *Openness*

It is necessary to assess whether the development preserves the openness and permanence of the Green Belt as laid out in paragraphs 142 and 143 of the NPPF. There is no definition of *openness* in the NPPF, although it is widely held that it refers to freedom from, or absence of development. With regards to visual amenity of the Green Belt, Paragraph 150 of the NPPF seeks to retain and enhance landscapes, visual amenity and biodiversity.

Further to this, the NPPG identifies factors to be taken into account when considering the potential impact of development on the openness of the Green Belt (Paragraph: 001 Reference ID: 64-001-2019 0722 Revision date: 22 07 2019). The following factor is considered to be particularly relevant:

“openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;”

6.1.3.2 This issue however must be considered in the context of the Court of Appeal and Supreme Court cases outlined at Section 3.3.0. This Court of Appeal case found that any assessment of the impact to the openness of the Green Belt should take account of both spatial *and* visual impacts. The Supreme Court clarified this further and found that the exact weight given to visual impacts was a matter of planning judgement.

6.1.3.3 The above judgements determined that the concept of openness should not be limited to a volumetric approach comparing the size, mass and physical effect of openness before and after development. Such an approach would be far too simplistic and ignore the wider aspects of openness which goes beyond the physical size of buildings or structures. Relevant factors include how built up the Green Belt is now and how built up it would be after development has taken place. The weight given to these factors is a matter of planning judgement.

6.1.3.4 This area of the site is largely open in character, albeit there is an existing road running through the centre of the Site including car ports and residential paraphernalia associated with the existing surrounding uses. It is therefore reasonable to conclude that the Site is partly Previously Developed Land (including its curtilage) as defined in the NPPF.

Notwithstanding this, it is accepted that the site will result in a loss of spatial openness by virtue of the increase in built form.

6.1.3.5 The nature of the site and its surroundings and the scale of the proposal will ensure that from a wholly visual perspective, the proposal would have a limited and localised impact on the openness of the Green Belt for the following reasons:

- The proposal maintains and reinforces existing mature boundary screening along the western boundary to Coursers Road, which includes trees up to 22m in height and augments it utilising native species. In the south-western corner of the Site, there is a small gap in the existing vegetation screen, where there will be very glimpsed views (for a short time by users of the highway) into the Site. This can be mitigated through significant new tree and hedge planting proposed within the Site, particularly in this location.
- All dwellings will be set back from the site Boundary within spacious, landscaped curtilages, well away from the retained access point. Six of the nine dwellings proposed and the communal building will be single-storey; the remaining two dwellings proposed will be 1.5-storey, albeit they are all over 40m from Coursers Road and will not be readily visible. In the context of the landscaping measures outlined above, public views of the proposals will be very limited.
- As the scheme sits in a semi-rural location, a lower density of housing was deemed more appropriate to reflect its transition from the village edge to the countryside beyond. Spacious gaps between proposed buildings create a layout that relates and corresponds to the Site's context.
- The cluster of existing development surrounding the Site will have a close, physical and functional relationship to the proposed development, as they will share an existing access and wider curtilage. As such, the proposal will be visually separate from the more open areas of countryside beyond.

6.1.3.6 *Contribution to the Five Purposes of the Green Belt*

A table has been provided above assessing the impact of purposes a), b) and d) in the Grey Belt section of this Statement. This table includes an assessment on all purposes, albeit the overall conclusion remains the same as in paragraph 6.1.2.1 above.

