

## Planning Statement

Planning Application

Erection of a single storey detached dwelling by Ms B Kelly

No 45A, Spielplatz, Lye Lane, Bricket Wood, Herts, AL2 3TD

DLA Ref: 2025/016

February 2025

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## 1.0 INTRODUCTION

### 1.1.0 Background

1.1.1 This Statement relates to a full planning application for the erection of a detached 1-bedroom chalet at No 45A Spielplatz, Lye Lane, Bricket Wood, Herts, AL2 3TD, to replace the existing mobile home, itself the replacement of the previous chalet style dwelling on the site. The proposal would be implemented as a self-build project by the applicant and her partner as long-standing members and residents of this naturist community.

### 1.2.0 Scope

1.2.1 This document comprises an overarching Planning Statement. Sections 2 to 4 consider the physical, economic, social and historical context of the site, identifying the relevant local and national planning policy framework; and Section 5 sets out the details of the application. 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

1.3.1 The proposal is promoted in the following circumstances:

**Principle – Green Belt** It is considered that the proposal can be readily supported as **not** inappropriate development in the Green Belt, falling within the parameters of 3 of the exceptions identified by the recently updated NPPF:

1. Limited infilling in Villages
2. Limited Infilling or the Partial or Complete Redevelopment of Previously Developed Land
3. Grey Belt development to meet an identified need.

**Layout & Design** The proposed layout, scale and character would ensure that the scheme relates well to its context whilst providing a good standard of environment for existing occupiers and prospective residents in accordance with local and national adopted standards for residential development.

**Movement** In the light of the existing residential use of the Site, the provision of a permanent 1- bedroom dwelling, utilising the existing access arrangements and maintaining the existing parking space would have a neutral impact on highway safety and capacity, in accordance with NPPF paragraphs 115 to 116.

**Environment** There are no environmental barriers to the proposal.

## 2.0 SITE & CONTEXT ANALYSIS

### 2.1.0 Location

2.1.1 The Site forms part of the Spielplatz naturist community, located on the north-eastern side of Lye Lane from where it is accessed, adjoining residential development to the east.

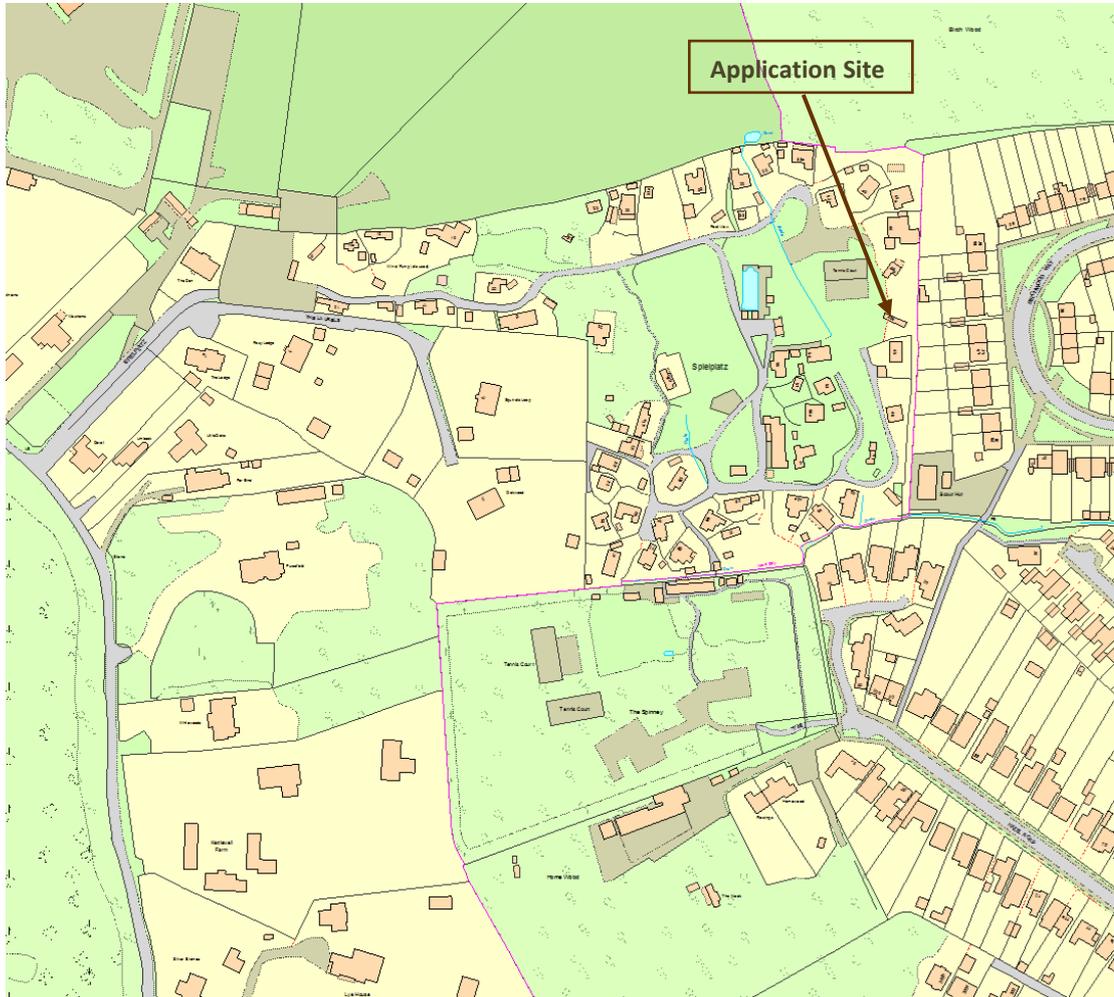


Fig 2.1.0: Site Location

### 2.2.0 Application Site

2.2.1 Spielplatz is a long-established naturist community of over 55 plots, arranged around the internal access road, within a wooded setting. The plots are occupied by a mixture of low-level caravans, chalets, and mobile homes. In addition, there is a reception building, clubhouse, and outdoor tennis and badminton courts and a swimming pool.

