

5d 3/11/1373/FP - Partial demolition of existing buildings associated with the previous horticultural education and research activities of the University of Hertfordshire and the subsequent development of: a bespoke single storey building office workspace facility of 1150sqm; conversion of existing boiler house to provide an environmental education centre; substation and energy centre; re-use of existing glasshouses; access and parking; enhanced restoration landscaping at the Bayfordbury Campus, Lower Hatfield Road, Bayford, Herts SG13 8LD for Groundwork Hertfordshire and Herts and Middlesex Wildlife Trust

Date of Receipt: 03.08.11

Type: Full – Major

Parish: BAYFORD

Ward: HERTFORD – RURAL SOUTH

RECOMMENDATION:

That, subject to the applicant or successor in title signing a legal agreement pursuant to a S106 of the Town and Country Planning Act 1990 in respect of the following matters:

1. A financial contribution of £6,000 (12 x £500) for car-parking accessibility contributions.
2. £300 standard monitoring fee per clause.

That planning permission be **GRANTED** subject to the following conditions/for the reasons:

1. Three year time limit (1T12)
2. Programme of Archaeological work (2E02)
3. Approved plans (2E10)
4. Materials of construction (2E11)
5. Refuse disposal facilities (2E24)
6. Lighting Details (2E27)
7. Cycle parking facilities (2E29)
8. Materials arising from demolition (2E32)
9. Retention of parking space (3V20)

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10. Hard Surfacing (3V21)
11. Construction parking and storage (3V22)
12. Wheel washing facilities (3V25)
13. Green Travel Plans (3V27)
14. Landscape design proposals (4P12)(h, i, j, k, l)
15. Landscape works implementation (4P13)
16. Landscape maintenance (4P17)
17. Construction hours of working (6N07)
18. The development permitted by this planning permission shall only be carried out in accordance with the Approved Flood Risk Assessment (FRA) 25606/001 by PBA dated July 2011 and FRA addendum 25660/002/cbh/asr/jm by PBA dated 4 October 2011 and the following mitigation measures detailed within the FRA:
 1. Limiting the surface water run-off from the site to the equivalent Greenfield rate.
 2. Provision of on-site storage to contain the 1 in 100 year plus climate change critical storm.
 3. Use of a pond, green and brown roofs and permeable paving to provide the required attenuation storage.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water on and from the site, and to ensure a sustainable drainage system is delivered across the site in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007.

19. A Mitigation Plan complete with measures for the protection and future conservation of the amphibians and reptiles on the site shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the habitats of the species under the Wildlife and Access to the Countryside Act 1981 and in accordance with policy ENV17 of the East Herts Local Plan Second Review April 2007.

20. Construction of the development hereby approved shall not commence until details of construction vehicle movements and construction access arrangements are submitted in writing to and approved by the local planning authority.

Reason: To ensure the impact of construction vehicles on the local road network is minimised in accordance with policy TR2 of the East Herts Local Plan Second Review April 2007.

Directive:

1. Other legislation (01OL)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD3, SD4, GBC1, GBC14, TR1, TR2, TR3, TR4, TR7, ENV1, ENV2, ENV11, ENV14, ENV16, ENV17, ENV21, ENV24, BH1, BH2 and BH3 and national planning policies PPS1, PPG2, PPS5 and PPS22. The balance of the considerations having regard to those policies is that permission should be granted.

_____ (137311.SD)

1.0 Background:

- 1.1 The application site is shown on the attached OS extract and is situated within the Metropolitan Green Belt on the eastern side of the B158 Lower Hatfield Road. It is within part of the former grounds of the Grade II* listed Bayfordbury mansion and is adjacent to the University of Hertfordshire's Bayfordbury campus.
- 1.2 The mansion house was constructed in the 18th century with its surrounding parkland and distinctive landscape setting, including a pinetum, and arboretum occupying overall some 138 hectares. In 1945, the house and part of the surrounding land were purchased by the John Innes Horticultural Institution, a genetic research and plant development organization. The glasshouses and outbuildings were constructed on the site in 1946. The science block research laboratory with two parking areas were added later in 1959. The site was purchased by Herts County Council as a further education base for Hatfield Polytechnic,

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which in 1992 became the University Of Hertfordshire's Bayfordbury Campus for Science and Environmental Research Studies.

