

4/01352/11/MFA - DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF TWENTY SIX DWELLINGS WITH ASSOCIATED GARAGE/PARKING/CYCLE SPACES, FOUR BUSINESS UNITS, LANDSCAPING AND RESIDENTS ALLOTMENTS. FORMER EGG PACKING FACILITY, LUKES LANE, GUBBLECOTE, TRING, HP23 4QH. APPLICANT: TRUSTEES OF THE DEAN FAMILY.

[Case Officer - Joan Reid]

[Grid Ref - SP 90676 15207]

Recommendation

That determination of the application be **DELEGATED** to the Group Manager, Development Management and Planning, with a view to approval, subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

Summary of reasons to grant

The site is situated to the north of Lukes Lane and encompasses the former Lukes Farm Egg Packing plant, a large brownfield site within the rural area of Gubblecote, Tring. The redevelopment of this site which has been previously used for industrial purposes constitutes inappropriate development, however, it is considered that special circumstances exist to justify a departure from Dacorum Local Plan rural area restraint policies.

The existing site currently accommodates an array of unattractive, utilitarian, metal clad industrial buildings set within a large area of concrete hardstanding although partly screened the sites detracts from the quality and character of the area. The proposal will remove these unattractive structures and replace them with a more domestic scaled high quality residential development with improved landscaping and the provision of attractive open land areas. The development will be more in keeping with the surrounding residential development and will significantly enhance the overall appearance of the area.

In addition to the visual enhancements the scheme will offer other benefits namely significant reductions/improvements to the overall quantum of building on the site and openness of the area, provision of small employment uses on site, provision of 9 units of affordable housing, removing an industrial use which could cause significant highway difficulties on the surrounding road network and the provision of financial contributions towards local school improvements and sustainable transport measures.

It is considered the above matters provide the special circumstances to justify development in this area of development restraint.

Site Description

The application site is approximately 1.3 hectares contained within the Rural Area of Gubblecote. The site is located approximately 1km east of the village of Long Marston and 1.5km west of Marsworth. The site lies to the north of Lukes Lane, and there is a cluster of approximately 10 dwellings located immediately to the south of the site fronting onto Lukes Lane. Overall within the hamlet of Gubblecote there is less than 30 dwellings. The site is currently occupied by a number of large industrial units and an agricultural building to the east of the site. The site comprises an egg packing plant, which at its peak, approximately 12 years ago, the business employed approximately 150 staff. The egg packing plant has almost ceased in operation except for a small amount of employees (14/15 persons) still employed on the site. The site formerly was occupied as a large egg planting plant however due to the current economic times and poor transport linkages the egg planting plant has ceased business from these units. The footprint of the existing buildings on site amount to approximately 4,056sq.m and approximately 27,483cubic metres in volume providing a poor quality visual harshness to this rural setting. The site is accessed from Lukes Lane which is a narrow road subject to a 30mph speed limit which is not served by any footpaths.

The majority of the site is currently hard surfaced with some vegetation primarily to the rear and east of the site. A line of mature trees form a boundary around the site providing good ecological habits and screening.

Planning History

Informal pre-application discussions have taken place over the last number of years and the applicants have carried out extensive pre-consultation with both the immediate community and the parish council on a number of proposals for this site. This culminated in a full application being submitted in July 2011 under ref: 4/0135211/MFA for the site comprising 26 dwellings and 4 business units.

Proposal

This full application is for the demolition of the former industrial buildings including the barn to the west of the site and redevelopment of the site to comprise:

- A total of 26 residential units comprising a mix of 12 house types (The affordable housing provision of 35% on the proposed scheme of 26 homes will result in 9 new affordable homes comprising the following mix: 5 x 2 bed 4 person houses and 2 x 3 bed 5 person houses for rent and 2 x 2 bed 4 person houses for shared ownership).
- Four units comprising B1 use extending to a floorspace of 430sq.m
- Allotments to be provided for the residents of the development
- Extensive landscaping and open space
- 18 garages and 50 car parking spaces

The scheme has been designed to enable the dwellings to reach between level 3 to level 5 of the code for sustainable homes with a range of building types and materials. The buildings are designed in a way incorporating traditional forms and roofs together with a more modern architectural which allows the buildings to achieve CODE 5 sustainability rating. The buildings have also been designed to significantly reduce the footprint and built volume on the site, removing the harsh industrial existing industrial design of the site to a more open and green space area.