2.2.2 Plot No 45A the subject of this application, is located adjacent to the eastern boundary of Spielplatz, immediately to the south-east of the tennis and badminton courts. With an area of some 600m<sup>2</sup>, the plot is occupied by a mobile home as it has been since the 1970s, during which time it has provided a permanent residence. The plot has a verdant setting but is mainly set to hardstanding and also includes 2 small sheds and a car port.

### 2.3.0 **Proposals Map Notation**

2.3.1 The Proposals Map of the St Albans District Local Plan Review 1994 shows the Site within the Green Belt, abutting the defined boundary to the Specified Settlement of How Wood. The Site is also shown within a Landscape Development Area; however, the relevant District Plan policy in this respect was not 'saved' and thus carries no weight.

### 2.4.0 **Context**

2.4.1 The Site is located centrally within the eastern side of Spielplatz, with the residential plots essentially extending around the perimeter of the site, with the aforementioned communal sports facilities, buildings and open spaces set centrally. Whilst there is a mix of caravans, chalets and mobile homes within Spielplatz, Nos 45 and 46 immediately to the south; Nos 54 and 55 to the west; and No 44 to the north comprise permanent chalets.

2.4.2 Beyond the Spielplatz site to the east, set within the defined How Wood settlement boundary, is Birchwood Way. This oval, residential road is generally characterised by fairly uniform pitched roofed 2-storey properties, with a mix of semi-detached and terraced houses. The properties adjacent to the common boundary with Spielplatz however, whilst having the appearance of hipped roof semi-detached houses, appear to comprise flats. The properties have long rear gardens of nearly 24m.

### 3.0 RELEVANT PLANNING HISTORY

#### 3.1.0 Application Site

3.1.1 There is no relevant planning history pertaining to the Site.

#### 3.2.0 Neighbouring Sites

3.2.1 **1. Spielplatz Reception Building** Planning permission was granted on 25<sup>th</sup> February 2020 under LPA Ref 5/19/3030, for the redevelopment of the reception building, telephone hut, corrugated iron store, garage and washing machine building associated with the use of Spielplatz, with a 3- bedroom bungalow, storage facility, bin store and new reception building. Other than the bungalow, which had a separate curtilage, the approved buildings were ancillary to the use of Spielplatz.

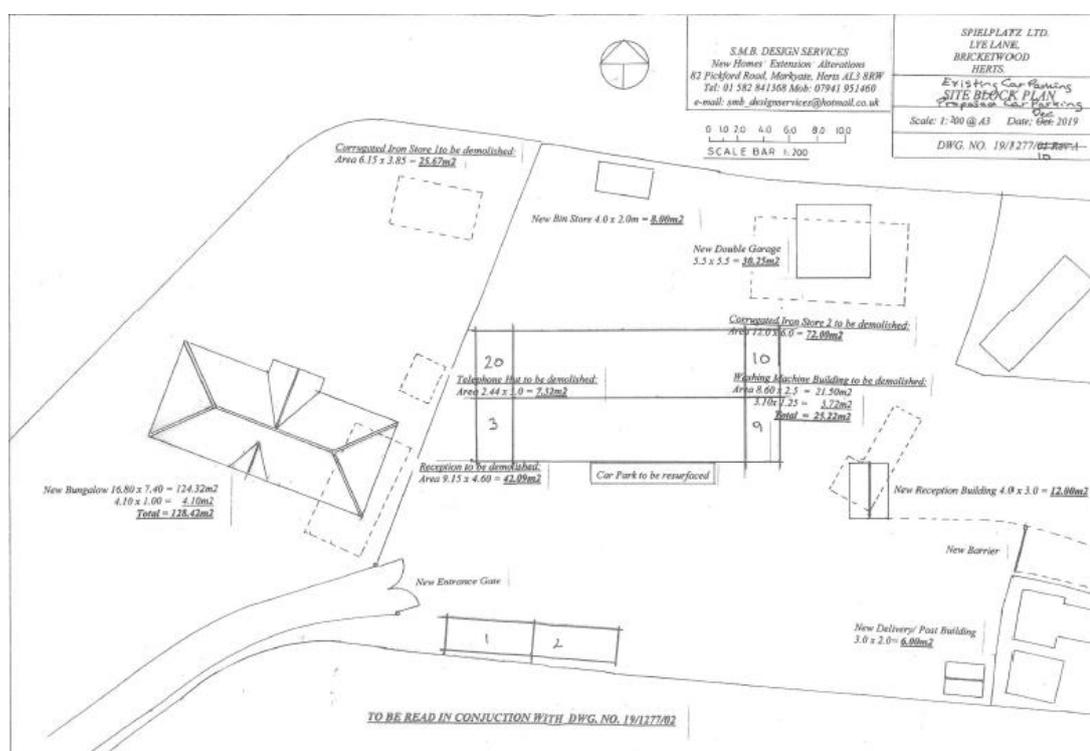


Fig 3.2.1: LPA Ref 5/19/3030 Approved block plan

3.2.3 The LPA accepted the principle of the development on the basis that the development of this brownfield site would not have a greater impact on the openness of the Green Belt than the existing development, so as to constitute not inappropriate development therein.