- 1.3 The site adjoins open farmland to the north and south and the University's observatory monitoring station to the south east. The observatory part of the larger site is retained as mown grassed areas around the observatory domes with no formal or informal landscaping.
- 1.4 Part of the land that forms the historic registered Grade II park and garden was further developed recently with the conversion of the Grade II* listed Bayfordbury mansion, sited to the north east of the application site, into 5 residential units with associated garden areas. The development included restoration landscaping works to the historic listed gardens that surround and enclose the mansion.
- 1.5 To the west of the University campus is the residential development/ stables conversion of the Victoria Mews and the walled garden, part of the original 18th century estate.
- 1.6 The parcel of land subject of this application is a level site. The existing buildings and structures are largely abandoned and partially derelict. They comprise several large redundant glasshouses, a boiler shed, potting shed, field centre, and other storage structures with outside raised beds. There is natural landscaping around and within the site with self set trees, low level shrubs and scrub, with little if any of the historic landscape setting of the original estate in evidence. The area of grassland leading from the glasshouses to the science block, with remnant orchard planting is designated as a Wildlife Site (WS 59/080) containing calcareous grassland with notable species of flora and fauna.
- 1.7 The site is part of Landscape Character Area 63 of '*gently undulating parkland estate farmland with large mansion now used for institutional purposes*' Bayfordbury occupies a sloping site and is characterized by *semi natural oak/hornbeam woodland with many ornamental trees*'
- 1.8 Adjacent to the science block are two large hard surfaced areas of car parking served from the private drive into the site with provision for approximately 91 car parking spaces.
- 1.9 The proposal is for the partial reuse and redevelopment of the existing buildings at the site and additional new buildings to give a net additional gross internal increase in floorspace over the original of 747sqm.

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1.10 The proposed development of the site in detail comprises:-

- Demolition of Field Centre and Potting shed
- New build: Block 1: Construction of Biomass plant building and Environmental Education Centre. This is sited on the location of the current boiler building. Two built elements joined by a canopy. One is square in shape 12m by 12m and with a flat roof 3.8m high (with the boiler chimney retained). The second element is 2.5m by 5.5m and 3m high with a flat roof.
- New build: Block 2: Construction of The Centre for Environment and Wildlife, partially located on the footprint of the Potting Shed and Field Centre. This is a U shaped building. The main element is 31m in length. The two arms are slightly different lengths, one at 45m and the other 49m. It will have areas of flat roof at 3.8m in height and sloping roof that rises to 6m.
- Refurbishment of existing greenhouses (5)
- New build: Block 3: Construction of single storey workshop and storage units. This building is rectangular in shape, 33m by 7m with a flat roof up to 3.2m in height.
- Reuse of service yard
- Reuse of training gardens, with additional landscaping
- Provision of secure parking (12 spaces) and relocated disabled parking (3)
- Construction of SUDS system with attenuation basin and pond
- Installation of underground klargester (waste bio-disc plant)
- Restoration and enhancement of existing landscaping to the immediate and surrounding historic landscape

1.11 In essence the development is proposed as a collaborative exercise between the applicants and the University of Hertfordshire to provide a workplace and environmental education centre.

2.0 Site History:

- 2.1 The planning history of the Bayfordbury site is extensive, although there is limited history related to the University's horticultural use as follows:

3/83/0124/FP Change of use of college laboratory to offices training centre including residential accommodation and storage Approved

3/84/0742/CC Change of use from educational establishment to offices Refused

3/87/0289/FO Removal of onerous conditions (ref: 3/84/0742/CC conditions 2 and 3) Approved

3/91//1706/FP An addition to existing 4 no. greenhouses of 1 no. new greenhouse Approved

3.0 Consultation Responses:

- 3.1 Hertfordshire Garden Trust have no objection to the application and support a viable use envisaged for this corner of the larger site, which is in keeping with the spirit of the enquiry evidenced by the 18th and 19th century arboretum and pinetum. The suggested changes to the plans (initially viewed by the Garden Trust in 2010) have been incorporated into this planning application.
- 3.2 County Highways do not wish to restrict the grant of permission subject to conditions. It comments that given the existing and previous uses of this site, and the associated and historic traffic generation a highway objection is not justified. The proposal has been subject of considerable discussions with the highway authority in the preparation of the submitted Transport Statement and Travel Plan. Ample car parking is available on site with sufficient provision for secure cycling storage with welfare facilities for cyclists.