Purpose of the Green Belt	Assessment	Level of Contribution
<p><i>1) to check the unrestricted sprawl of large built-up areas</i></p>	<p>The Site falls within woodland and is surrounded by residential curtilage and Coursers Road.</p> <p>The site will not physically extend further into the countryside than the existing surrounding dwellings that form this part of the boundary of Colney Heath in any direction, as the existing settlement edge extends further in the landscape to the north, east, south and west than the site's extents.</p> <p>A combination of the scale of the site, its containment and relationship with the existing built development boundary, will help ensure that development of it will not result in urban sprawl. As a result, the site has no function when assessed against the first purpose.</p>	<p>None</p>
<p><i>2) to prevent neighbouring towns merging into one another</i></p>	<p>The site currently sits within woodland and has existing residential development to the north, and west beyond Coursers Road. These elements form strong physical enclosure.</p> <p>The site's development footprint will result in development extending no further towards any other settlement and will not reduce the gap between the current built edge of Colney Heath and neighbouring settlements. Development of the site would not result in any merging of settlements and as a result has no function when assessed against the second purpose.</p>	<p>None</p>
<p><i>3) to assist in safeguarding the</i></p>	<p>The site is currently surrounded on all sides by woodland and residential curtilage to the north and west beyond Coursers Road.</p>	<p>Weak</p>

<p><i>countryside from encroachment</i></p>	<p>Slightly to the east of the site River Colne and its associated riparian vegetation from a strong physical barrier.</p> <p>Whilst development will normally inevitably cause an element of encroachment, the contained nature of the site and relationship within the established urban fringe will minimise adverse impact in this respect. Development of the site would therefore result in limited encroachment and the site has a weak function when assessed against the third purpose.</p>	
<p><i>4) to preserve the setting and special character of historic towns</i></p>	<p>There is no intervisibility between the site and the core of Colney Heath, nor with listed buildings or other features of interest within the settlement or surrounding countryside. Development of the site would therefore have no impact upon the historic setting of the settlement and as a result no function when assessed against the fourth purpose.</p>	
<p><i>5) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land</i></p>	<p>Given that this site is being considered in the context that the local authority has exhausted most opportunities for development within the existing settlement boundaries and non-Green Belt locations, many of sites brought forward to meet the uplift in housing need will be Green Belt and will have a level of effect on Purpose 5. Therefore, purpose 5 should effectively be disregarded in the consideration of sites through the Local Plan for allocation.</p>	<p>Weak</p>

6.1.3.7 VSCs

It is considered that the well-established, long-term issues relating to housing need and delivery in a District severely constrained by the extent of the Green Belt, carry substantial weight. The proposal delivers benefits in these respects – consistent with the Council’s own

well considered and informed long-term strategy as detailed below – and which as Very Special Circumstances (VSCs) are considered to outweigh the identified harm in accordance with NPPF paragraph 153. There are no other harms identified as set out in other sections of this Statement.

6.1.3.8 VSC1: Housing Supply and Delivery

The presumption in favour of sustainable development is at the heart of the NPPF (paragraph 10). In support of this, the Framework identifies 3 ‘overarching objectives’: economic; social; and environmental. The implications of the presumption in favour of sustainable development for decision making are set out at paragraph 11 of the Framework. This requires that proposals that accord with an up-to-date development plan should be approved without delay. Where there are no relevant development plan policies - or the relevant policies are out-of-date - it requires that 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.”

6.1.3.9 In considering the implications for residential development, footnote 8 to paragraph 11 states that this includes situations where the LPA cannot demonstrate a five-year supply of deliverable housing sites with the appropriate buffer, as required by the Framework; or where the Housing Delivery Test (HDT) indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

6.1.3.10 With regard to the identification of policies in the Framework ‘*that protect areas or assets of particular importance*’, NPPF footnote 6 clarifies that this includes land designated as Green Belt, such that it is accepted that the tilted balance is not engaged. Notwithstanding this, it is salient consideration that the previous advice included in the NPPG - that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the ‘very special circumstances’ justifying inappropriate development on a site within the Green Belt - has now been deleted. The recent appeal cases relating to Green Belt housing proposals cited in Section 3 support the notion that the provision of housing in the face of significant and chronic housing supply and delivery issues should carry substantial or very substantial weight in the Green Belt balancing exercise.