3.2.4 **Replacement Dwellings** The LPA have approved applications for replacement dwellings within Spielplatz. These include Plot Nos 54 (LPA Ref 5/16/0747 – approved 02.08.16) and 70 (LPA Ref 5/11/2013 – approved 29/11/2013). In neither instance were there any restrictions placed on the occupancy of the dwellings.

### 3.3.0 Relevant Appeal Decisions

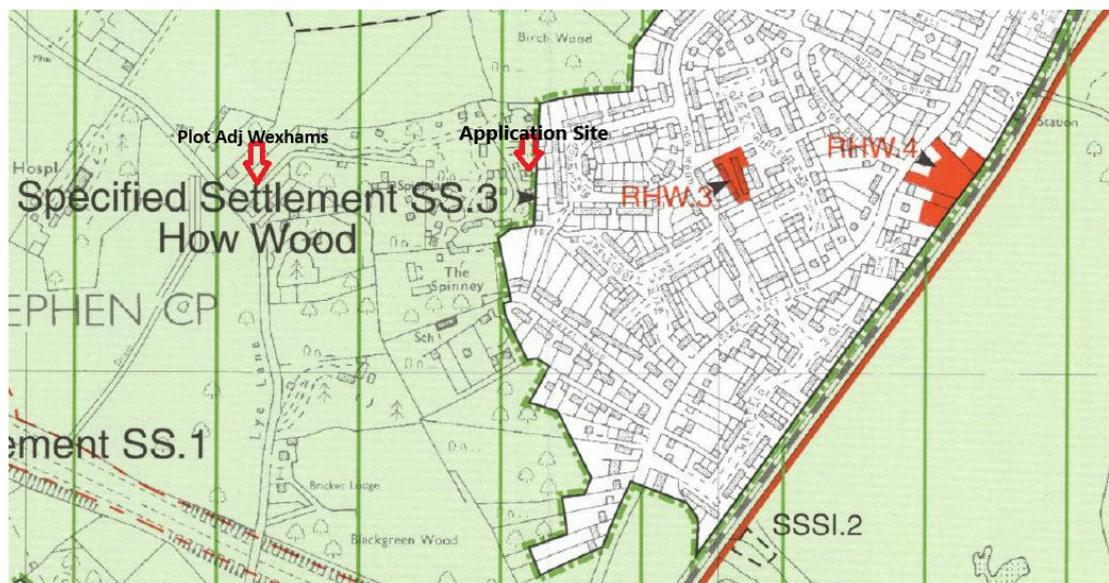
3.3.1 Land rear of Hawthorns, Roestock Lane, Colney Heath, St Albans AL4 0QW St Albans District Council refused planning permission for the erection of a detached dwelling at the above site on the 31<sup>st</sup> March 2021 (LPA Ref 5/20/2986 – See fig 3.3.1 below) on the basis that it was inappropriate development in the Green Belt and would impact adversely on the open character and visual amenity of the locality.



3.3.2 The subsequent appeal (PINS Ref APP/B1930/W/21/3275907) was allowed on 5<sup>th</sup> April 2022 on the basis that it comprised limited infilling in a village and accordingly was **not** inappropriate development under the provisions of the NPPF. In reaching this decision the Inspector concluded that:

- Whether a site is within a defined village boundary in a development plan is not conclusive to determining whether a site is within a village or not. It is for the decision maker to decide, as a matter of fact and degree on the ground, if the site appears to be in a village (para 9)
- The appeal site was largely surrounded by dwellings and is clearly distinguished from the surrounding undeveloped countryside, such that the site falls within this part of the village of Colney Heath (para 11).
- There is no definition of 'limited infilling' within the NPPF or the development plan, but that based on their judgement, it would be the filling of a small gap within existing development, such as the building of one or two houses on a small plot in an otherwise built-up frontage or area (Para 12).

3.3.2 **Plot Adj Wexhams, Lye Lane, AL3 3TB** A proposal for 1 dwelling on a site which was physically very well separated from the defined boundary of either How Wood or Bricket Wood was recently allowed on appeal on the basis that it constituted limited infilling in a village (PINS Ref APP/B1930/W/23/3327185). The location of the site, relative to both the current Application Site and the defined How Wood settlement boundary, is illustrated on the annotated extract from the Proposals Map of the St Albans District Local Plan Review below.