Initially, planning obligations for the development, which exceeds the threshold of the East Herts SPD: Planning Obligations, required an accessibility contribution of £32.500 based upon £500 per parking space (65 Spaces). Given the remote location of the site, the contribution would be used to improve the foot and cycleway network and public transport infrastructure for access by sustainable modes of transport. The financial contribution which was based on all the parking provision, both existing and proposed was subsequently revised. It is acknowledged that in fact

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only 12 spaces will be new to the site, the SPD interpretation is that contributions should be based on the provision of the 12 additional spaces proposed, which would require an accessibility contribution of £6000, (12 spaces X £500) secured by a S106 legal agreement.

- 3.3 The Environment Agency advises that on the information initially submitted it objected to the proposal recommending refusal based on the inadequacy of the Flood Risk Assessment. Subsequently further details were submitted to overcome this objection and subject to conditions regarding surface water run-off management, on-site storage and appropriate attenuation storage measures the Environment Agency removes its previous objection to the proposed development.
- 3.4 Herts Biological Records Centre identify the northern part of the site as a Wildlife Site (WS59/080) of semi improved neutral/calcareous grassland supporting notable flora and fauna diversification. No evidence of protected species, bats or great crested newts have been recorded on the site. The initial proposal constructed a footpath and SUDS system within the wildlife site which would have resulted in damage to the area and loss of important grassland. It was also proposed to clear ground vegetation from the historic 'ha-ha' resulting in harm to amphibians and reptiles and further damage to the important grassland areas of the wildlife site. Following negotiations with HBRC the proposed footpath has been deleted from the scheme, (with the pedestrian access provided by the existing pathway), and the SUDS system with attenuation basin and pond has been relocated to the southern corner of the site outside of the wildlife site. In light of these changes HRBC have no ecological concerns regarding the application.
- 3.5 Landscape Section advise that there is no adverse impact on significant trees to be retained but there are opportunities for tree planting on the site, in reference to the historic use of the site. The proposal is for low rise buildings with living walls and green roof technology which provides suitable mitigation in reducing the negative visual impact in an appropriate way to the site.
- 3.6 The scale and height of the building need not significantly harm the historic character and appearance of the landscape setting if combined with structural planting to help integrate the development into the surrounding landscape. The Landscape Character Assessment supplementary planning document (SPD) encourages the retention of parkland areas to ensure valuable features are not lost and the context of the parkland and mansion is retained. This development proposal embeds opportunities to implement appropriate landscape design in mitigation for the development although there are limited details in terms

of the soft and hard surfaces and planting plans to enable a satisfactory visualisation of the completed development. There are no objections to the proposal in principle but it is recommended that landscape conditions be attached to any planning consent in order to ensure landscape design appropriate to the special historic interest of the landscape setting.

- 3.7 Environmental Health does not wish to restrict the grant of permission.
- 3.8 HCC Archaeology advises that the site is in an Area of Archaeological Significance No. 46, which contains the Grade II* listed 18th century mansion and associated Grade II registered parkland. The area contains evidence of Prehistoric and Roman occupation revealed during investigations carried out in 2006. It is believed that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological and historic interest and an appropriately worded condition on any planning consent would be sufficient to provide for the level of investigation required.
- 3.9 Conservation Section recommends approval of the scheme. The proposal is considered an enhancement to the immediate setting, with little or no impact on the wider setting of Bayfordbury mansion and associated parklands. A setting which would be further enhanced with the integration of a high quality landscaping scheme within the wider site.