6.1.3.11 The Council accept that they are unable to demonstrate a 5-year supply of deliverable housing sites at the current time. In the following circumstances it is considered that very substantial weight should be attributed to this factor:

1. The Council estimate that they have a housing supply of only 1.7 years, such that there is nothing marginal or borderline about the current level of supply.
2. In addition to the significant scale of the current shortfall, the Council have not been able to demonstrate a 5-year supply of deliverable housing over the past nine years, with the shortfall significant in each year.
3. With regard to the delivery of new homes, results from the 2022 Housing Delivery Test for St Albans District (published in December 2023) indicated a HDT measurement of only 55% for the period 2019/20 to 2021/22.
4. The current proposed method calculates that St Albans need to deliver 888 dwellings per annum, whereas the proposed method which will be imposed by the new Government would require the Council to deliver 1,544 dwellings per annum.

6.1.3.12 The above factors demonstrate the long term and deep-rooted housing supply and delivery issues that exist in the District, can only realistically be remedied by relaxing some of the current supply side restrictions. It is thus considered that the provision of 9 dwellings should be afforded very substantial weight in the balancing exercise.

6.1.3.13 *VSC2: The Age of the Local Plan*

Linked to the above issues, is the age of the St Albans Local Plan, adopted 30 years ago in 1994. This Plan was intended to cover the period to 2001 and sought to deliver a total of 7,200 dwellings over the 15-year period from 1986 to 2001, which equates to an annual average of 480 dwellings. The Plan thus effectively expired 19 years ago, whilst the Council's current annual housing target of 892, is significantly greater than the original 480 target. In the light of the above factors - and in a District where around 80% of the land therein comprises Green Belt - it is wholly unsurprising that the Council have had long term and significant housing delivery issues as described above. Indeed, it is understood that the Green Belt boundaries have not been revised since the original local plan was adopted in 1985 – 39 years ago – severely limiting the District's ability to accommodate growth. In support of this view, it is noted from perusal of the LPA's most recent AMR, that the 4-year supply of housing for the period 2023/24 to 2026/27 does not include any allocated Sites.

6.1.3.14 Such concerns were afforded weight by the Inspector in the aforementioned 2020 appeal case at London Road, Thundersley. In allowing the appeal, he made reference to the age of

the Castle Point Local Plan, which was adopted in 1998, so as to be 4 years younger than the St Albans Plan. The Plan was described as many years old and '*unequivocally out of date*' and that whilst an emerging plan was '*on the horizon*' its adoption '*remained some way off*'. This consideration, amongst others, weighed in favour of the scheme and there are clear comparisons to be drawn with the St Albans District Plan. The recently published Local Development Scheme (September 2024), does not envisage the adoption of the New Local Plan until March 2026.

6.1.3.15 It is not clear to whether the LPA's chronic inability to deliver an up-to-date Development Plan is politically motivated, so as to avoid taking difficult decisions which are likely to attract local opposition, or whether it is just represents poor management / organisation on their part. Whatever the reality, in the light of the lack of progress made in the last 29 years, their ability to do so in the short to medium term must be questioned. In any event, the scale of the proposal, whilst making a notable contribution to the supply of housing – particularly in the context of NPPF paragraph 73, which notes that small and medium sized sites are often built-out relatively quickly – is not so great that it will prejudice the preparation of a new Development Plan, particularly given the modest level of harm identified.

6.1.3.16 *VSC3: The accepted need for Green Belt releases*

The Withdrawn Emerging Local Plan (WELP) identified a housing target of 14,608 new homes over the 16 year period from 2020 to 2036, which equates to an average annual provision of 913 dwellings. To meet this target, it relied heavily on large sites currently within the Green Belt, with at least 72% of the WELP target to be met by such sites. The Draft Local Plan 2041 Regulation 19 Consultation identifies 98 sites to deliver an estimated total of 10,808 dwellings in the period to 2041. Whilst there is a greater focus on smaller sites compared to the WELP, 9,768 dwellings (91%) would nonetheless be delivered by green field sites in the Green Belt, with a further 137 dwellings on Previously Developed (PDL) sites in the Green Belt.