3.3.2: Annotated extract from the Proposals Map of the St Albans District Local Plan Review

3.3.3 In support of their decision, the Inspector drew the following conclusions as to whether the Site was within a village or not at paragraphs 8 to 11 of their decision letter dated 4<sup>th</sup> September 2024:

*“Although the appeal site is outside of a settlement boundary, a defined village boundary in a Development Plan is not conclusive in determining whether a site is within a village or not. It is for the decision maker to decide, as a matter of fact and degree on the ground, if the site appears to be in a village. The Framework does not define a village.*

*The appeal site is some distance from the settlement boundaries of Bricket Wood and How Wood. However, Lye Lane provides a direct road link to Bricket Wood. The area immediately surrounding the appeal site is built up with other houses and buildings (including Spielplatz) which are dispersed over a large area that extends right up to the settlement boundary of How Wood.*

*The pattern of development around the appeal site differs from that within the settlement boundaries of Bricket Wood and How Wood. Buildings within this part of the area where the appeal site sits typically comprise properties that are generally larger in size, set back from the road and set within large plots. There is some variation in the gaps between the buildings. Although the area does have a semi-rural feel, this stretch of Lye Lane has a village character through the visibility and close relationship of the housing.*

*Based on my observations on the ground, when approaching the appeal site from North Orbital Road, there is a clear distinction between the character and appearance which changes from rural, open land to residential built form which continues along Lye Lane.”*

## 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 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 application are the saved policies of the St Albans District Local Plan Review 1994 (SADLP) and the St Stephen Parish Neighbourhood Plan 2019 -2036 (SSPNP), as set out in turn below.

4.2.2 **St Albans District Plan Review 1994** The following policies are relevant to the proposal:

**Fig 4.2.2:** Relevant Local Plan Policies

Policy No.	Title
<b>Policy 1</b>	Metropolitan Green Belt
<b>Policy 2</b>	Settlement Strategy
<b>Policy 34</b>	Highways Considerations in Development Control
<b>Policy 40</b>	Residential Development Parking Standards
<b>Policy 69</b>	General Layout & Design
<b>Policy 70</b>	Design & Layout of New Housing
<b>Policy 74</b>	Landscaping and Tree Preservation

4.2.3 **St Stephen Parish Neighbourhood Plan 2019 -2036 (SSPNP)** The following Policies are considered relevant to the application

**Fig 4.2.3:** Relevant Neighbourhood Plan Policies

<b>Policy No</b>	<b>Title</b>
<b>S1</b>	Location of Development
<b>S2</b>	Housing Mix
<b>S3</b>	Character of Development
<b>S5</b>	Design of Development
<b>S7</b>	Protecting Natural Habitats & Species
<b>S12</b>	Off-street Car Parking
<b>S14</b>	Provision for walking, cycling and horse riding
<b>S16</b>	Community Facilities

4.3.0 **Supplementary Planning Guidance / Documents**

4.3.1 The following LPA guidance is relevant to the application proposal:

- Revised Parking Policy and Standards (January 2002)
- Design Advice Leaflet No 1: Design & Layout of New Housing (November 1998)