4.0 Parish Council Representations:

- 4.1 Bayford Parish Council have made no comments

5.0 Other Representations:

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification
- 5.2 Eight responses have been received objecting to the proposal which can be summarised as follows:
- The construction of 1,150sqm of single storey workplace is unacceptable development within the metropolitan Green belt contrary to policy GBC1.
 - The proposal does not meet the criteria (a)- (i) and therefore is inappropriate development
 - Not a 'major developed site', intensification of activity accessed via private single lane road is not 'limited infilling or re-development' ref Annexe C of PPG2

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- Substantive increase in vehicular activity , 20% increase in car parking from 54 to 65 spaces could generate additional traffic movements
- The access road to the university site and Victoria Mews is very narrow to use this for two way traffic would be a nightmare
- No mains sewage is provided on site, additional klargest system proposed
- Surface water from Bayford, Bayfordbury naturally flows downhill, object to the development on the grounds of current and foreseeable problems of flooding
- additional traffic would exacerbate the capacity issues of the private road
- The majority of vehicles will provide two peak times where additional traffic will exit onto the B158.
- The south-western access should be altered to accommodate two-way traffic and passing places so that the northern-eastern access could be reserved for residents only.

One letter of support has been received from Hertfordshire Community Foundation summarised as follows:-

- East Herts has the worst carbon footprint in Hertfordshire
- We need more practical examples designed and built to show that this can change
- The proposal at Bayfordbury is an exemplar, with regard to the built environment where others can come and see how things should be done
- Groundwork Hertfordshire and the Wildlife Trust reduce their existing carbon footprint by moving to this site
- The site will provide physical and amenity improvements and the author urges support for the development

6.0 Policy:

6.1 The relevant 'saved' Local Plan policies in this application include the following:

SD1	Making Development More Sustainable
SD3	Renewable Energy
GBC1	Appropriate development within the Green Belt
GBC14	Landscape Character
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV14	Local Sites
ENV16	Protected Species

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ENV17	Wildlife Habitats
ENV21	Surface Water Drainage
ENV24	Noise Generating Development
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological conditions and Agreements
TR1	Traffic Reduction in New developments
TR2	Access to New Developments
TR3	Transport Assessments
TR4	Travel Plans
TR7	Car parking standards

6.2 In addition, it is considered that PPS1 (Delivering sustainable development), PPG2 (Green Belts), PPS5 (Planning for the Historic Environment) and PPS22 (Renewable Energy) are relevant.

7.0 **Considerations:**

7.1 The main determining issues in this case are:-

- The acceptability of the development in relation to green belt policies;
- The impact of the development on the setting of the listed building and Grade II listed garden
- The impact of the development on the landscape setting of the historic environment and parkland landscape character of the site.
- The impact of the development in terms of access and parking requirements and the level of vehicle movements.
- The impact on neighbour amenity
- The impact of the development on the Wildlife Site and existing ecology.

Green Belt

7.2 The site is located within the Green Belt wherein development will be considered to be 'inappropriate development' where it does not fall within the criteria set out in PPG2 and policy GBC1 of the Local Plan.

7.3 The proposed development would represent 'inappropriate development' within the Green Belt as defined in PPG2 and local plan policy GBC1. It

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is necessary to consider whether the harm by way of inappropriateness and any other harm is clearly outweighed by the weight to be given to other considerations such that very special circumstances apply.

- 7.4 It is considered that there are a number of factors that weigh in support of this scheme. The proposals represent an environmental and nature conservation education facility, to be developed by the applicants in concert with the University of Hertfordshire. It is an example of a sustainable and carbon neutral building demonstrating 'passivhaus principles'. The proposals will support renewable energy and habitat creation and represent a significant development of educational facilities in the public benefit and interest. It is only possible to develop these at this location because of the significant benefits of collaboration. There are no alternative locations at which it is feasible that these organisations with compatible objectives are likely to be able to come together. The sustainable nature of the proposed operation of the buildings satisfy the requirements of policies SD1 and SD3 of the Local Plan.
- 7.5 The proposal also provides opportunities to enhance the landscape character of the parkland setting of the dilapidated university site area at Bayfordbury in collaboration with Groundwork Hertfordshire and Middlesex Trust.
- 7.6 A total of 651sqm of dilapidated structures are demolished on the site with 1398sqm of new development (a net gain of 747sqm). The main building is to be constructed on the footprint of the demolished potting shed and field centre on the site with a new build floor area of 1,150 sqm.
- 7.7 The collaboration of the three partners (applicants and University of Hertfordshire) in this venture work to different but entirely complimentary environmental and conservation objectives. Co- location on the university campus site at Bayfordbury will enable major opportunities for joint working in training, professional development courses for science, nature conservation and ecology teachers.
- 7.8 It is considered that the extension of the educational facilities that the development will offer, the very significant co-location opportunities that the site gives and the investment into the educational and scientific economy of the area are matters that can be given some significant weight. The fact that the development utilises the site of previous development – and some of its buildings, serves to ensure that that there is less harm than may otherwise have been caused. Although the sustainable nature of the buildings and development are to be

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encouraged officers consider that less positive weight should be assigned to this – such an approach could be followed at any location in the green belt and, if given any great weight, would quickly have a harmful impact on the green belt.