6.1.3.17 As set out above in VSC1 the Government will impose new housing targets on St Albans, requiring a 74% increase in dwellings per annum. However, the Council will have submitted their Local Plan before the release of the new NPPF and thus will not need to account for the yearly increase in their housing numbers. Notwithstanding this, it is clear that St Albans should be looking to deliver more homes than ever, which reinforces the need for Green Belt sites to continue to come forward now before the draft Local Plan is adopted.

6.1.3.18 In considering the Sewell Park proposal, the LPA Committee Report concluded that no account should be taken of the significant Green Belt releases proposed in the withdrawn Plan. However, the Sewell Park development, together with the recent 100 dwelling

scheme allowed on appeal at Roundhouse Farm, Colney Heath were both approved in the light of the acute housing delivery shortages, such that both the current and future need for such releases is beyond dispute.

6.1.3.19 The Inspector in the Thundersley appeal case attached significant weight to the unavoidable sacrifice of Green Belt land that was required. For all the reasons identified above at least a similar level of weight must be attributed to this factor on this occasion.

6.1.3.20 *VSC4: Ecological Enhancements & Biodiversity Net Gain*

Ecological enhancement measures recommended in the Preliminary Ecological Appraisal Report and BNG Assessment will be incorporated into the proposal. These include areas of wildflowers and grasses, hedgerow planting/enhancements, tree planting and ponds. A number of non-native trees will be removed (and used for the construction) and replaced with indigenous species of higher ecological value, thus improving the existing situation considerably. This will result in a 32.5% increase in habitat units and 100% net gain in hedgerow units on site, well above the mandatory requirement of 10%.

6.1.3.21 *VSV5: Sustainability Improvements*

it is accepted that the site is not the most sustainable location in the District, albeit given the proximity to other dwellings and Colney Heath it is by no means isolated. To offset this issue and improve the existing situation, the applicant will offer a 4-times daily shuttle (electric) mini-bus service between the Site and London Colney, and will be maintained on a daily basis in perpetuity. This will also be available to existing residents (4 dwellings) within the wider site who currently do not access to other modes of transport other than private car. In these circumstances, it is considered there will be improved access to sustainable modes of transport in the locality.

6.1.3.22 In addition, the proposed development has adopted the Energy Hierarchy, achieving a 25% carbon reduction the Be Lean Stage, and opting for a low-carbon individual Air Source Heat Pump solution with Solar PV at the Be Green Stage, resulting in an additional 77% carbon reduction. The scheme will achieve an overall on-site regulated CO2 reduction of 102%, to achieve net-zero from an operational regulated carbon perspective.

6.1.3.23 Circular economy principles will be adopted and any waste arising from the pre-commencement works will be assessed for practicability of reusing the waste in the new scheme. The walls of the single storey dwellings will be cladded in timber, predominantly larch, which will be sourced from the site. On-site sourcing will support in reducing emissions associated with transportation. Where possible, all materials will be locally sourced and be from either recycled or reclaimed sources

6.1.3.24 VSC6: On-site Communal Facilities

Paragraph 96 of the NPPF encourages decisions to promote social interaction and support healthy lifestyles through – for example through allotments, accessible Green Infrastructure and sports facilities. The proposed scheme would provide a community hub/building with a communal kitchen, seating and a games area; allotments; and access to the existing tennis courts which is currently used by existing residents. In these circumstances the proposal would clearly achieve this objective by offering extensive social benefits to the existing and future residents.

6.1.4.0 Conclusions – Green Belt Balance

In addition to the harm caused by reason of inappropriateness, it is accepted that any harm to the openness or purposes of the Green Belt should carry significant weight as required by NPPF paragraph 153. However, on this occasion, the **additional** loss of openness over and above that associated with the surrounding context, when assessed from both a visual and spatial perspective is substantially mitigated by the following factors:

- the site comprises PDL;
- the bungalow scale of the proposal;
- the low density layout and physical connection to existing development; and
- the high degree of visual containment and screening.