4.3.2 Account is also taken of the Authority’s Monitoring Report 2023

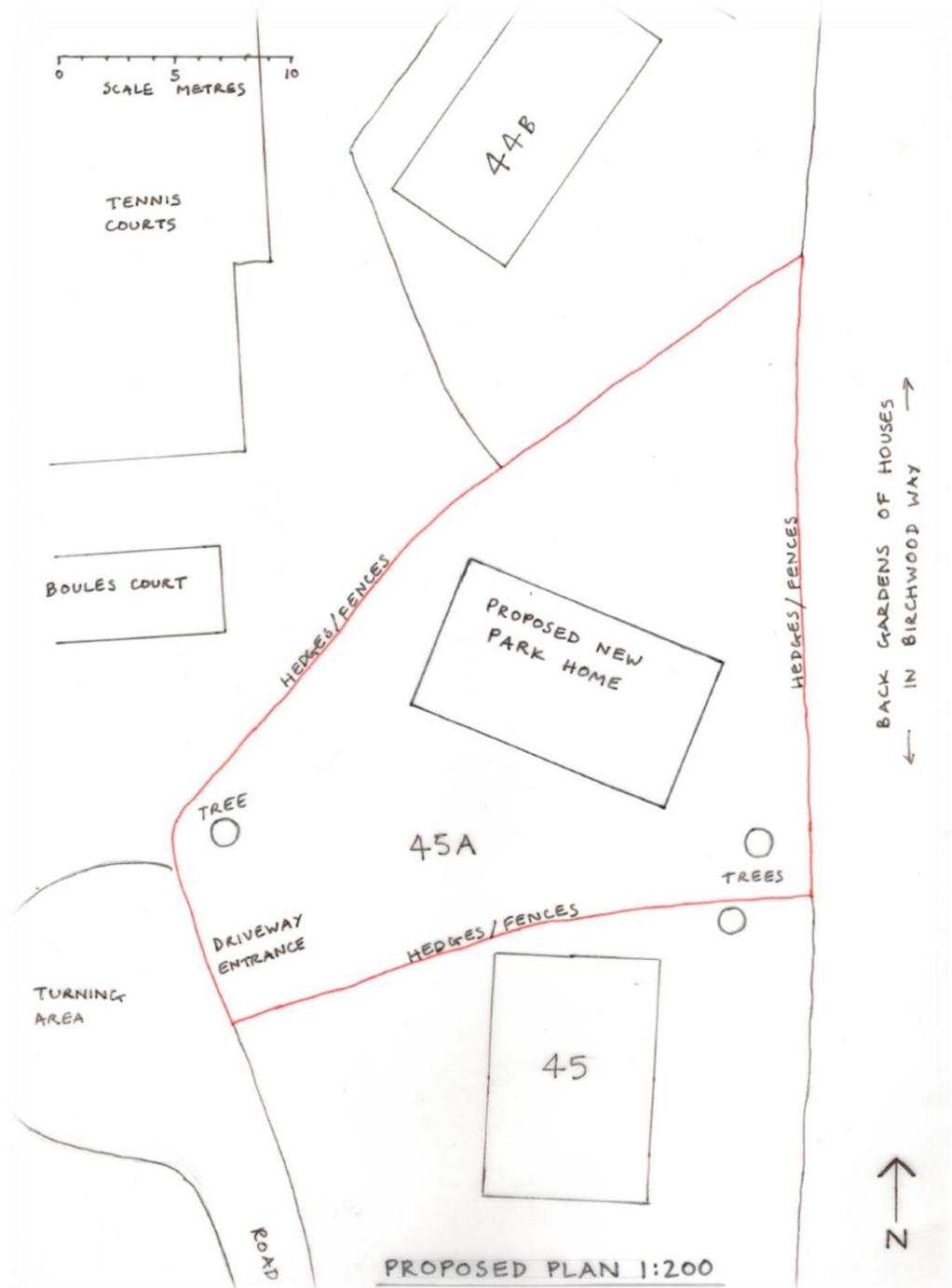
## 5.0 DESCRIPTION OF DEVELOPMENT

### 5.1.0 Use & Amount

5.1.1 This detailed application seeks permission for the construction of a detached, one-bedroom, single storey dwelling to replace the existing mobile home on the site, itself a replacement for the chalet style dwelling which formerly stood here. The proposal will comprise a Self-build project by the applicant and her partner, as longstanding members and residents of this naturist community.

### 5.2.0 Siting & Access

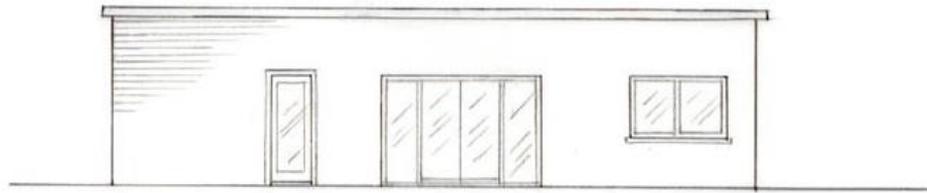
5.2.1 The access arrangements would be as existing, and the siting and orientation of the proposed chalet would reflect that of the existing mobile home.



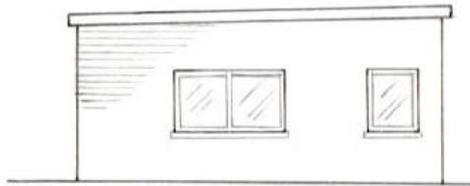
**Fig 5.2.0:** Proposed Site Layout

**5.3.0 Appearance & Scale**

**5.3.1** The single storey chalet would be of simple, compact form, with a shallow mono-pitch roof. With a footprint of some 76m<sup>2</sup>, it would comprise 1-bedroom accommodation. The chalet would have a width of 11.6m, a depth of 6.6m and maximum height of 3.25m.



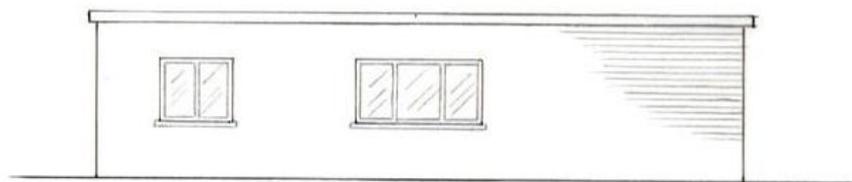
**SOUTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**



**NORTH ELEVATION**

**Fig 5.3.0:** Proposed elevations

**5.4.0 Landscaping**

5.4.1 The proposal will not result in the loss of any significant landscape features, utilising the existing area of hardstanding.

## 6.0 **PLANNING CONSIDERATIONS**

### 6.1.0 **Background**

6.1.1 Based on the analysis set out in Sections 2 to 5, the application proposal raises the following issues, which are considered in turn below:

1. Principle / Green Belt
2. Layout & Design
3. Movement
4. Environment

## 6.2.0 Consideration No 1: Principle / Green Belt

### 6.2.1.0 Policy Context

6.2.1.1 How Wood is identified in the Adopted Local Plan as a Specified Settlement. Whilst it is acknowledged that the Site is located beyond the *defined* settlement boundary within the Green Belt, LP Policy 2: 'Settlement Strategy', supports the principle of residential development within Specified Settlements. It states that proposals in specified settlements must *'be compatible with the maintenance and enhancement of their character and Green Belt boundaries'*. It notes that in particular, *'infill housing development will be permitted only where consistent with this approach'*.

6.2.1.2 The most up-to-date policy position regarding the Green Belt however is provided by Section 13 of the NPPF (2024). Paragraph 142 states that the fundamental aim of Green Belt policy *'is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'*. To this end paragraph 143 identifies five purposes served by the NPPF:

*"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."*

6.2.1.3 In respect of proposals affecting the Green Belt, paragraph 153 of the Framework states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 154 continues that LPAs should generally regard the construction of new buildings as inappropriate in the Green Belt, unless it relates to one of 7 identified exceptions, labelled a) to g). Of relevance to this proposal are the following:

*"e) limited infilling in villages;...*

*g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*

6.1.1.4 In addition, paragraph 155 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. (NB: The Golden Rules apply only to major residential development so are not relevant on this occasion)*

6.1.1.5 The glossary to the Framework defines Grey Belt as follows:

*“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.”(See paragraph 6.1.2.2 above)*

6.2.1.6 SSPNP Policy S1 (Location of Development) states that residential development which meets the exceptions to inappropriate development in the Green Belt set out in the NPPF will be supported.