- 7.9 Little weight would normally be assigned to the ‘tidying up’ case in support of development. Where that is deployed to support housing proposals, whilst there is undoubtedly a more tidy and pleasant appearance to sites, their appearance becomes domesticated. In this case, residential use is not proposed and the site will take on an institutional character that it has had previously. It is considered that some positive weight can be assigned to this matter in this case.

Impact of the proposals on the listed house and gardens

It is considered that the proposals are sufficiently detached from the location of the main house the Victoria Mews converted stables such that there is no material or harmful impact on the character and setting of the heritage assets. The proposals are acceptable in terms of the requirements of PPS5.

- 7.10 In terms of the gardens and landscape, the site is located within Landscape Character Area 63, where Bayfordbury is described as early 18th century formal gardens and parkland, constructed by the landscape Architect J.C. Loudon in 1763, with the ‘ha-ha’ surrounding the site constructed in 1766, and the 4 hectares of Pinetum in 1837. The remaining parkland landscape is now managed by Trust. There are belts of established mature trees to the north-west and north-eastern boundaries with areas of woodland to the south and south-west. The site is mainly open parkland with large areas of mown grassland, with specimen and historic trees.
- 7.11 The area of the application site, due to the history of various uses, bears little resemblance to the original heritage landscaping, the land being nominally mown on a functional basis. The Council’s Landscape Officer comments that there is no adverse impact on significant trees to be retained. The proposal is for ‘low rise’ buildings which with ‘living’ planted walls and green roof technology provides suitable mitigation reducing the negative visual impact in a way appropriate to the site, being relatively innovative in landscape terms.
- 7.12 Further details are needed though to explain and identify the establishment, management, monitoring and maintenance of such new landscape features, to ensure the mitigation is effective. The scale and height of the proposed replacement building(s) need not therefore harm

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the historic character and appearance of the landscape setting, if combined with structural planting to integrate the development into the surrounding landscape.

- 7.13 In terms of landscape Character Assessment the Councils SPD recommends that development within parkland areas should be resisted to safeguard parkland features and their context with the historic buildings (listed mansion). However this development embeds opportunities to implement appropriate landscape design in mitigation as part of the approved development. The Landscape Master Plan shows an indicative layout, which in broad terms of site planning and layout is acceptable. Although, it has to be established that a significant amount of detailed layout drawings, planting plans, and landscape construction and specifications are required. It is also worth considering in the landscape details required that the site was planted with heritage fruit trees by John Innes in 1945 and for a time was the site of the National Roses Species Collection, two historic influences that could be reflected in the '*new native and ornamental planting*' surrounding the entrance to the new building. It is therefore considered that subject to the imposition of conditions for additional landscaping details, to ensure an appropriate layout and design to preserve the special historic interest of the site, the proposed development is acceptable in landscape terms.
- 7.14 Views into and out of the site are masked with existing tree and landscape treatment which will be enhanced upon, as part of the proposal. On approach to the site the 1960's science laboratory block to the north of the proposed development (and outside the site) would still appear as the most intrusive structure in the landscape. The re developed boiler house would retain much of its previous aspect from distance views apart from the glazed canopy which appears as a neutral element, the main office education building being largely screened by the adjacent glasshouse and retained planting.
- 7.15 Overall it is considered that there is little, if any, harm to the setting and character of the adjoining listed buildings and gardens and there is the potential for suitable landscape improvements. The proposals sit comfortably with the policy aspirations set out in policies GBC14, ENV1, and ENV2.

Access and Parking

- 7.16 The intensification of use of the site, specifically relating to an increase in vehicle traffic to the site needs to be considered in relation to noise and nuisance that could impact on the amenities of neighbouring properties and in highway safety terms.