6.1.4.1 Accordingly the actual harm to the Green Belt is considered to be modest, and very localised and indeed only readily apparent from within the Site, resulting in no harm to the strategic function of the Green Belt.

6.1.4.2 Set against this modest impact, it is also considered that there is a compelling case that there are Very Special Circumstances which clearly outweigh the identified level of harm, so as to justify the grant of permission in accordance with NPPF paragraph 153. Most notably, in the light of the chronic undersupply of housing in the District, which has subsisted for over 9 years, the provision of 9 additional, sensitively designed chalet-style dwellings and which makes the most efficient use of this parcel of PDL, should be attributed very substantial weight. This weighting reflects the views of decision takers in St Albans District and elsewhere in relation to recently approved green field, Green Belt cases in relation to sites and proposals of various sizes.

6.1.4.3 In framing the above issues, significant weight should also be attributed to:

- the significant age of the Local Plan which massively inhibits the LPA's ability to address the local housing shortages and raises serious concerns as to their ability to produce an up-to-date Plan in the short to medium term; and

- the corresponding inevitability that Green Belt land will need to be released to meet the identified housing need in both the short and long term as evidenced by other local decisions and the provisions of the WELP and The Draft Local Plan 2041 Regulation 19 Consultation.

6.1.4.4 At least moderate weight should be applied to the following factors, which will deliver social and environmental gains:

- the ecological enhancements and significant BNG delivered by the proposal;
- the sustainability improvements and net zero dwellings; and
- the on-site communal facilities.

6.2.0 Issue No 2: Layout & Design

6.2.1.0 Character & Appearance

Paragraph 131 of the NPPF advises that 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. Likewise, paragraph 135 of the NPPF seeks to ensure that developments function well and add to the overall quality of the area; are visually attractive; sympathetic to local character and history; and establish or maintain a strong sense of place.

6.2.1.1 Policy 69 of the Local Plan states that all development shall have an adequately high standard of design, taking into account site context, materials and other relevant policies. Policy 70 of the Local Plan requires the design of new housing development to have regard to its setting and the character of its surroundings. In particular, criterion (i) requires the massing and siting of buildings to create safe, attractive spaces of human scale.

6.2.1.2 As discussed above in the Green Belt section of this Statement, the Site is in a semi-rural location, where a lower density of housing was deemed more appropriate to reflect its transition from the village edge to the countryside beyond. The proposal benefits from an existing access, so it nestles in well with the cluster of existing residential development surrounding the Site and thus remains visually separate from the countryside beyond.

6.2.1.3 The proposed layout has been designed to allow for spacious plots and generous separation between each dwelling to correspond with the surrounding semi-rural context, which characterised by loose-knit development. The scale of the proposed dwellings will complement the character of the woodland edge setting. Six of the nine dwellings proposed and the communal building will be single-storey, whilst the remaining three dwellings will be 1.5-storey, albeit they are all over 40m from Coursers Road and as such will not be readily visible from public view.

6.2.1.4 A Landscaping Strategy has been developed to minimise the visual impact of the development from public vantage points. The proposal maintains and reinforces existing mature boundary screening along the western boundary to Coursers Road, which includes trees up to 22m in height and augments it utilising native species. Internally, new landscaping will create an attractive living environment and will enable the development to reach a Biodiversity Net Gain of over 30%. In the context of the landscaping measures outlined above, public views of the proposals will be very limited.

6.2.1.5 In terms of materials, the structural timber and non-structural vertical timber cladding will be sourced from the site, which will be either be handled on site or at a nearby sawmill, 1.5km south of the site. The roofs will be finished in a dark grey zinc sheeting and window frames will of a similar colour to ensure the appearance is consistent throughout the proposed dwellings. Further details are provided within the DAS if more information on materiality is required.

6.2.1.6 *Conclusions*

In light of the above, the proposal is considered to provide a high-quality development that protects and preserves the character of the area in accordance with the provisions of the NPPF and Policies 69 and 70 the Local Plan.