#### 6.2.2.0 Evaluation

6.2.2.1 It is considered that the proposal to replace a mobile home, itself a replacement of a long standing chalet style dwelling, can be readily supported as **not** inappropriate development in the Green Belt, falling within the parameters of the 3 exceptions identified by the NPPF noted above, as detailed in turn below.

6.2.2.2 **1. Limited Infilling in Villages** In considering whether the proposal falls within this exception, it is noted that:

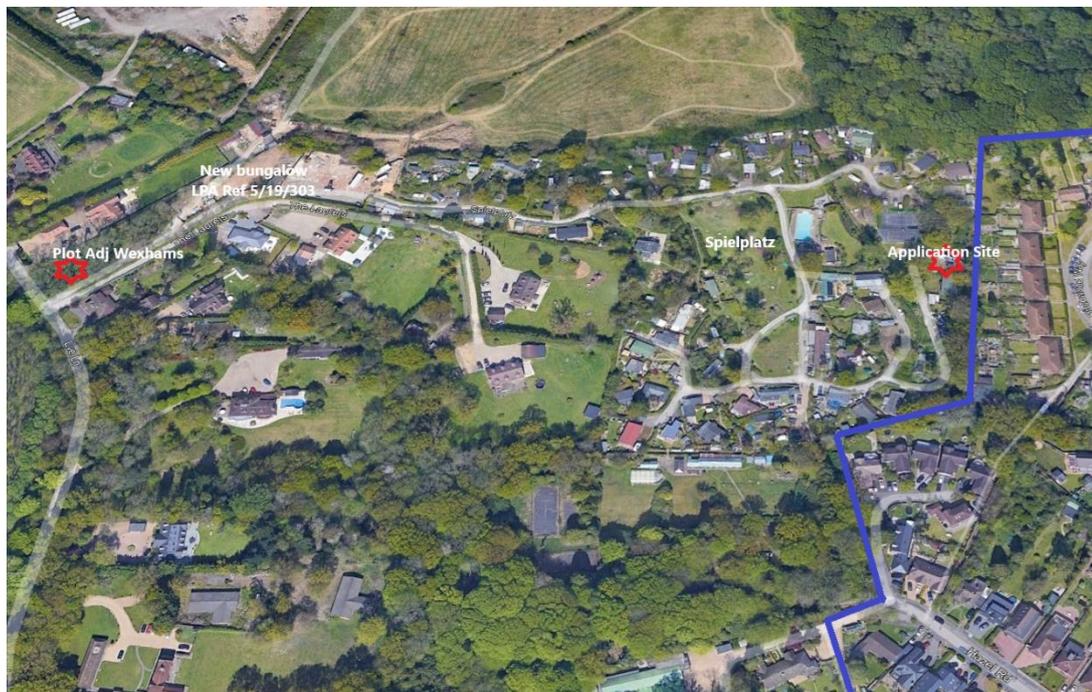
- No definition is provided in the NPPF of ‘*limited infilling*’, such that this is a matter of planning judgement.
- There is **no** requirement under criterion e) for limited infilling in villages to either preserve the openness of the Green Belt, or to **not** conflict with the purposes of including land therein.

6.2.2.3 With reference to the above policy context, the acceptability of the principle of the proposed development rests on a consideration of the following 2 factors:

1. Is the Site located within the settlement?
2. Does the proposal constitute limited infilling?

6.2.2.4 **Factor 1: Is the site in the settlement?** As is now well established, the Court of Appeal judgement of *Wood v Secretary of State for Communities and Local Government and Gravesham Borough Council* ([2015] EWCA 195) sets out that the decision as to whether a site is ‘*within a village*’ must be made with reference to the specific features on the ground. While a Local Plan Policies Map may provide an indication, it is the specific features of the site and surroundings that must be considered. That this is the case was accepted by the Inspectors who have allowed recent appeals for detached dwellings at Land rear of Hawthorns, Roestock Lane, Colney Heath, and more pertinently at the very nearby land Adj. Wexhams, Lye Lane. Details of both are included in Section 3.3.0 above.

6.2.2.5 If the approach established by the above Court of Appeal judgement is applied on this occasion, it is clear, with reference to the aerial view below (Fig 6.2.2.5), that the Application Site comprises part of the extensive residential area to the west of How Wood village centre.



**Fig 6.2.2.5:** Aerial view of the site and surroundings

6.2.2.6 The location of the defined specified settlement boundary is indicated in blue on the image above. Whilst it is accepted that the existing development - including the Application Site - to the west of the defined boundary, is of a different, less suburban / uniform character and is of a more modest, single-storey scale, most settlements include different character areas, whilst Spielplatz clearly has a residential character. The Inspector who allowed the aforementioned appeal at land Adj. Wexhams, Lye Lane, AL3 3TB, accepted that this was the case. Indeed, on this occasion, by comparison the Application Site is much better related to the defined How Wood settlement boundary as demonstrated by the above image and forms a more integral part of the immediately surrounding residential area. It is thus considered

that the extent and character of this area; and its proximity to the defined settlement boundary, demonstrates that the Site patently forms part of the village as judged on the ground, irrespective of the location of the Development Plan boundary.