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- 7.17 The overall site is served by a single private entry access to the south western entrance which has traditionally served the University Campus and Victoria Mews, the exit from the site is via the north-eastern entrance which, also provides historically two way traffic for the occupiers of the Directors house and Bayfordbury mansion. Comments from the County Highways Officer consider that the proposed access is acceptable and that the development would not be detrimental to highway safety.
- 7.18 It is acknowledged that residents in the converted properties have raised objection with regard to the more intensive use of the access roads to the proposed facility. The main concerns are safety on the private access due to inappropriate use (vehicles travelling the incorrect direction on the single direction portion of the road) and damage to the road side caused by vehicles passing.
- 7.19 In general terms it is considered that the roadway provision is adequate to serve the development proposed. The concerns of the residents are noted, but it is not considered that such weight should be assigned to them that the proposals should be resisted on this basis. It is anticipated that additional use may lead to a measure of greater compliance with the road direction requirements. Whilst there will be greater use of the access roads and parking areas, it is not considered that this will be harmful, in amenity terms, for the existing residents.
- 7.20 A total of 91 parking spaces were originally provided for the University campus site, mostly accommodated in the two existing hard surfaced parking areas with some limited parking adjacent to the existing Potting Shed. The proposed development retains the 91 spaces with a further proposed 12 spaces on the site with 3 relocated disabled parking spaces sited adjacent to the education centre.
- 7.21 The proposed development identifies 52 staff to be employed on the site these would work in uses either defined as office use Class B1 or in education under use Class D1.
- 7.22 In terms of the requirements set out in the Local Plan, the maximum parking provision required for the B1 (Office) use is 1 space per 30sqm of gross floor area (gfa) requiring 47 parking spaces. Class D1 uses (Non-residential institutions: Education) require 1 space per full time member staff with an additional student calculation of 1 space per 5 full time students.
- 7.23 The proposed development provides a total of 91 existing parking spaces on the site with an additional 12 spaces proposed on the redeveloped

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site (total 103 spaces).

- 7.24 This parking provision the results in an excess of spaces of between 51-56. The County Highways Officer has no objection to this and clearly this enables a level of provision for students at the site and to meet the demands of the users of the science block building. The Highway Officer seeks the provision of a financial contribution secured through a S106 legal agreement for accessibility contributions for the 12 new parking spaces at £500 per newly provided space, which equates to a contribution of £6,000.
- 7.25 The Travel Plan submitted with the application identifies the aims of the occupiers of the proposed development to manage the number of single occupancy vehicle trips to the site during peak hours. The site location means that options for alternative modes of transport are currently limited.
- 7.26 It is acknowledged that there is some additional impact from the reintroduction of activity on this site. Additional vehicles will be accessing and leaving the site. This is not considered to be harmful in highway safety or residential amenity terms, but the inconvenience and potential for roadside verge damage is acknowledged. Overall it is considered that the proposals are acceptable in terms of the requirements of the Local Plan transport policies.

Neighbour Amenity

- 7.27 The buildings proposed as part of the redevelopment of the site would have little impact on the neighbouring properties in terms of privacy and outlook. Victoria Mews, the historic stables converted to residential use, is located 199m to the north-west of the proposed development buildings. It is significantly screened by the Science Block and established mature trees and landscaping around the Mews building. As such there is no loss of privacy, outlook or amenity for the occupiers of these properties.
- 7.28 Likewise due to position of the established mature landscape planting to the southern boundary of the Grade II* listed Bayfordbury mansion, it is the Officer's opinion that the occupiers of the listed building would not view the proposed new buildings. As such there is no loss of privacy amenity or outlook for the neighbouring properties both from the building or from their communal garden areas around the mansion. There is no harmful impact on amenity or in relation to policy ENV1.