6.2.2.0 Residential Amenity

Paragraph 135 (f) NPPF promotes development with a high standard of amenity for existing and future users. The Design Advice Leaflet SPD seeks to expand on provisions of Policy 70 of the Local Plan in respect of safeguarding residential amenity.

6.2.2.1 *Proposed Occupiers*

In all instances, it is considered that a wholly satisfactory level of environment will be achieved for existing for the following reasons:

- Design Advice Leaflet No 1 sets out numerical guidelines for amenity space for all dwelling types. All dwellings are provided with an attractive, useable amenity area of garden areas ranging from approximately 206 m² to 499 m² and will have access to the communal areas and sports facilities.
- The proposed dwellings would provide spacious internal living accommodation for future occupiers and would therefore be in compliance with the nationally described space standards.
- The orientation allows maximum solar gain to be achieved to daytime living spaces. The choice of glass and suitable roof eaves overhangs will assist in managing direct sunlight into the buildings.

6.2.2.2 *Existing Occupiers*

Due to the level of separation between neighbouring properties and the proposed development, it is not considered that there would be an adverse impact by way of a loss of daylight, sunlight, privacy, outlook or overdominance. The parking areas would be well

separated from the neighbouring and would not result in any noticeable level of additional noise and disturbance over that what currently exists.

6.2.2.3 *Conclusions*

In the above circumstances, the proposal relates appropriately to neighbouring properties and ensures that amenities of adjoining occupiers are protected and maintained. It would also ensure good living conditions for future occupiers in compliance with Policy 70 of the Local Plan and the provisions of the NPPF.

6.3.0 Issue No 3: Highway Safety & Access

6.3.1 In the context of Section 9 of the NPPF, consideration is given in turn to the following factors:

- Accessibility;
- Highways Safety and Capacity; and
- Parking

6.3.2 Accessibility

The previously approved application for the two dwellings known as Oak Cottage and Pine Cottage (under LPA Ref: 5/2023/1032) has already concluded that the Site is an appropriate location for housing. It is accepted that the site is not the most sustainable location in the District, albeit Paragraph 110 does suggest that flexibility should be applied in rural areas by stating that *“opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”*. That being said, the proposed scheme will offer a 4-times daily shuttle mini-bus service between the Site and London Colney, and which will be maintained on a daily basis in perpetuity. This will enable access to an alternative mode of transport – other than car – for both existing and future residents, and therefore should be considered as a sustainability betterment.

6.3.3 Highways Safety and Capacity

The Transport Assessment (TA) offers the following key conclusions, such that the proposal is considered acceptable in these respects:

- Access into the Site will be retained in line with the existing arrangements into the wider Site, via Coursers Road.
- Sufficient manoeuvring space for cars, vans and pumping appliances has been demonstrated through swept path analysis such that these vehicles will be able to access and egress from the site in a forward gear.
- Residential waste and recycling will both be collected from outside the Site, in line with current arrangements
- The predicted traffic flows from the development are not high with 3 movements anticipated within each peak hour, being 1 arrival and 2 departures in the AM peak hour and 2 arrivals and 1 departure in the PM peak hour. The above levels of vehicular traffic generation are considered to be imperceptible on the local highway network.

6.3.4 The proposal includes 18 allocated car parking spaces and 1 unallocated spaces. Cycle storage spaces are provided within the curtilage of each dwelling, in line with adopted parking standards.

6.3.5 *Conclusions*

In summary, there is reasonable scope for use of sustainable modes of travel from the site; it will not have an unacceptable impact on highway safety; the residual cumulative impacts on the road network would be negligible; and appropriate levels of car and cycle parking will be provided taking account of the location of the site and nature of the proposal. In these circumstances the proposal complies with Section 9 of the NPPF.