6.2.2.7 **Factor 2: Does the proposal constitute limited infilling?** Whilst as noted above, no definition is provided of limited infilling in the NPPF or development plan, on this occasion it must be the case that the proposal would qualify as such, by virtue of the character of the site and its surroundings and the scale of the proposal as noted:

- Whilst not currently occupied by a permanent building, the permanent residential use of the Site has been established since the 1970s.
- The site comprises a modest, pre-existing plot, the extent of which is established by existing landscape features and fences, and which includes areas of hardstanding, ancillary storage buildings and a car port.
- The site falls within a residential frontage formed along the eastern boundary of Spielplatz, with the majority of the neighbouring plots to the north and south occupied by permanent dwellings.
- In addition, the site is contained by the 2-storey flatted properties to the east fronting onto Birchwood Way, whilst to the west there are further permanent chalets within the wider Spielplatz site. To the north-west are the communal sports courts and outdoor swimming pool utilised by the Spielplatz community.
- The proposal is for only one dwelling and so under any definition must be considered to be limited.

6.2.2.8 In all the above circumstances, it is considered that the development of this modest village site, enclosed on all sides by residential development, reflective of the surrounding pattern and density of development and with no encroachment into the wider area of open countryside beyond the established lines of development, would clearly constitute limited infill development in accordance with NPPF paragraph 154, exception e).

6.2.2.9 **2. Limited Infilling or the Partial or Complete Redevelopment of Previously Developed Land**

Whilst not occupied by a permanent dwelling, much of the Site is set to hardstanding, with a long established use for the stationing of a mobile home. It is thus considered that the site constitutes Previously Developed Land (PDL). As a result of the recent revisions to the NPPF, (paragraph all redevelopment proposals need now only demonstrate that they would **not** result in **substantial** harm to the openness of the Green Belt. In the context of the existing use; the single-storey, modest scale of the proposal; the degree of existing screening; and the containment on all sides provided by the neighbouring properties within and beyond Spielplatz, the proposal would result in only a negligible impact to the openness of the Green

Belt. In these circumstances, the proposal would clearly also comply with NPPF paragraph 154, exception g).

6.2.2.10 **3. Grey Belt** Finally, it is considered that the proposal can also be justified as an exception to the normal policy of restraint under the relevant criteria of paragraph 155 of the Framework as follows:

- a. The land is considered to comprise Grey Belt as defined by the glossary to the Framework. As noted elsewhere, the Site comprises PDL, whilst as a part of the Spielplatz community, adjoining a wider residential area, it is surely beyond dispute that the site does not contribute strongly to any of the purposes of the Green Belt. Indeed, it is considered that the Site makes only a negligible contribution, being so clearly distinct and divorced from any areas of open countryside.
- b. There is a demonstrable need for housing in the District. The Council's latest Monitoring Report (2023) identifies only a 1.9-year supply of deliverable housing land set against the 5-year requirement of the NPPF. In addition, the latest Government Housing Delivery Test figures show that the only 52% of the housing requirement for the 3-year period from 2020/21 to 2022/23 was delivered.
- c. In considering whether the development would be in a sustainable location for residential development, there can be no issue on the basis that:
  - the Site has an established residential use;
  - the plot forms part of the established Spielplatz community and will enjoy access to the existing communal facilities; and
  - the Council have approved other nearby proposals for residential development, such as that adjacent to the Spielplatz Reception Building (LPA Ref 5/19/3030), whilst neither the Council nor the Planning Inspector raised any such issue in relation to the allowed appeal proposal for a single dwelling on land adj. Wexhams, Lye Lane.

### 6.3.0 Consideration No 2: Layout & Design

#### 6.3.1.0 Policy Backdrop

6.3.1.1 In general design terms NPPF Section 12 - Achieving well-designed places - states at paragraph 130 that planning policies and decisions ensure that developments - amongst other things – should: add to the long-term quality of the area; be visually attractive; be sympathetic to local character and history, including the surrounding built environment and landscape setting; and with a high standard of amenity for existing and future users.

6.3.1.2 With regard to the Development Plan, LP Policy 69 (General Design and Layout) requires that new development has regard to the context of the area. Policy 70 (Design and Layout of New Housing) reiterates this requirement and further states that the design and layout of buildings should create safe, attractive spaces of human scale. Policy 70 and the LPA's Residential Design Guidance also set out residential design standards. SSPNP Policy S5 (Design) requires that all developments must be '*visually attractive, designed to a high quality*' and should '*maintain or enhance the character of the area*'. SSPNP Policy S3 (Character of Development) requires that development should conserve and where practicable enhance the character area in which it is located. It continues that the design of new development should demonstrate how it has taken account of the local character and '*reflected the character and vernacular of the area, using architectural variety in form and materials.*' It also requires that development on the rural boundary edge '*should mitigate any detrimental visual impacts on the countryside.*'

#### 6.3.2.0 Evaluation - Context

6.3.2.1 In compliance with the above requirements the proposal has been carefully designed to relate well to the surrounding pattern of development as follows:

- **Layout** The layout reflects that existing, maintaining a comparable plot to floorspace ratio as that existing and that found on the neighbouring plots.
- **Scale & Appearance** The simple, single-storey, compact form of the proposal and its modest scale, wholly reflects the character of the dwellings to the neighbouring plots.
- **Landscaping** The proposal would not result in the loss of any significant landscape features, thus preserving the verdant setting off the site.

### 6.3.3.0 Evaluation – Residential Amenity

6.3.3.1 The table below sets out how the proposal will ensure an acceptable standard of environment for existing and prospective residents in accordance with national and local adopted amenity standards for residential development.