Ecology

- 7.29 Herts Biological Records Centre (HBRC) has commented that, according to data records and surveys carried out in 2009-2010 on the existing Wildlife Site to the north of the proposed development, WS59/080 was of '*diversity and rarity of species*'. These include Grass Snakes, Smooth Newts and Common Lizards. Further flora of 29 indicator plant species and fauna, including Common Toad and Common Frog were also recorded. No evidence of bats was found. HBRC comment that the initial proposal to construct a footpath across the middle of the wildlife site with an attenuation basin as part of a SUDS system (Drg 2266-01-002A) would result in damage to the Wildlife Site and the loss of important areas of grassland and habitats.
- 7.30 It was also noted that the initial proposal for the clearance of the 'ha-ha' fence of existing ground vegetation, could result in harm to amphibians and reptiles, plus damage and loss of an important area of Wildlife Site grassland habitat. HBRC requested that an amended Landscape Master Plan be submitted with the footpath and SUDS removed from the Wildlife Site and submitted prior to the determination of the application.
- 7.31 Subsequently, an amended Drg 2266-01-002B was submitted showing the requested revisions, the footpath deleted and the attenuation basin and pond for the SUDS system relocated to the rear of the site.
- 7.32 Concern remains regarding the amphibians and reptiles on the site and the impact the proposed development would have on their habitats. It is therefore considered in the Officer's opinion reasonable to secure a condition requiring, as advised by HBRC, a Mitigation Plan with measures for the protection and future conservation of all amphibians and reptiles on the site to be provided, prior to construction on the site. With the amendments made and the matters to be dealt with by condition, it is now considered that the development can proceed without harm to ecological interests. The requirements of policies ENV16 and 17 are met.

Other Matters

- 7.33 Concern has been raised in respect of the management of the foul water/sewage disposal from the site. Although elements of lack of capacity on the site have been mentioned, it is the route of the treated effluent disposal that causes concern to a resident of a neighbouring property incorporating part of Bayford Brook, located off the B158 to the north west of the site.

- 7.34 Lengthy discussions have been carried out with the Environment Agency, and for the purposes of clarification the applicant's have submitted a drawing P204_Drainage, which identifies the route of effluent run-off from the existing Klargester bio-disc on the site, installed in 1983 to serve the mansion and Victoria Mews. The new Klargester now proposed, will direct treated effluent run-off along the existing drainage route through agricultural land to an outfall ditch past Bayfordbury Farm thence into Bayford Brook, not in the vicinity of Burrowfield or Riverside Nurseries 560m to the north on the B158. However, this clarification aside the matter of sewage control would be primarily dealt with by Building Control and would require discharge consents from the Environment Agency.
- 7.35 In terms of planning obligations the development exceeds the threshold referred to in the East Herts SPD: Planning Obligations. An accessibility contribution was calculated initially by County highways on the total car parking spaces available on the proposed development of £32,500 based on £500 per parking space. Given the remote location of the site in relation to the foot and cycle network and public transport infrastructure the contribution would be used to improve access to the site by sustainable modes of transport.
- 7.36 However, the SPD identifies that the accessibility contributions should be calculated on the basis of additional /or new parking provision proposed within a new development. The site at present has 91 existing parking spaces, with 12 new spaces to be provided. The County Highways Officer subsequently considers that the accessibility contribution should be based, only, on the provision of those new (12) spaces with a financial contribution towards accessibility of £6,000 is required.

8.0 Conclusion:

- 8.1 The proposals do constitute inappropriate development in terms of green belt policies. In this case a workplace, office and educational development is proposed on the site of previous development. There will be additional floorspace as a result and, notwithstanding the reuse of some of the buildings, there will be a harmful impact on the openness of the green belt.
- 8.2 It is necessary then to consider whether this harm, and any other harm caused by the development, is clearly outweighed by the weight to be assigned to other considerations, such that very special circumstances apply.

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- 8.3 In terms of 'other harm' there is little that is considered to be caused by these proposals. Historic building, landscape setting, neighbouring amenity, parking capacity and ecological issues are all either positively enhanced or are not harmfully impacted on by the proposals.
- 8.4 In terms of access, it is acknowledged that the intensification of use of the access routes to the site has the potential to create additional inconvenience to existing site users and residents and damage to the roads and verges. Both of these are primarily private matters for the various users to address as the roads are not public ones.
- 8.5 Notwithstanding that potential for some limited harm it is considered that the weight that can be applied to the educational and economic investment, the significant co-location benefits of the proposals and the positive weight to be assigned to the site reuse and enhancement, do clearly outweigh the harm in this case. It is recommended that permission can be granted subject to legal agreement.