6.4.0 Issue No 4: Environment

6.4.1.0 Ecology

Paragraph 193 (a) of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. It further states that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

6.4.1.1 The application submission is supported by a Preliminary Ecological Appraisal by Arbtech, which concludes that:

- **Great Crested Newts** – when completing the rapid risk assessment published by Natural England (Natural England 2015), the proposed development produces an “amber” risk score, which states “offence likely”. The applicant is participating in the Natural England District Level Licensing (DLL) scheme. This involves the payment of an agreed financial sum to the DLL scheme provider which will be used for GCN habitat creation in the local area. The DLL can be obtained without any further surveys.
- **Roosting bats** – the proposed development will result in the felling of T4. This could result in the destruction of any bat roosts present and could cause disturbance, death or injury to bats. An endoscope inspection found there to be no bats roosting in this tree.
- **Foraging & Commuting Bats** – the PEA recommended that bat activity surveys are undertaken. The applicant has requested that that further surveys be conditioned in the event of an approval.

6.4.1.2 The Biodiversity Net Gain (BNG) Assessment found that the baseline habitat value of the site is 1.78 area-based habitat units with the proposed development resulting in a 32.50% area-based net gain and a 100% net gain for hedgerows (from a baseline of zero units). The proposed development will therefore significantly surpass the minimum target of 10% biodiversity net gain in compliance with legislation (Environment Act 2021).

6.4.2.0 Flood Risk and SuDS

The FRA and SuDS Report by EAS confirms that the proposals will not increase flood risk onsite or elsewhere. The proposed drainage strategy employs a pipe network running through the site and draining to the existing pond to the south of the site, via a gravity connection. Rain garden planters have been proposed for each of the properties, and green roofs will manage run-off from the proposed bin stores. An area of permeable paving will be located along the southern road of the site, which will manage surrounding hardstanding, and connect into the pipe network. Surface water within this network will be discharged into the existing pond, which is to be modified to allow for sufficient storage.

6.4.3.0 Trees and Landscaping

Arbtech AIA identifies that in 12no. individuals, 3no. groups and the partial removal of 1no. group as a part of this development. However, the proposal will reintroduce a number of indigenous plants in the form of windflowers and grass, scrubs, native hedge grows and a variety of indigenous tree species will enhance the overall biodiversity of the site. New trees will be planted to replace all the trees removed.

7.0 CONCLUSIONS

7.1.0 Background

7.1.1 This report relates to a planning application for erection of eco-village comprising 9 dwellings and community hub with associated access, parking and landscaping at Land at Colne Spring Villa, Colney Heath AL4 OPB. The proposal is promoted in the following circumstances:

- The site is considered to represent grey belt, the provisions of paragraph 155 are satisfied and the three “Golden Rules” do not apply. The proposed development is therefore not inappropriate development in Green Belt terms and should be considered acceptable in principle. If the Inspector does not consider the site as Grey Belt then a case has been made for Very Special Circumstances (VSCs).
- The proposal is considered to provide a high-quality development that protects and preserves the character of the area in accordance with the provisions of the NPPF and Policies 69 and 70 the Local Plan.
- The proposal relates appropriately to neighbouring properties and ensures that amenities of adjoining occupiers are protected and maintained. It would also ensure good living conditions for future occupiers in compliance with Policy 70 of the Local Plan and the provisions of the NPPF.
- There is reasonable scope for use of sustainable modes of travel from the site; it will not have an unacceptable impact on highway safety; the residual cumulative impacts on the road network would be negligible; and appropriate levels of car and cycle parking will be provided taking account of the location of the site and nature of the proposal. In these circumstances the proposal complies with Section 9 of the NPPF.
- The proposal will provide a in a 32.50% area-based net gain in biodiversity and a 100% net gain for hedgerows (from a baseline of zero units).
- The proposals will not increase flood risk onsite or elsewhere as detailed in this report and are therefore deemed policy compliant on flood risk and SuDS grounds.
- The proposal will reintroduce a number of indigenous plants in the form of windflowers and grass, scrubs, native hedge grows and a variety of indigenous tree species, enhancing the overall biodiversity of the site. New trees will be planted to replace all the trees removed.

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