**Fig 6.3.3.1:** Assessment of residential amenity against adopted standards.

Issue	Assessment
<b>Privacy &amp; Orientation</b>	<p>Within Spielplatz, the single storey form of the proposed and neighbouring properties and the existing plot screening will ensure that an acceptable standard of amenity would be achieved.</p> <p>Beyond the site, the proposed chalet would not face directly towards the rear of the 2 -storey properties to Birchwood Way, whilst a separation distance of over 30m would be achieved, thereby exceeding the requirements of LP Policy 70.</p>
<b>Internal space</b>	<p>The dwelling would have a gross internal floor area of around 70m<sup>2</sup>, thus significantly exceeding the 50m<sup>2</sup> requirement for a 1 bed/2-person dwelling provided over 1 floor, specified in the Government’s nationally described space standards.</p>
<b>Amenity space</b>	<p>The Council’s Residential Design Guide advises that for houses, 40m<sup>2</sup> private garden space should be provided for the first bedroom with a further 20m<sup>2</sup> for other bedrooms. The proposed 1-bedroom dwelling would be provided with a rear garden area significantly in excess of 40m<sup>2</sup>, so as to comfortably meet this requirement. Account should also be taken of the close proximity of communal sports facilities and open space within Spielplatz.</p>
<b>Defensible Space</b>	<p>In compliance with Criterion (x) of Policy 70, the dwelling is set well back from the road, so as to ensure a good level of privacy/security and allow ample space for landscaping and personalisation.</p>

6.4.0 **Consideration No 3: Movement**

6.4.1 In the light of the existing residential use of the Site, the provision of a permanent 1-bedroom dwelling, utilising the existing access arrangements, and maintaining the existing parking space, would have a neutral impact on highway safety and capacity, in accordance with NPPF paragraphs 115 to 116.

## 6.5.0 **Consideration No 4: Environment**

### 6.5.1.0 **Ecology**

6.5.1.1 Paragraph 180 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. On the basis that the proposed chalet would utilise the existing area of hardstanding and that there would be no loss of any significant landscape features, the proposal would comply with the above policy requirements.

6.5.1.2 In the above circumstances, the proposal is also considered to be exempt from the mandatory biodiversity net gain (BNG) requirement as it would fall below the threshold. It would also be exempt on the basis that it comprises a self-build project on a site of less than 0.5ha.

### 6.5.2.0 **Flood Risk / Drainage**

6.5.2.1 The Site is located within Flood Zone 1, wherein all forms of development are acceptable. It is also not in an area identified as being susceptible to surface water flooding. The scale of the proposal will ensure that the proportion of the Site occupied by new buildings and hardstanding will remain modest, such that no significant drainage issues are anticipated either within or beyond the Site.

## 7.0 CONCLUSIONS

### 7.1.0 Background

7.1.1 This Statement relates to a full planning application for the erection of a detached 1-bedroom chalet No 45A Spielplatz, Lye Lane, Bricket Wood, Herts, AL2 3TD, to replace the existing mobile home., itself the replacement of a chalet style dwelling. The proposal would be implemented as a self-build project by the applicant and her partner as long standing members and residents of this naturist community.

### 7.2.0 Principle – Green Belt

7.2.1 It is considered that the proposal can be readily supported as **not** inappropriate development in the Green Belt, falling within the parameters of the 3 exceptions identified by the recently updated NPPF as follows:

1. **Limited infilling in Villages** A recent appeal decision has established that the Site falls within an area characterised as a settlement. Moreover, the Site is enclosed by residential development on all sides and the proposal is reflective of the surrounding pattern and density of development and with no encroachment into the wider area of open countryside beyond the established lines of development. Accordingly, it would clearly constitute limited infill development in accordance with NPPF paragraph 154, exception e).
2. **Limited Infilling or the Partial or Complete Redevelopment of Previously Developed Land** The site constitutes Previously Developed Land and in the context of the existing use; the single-storey, modest scale of the proposal; the degree of existing screening; and the containment on all sides provided by the neighbouring properties within and beyond Spielplatz, the proposal would result in only a negligible impact to the openness of the Green Belt in accordance with NPPF paragraph 154, exception g).
3. **Grey Belt** Finally, it is considered that the proposal can also be justified as an exception to the normal policy of restraint under the relevant criteria of paragraph 155 of the Framework on the basis that it clearly comprises *Grey Belt*; would satisfy the demonstrable need for housing, given the significant identified deficiencies in supply and delivery; and in the light of the established residential use of the Site and its surroundings, it would be in a sustainable location for residential development, as is reflected by other recent decisions.

### 7.3.0 Layout & Design

7.3.1 The proposed layout, scale and character would ensure that the scheme relates well to its context whilst providing a good standard of environment for existing occupiers and prospective residents in accordance with local and national adopted standards for residential development.

7.4.0 **Movement**

7.4.1 In the light of the existing residential use of the Site, the provision of a permanent 1-bedroom dwelling, utilising the existing access arrangements, and maintaining the existing parking space, would have a neutral impact on highway safety and capacity, in accordance with NPPF paragraphs 115 to 116.

7.5.0 **Environment**

7.5.1 In accordance with Paragraph 180 of the NPPF the proposal would not result in any significant harm to biodiversity and would be exempt from the mandatory biodiversity net gain (BNG) requirement as it would both fall below the threshold and comprises a self-build project on a site of less than 0.5ha.

7.5.2 The Site is located within Flood Zone 1, wherein all forms of development are acceptable. It is also not in an area identified as being susceptible to surface water flooding.

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