This application has been accompanied by the following documents:

- Development site Tree Report
- Preliminary Investigation and Risk Assessment
- Ecology Report (and updated version)
- Flood Modelling Report (and updated version)
- Transport Statement
- Landscape Assessment
- Design and Access Statement
- Marketing Report

Referral to Committee

The application is referred to the Development Control Committee as it is a departure from the Local Plan.

National Policy Guidance

Draft National Planning Policy Framework

Existing PPGs and PPSs remain in force until formally superseded by the National Planning Policy Framework (NPPF). The draft is a material planning consideration.

PPS1, PPS3, PPS5 *PPG13*
Circular 11/95,

East of England Plan

Policies SS1, ENV6, ENV7, ENG1

Dacorum Borough Local Plan

Policies 1, 3, 7, 9, 10, 11, 12, 13, 16, 18, 20, 21, 20, 31, 43, 51, 54, 55, 57, 58,
59, 70, 73, 99, 107, 118, 120, 122 and 124
Appendices 1, 3, 4, 5, 6, 8

Core Strategy Sept 2011

CS1, CS2, CS3, CS4, CS9, CS10, CS11, CS13, CS17, CS19, CS27, CS29,
CS31 and CS35

Supplementary Planning Guidance

Environmental Guidelines

Advice Note on Achieving Sustainable Development through Sustainability Statements

Accessibility Zones for the Application of Parking Standards

Advice note on affordable Housing

Representations

Comments received from local residents and consultees are provided at the end of this report.

Considerations

Land Use and Policies

In assessing this application the starting point for consideration is the sites policy context. Within the Dacorum Borough Local Plan 1991-2011 the application site is located within a Rural area wherein the following forms of development are acceptable:

- a) Small scale building for agricultural, forestry, mineral extraction, countryside recreation uses and social, community and leisure uses;
- b) Replacement of existing houses
- c) Extensions to houses
- d) Development at selected villages under policy 8; and
- e) Small scale development or redevelopment on land with established employment generating uses under policy 34.

This Policy is effectively replicated in the Pre-Submission Core Strategy (Policy CS6)

The proposal clearly does not fall within any of the above categories and therefore if supported would depart from the adopted DBLP 1991-2011.

The site does not form part of the protected minimum employment supply in the adopted local plan. Policy 34 of the Adopted Plan accepts that employment sites, which do not cause environmental problems, can be redeveloped for commercial purposes provided there is no undesirable impact on adjoining properties/surrounding area and the site is not extended.

Policies 16, 18, 20 and CS17 and CS19 have regard to the supply and type of new housing and the provisions of affordable housing. The Draft Core Strategy indicates that on Rural sites 35% of new dwellings should be affordable homes

Highway design and improvements together with traffic management are covered by Policies 54, 55 and 57 whilst issues of private and public parking are dealt with under Policies 58 and 59.

The issues of building within a flood risk area, an area of archaeology and the adjacent conservation area are dealt with under Policies 107, 118 and 120 respectively and CS27 and CS31 of the Draft Core Strategy.

Policy 34 of the Dacorum Borough Plan indicates that established employment generating sites in the Rural Area which do not cause environmental problems and provide local employment opportunities will be protected from change to non-employment generating uses unless satisfactory replacement opportunities are provided. Otherwise alternative non-employment development of a site will be accepted if the proposal accords with the development strategy (policies 2-8) and Urban Structure (policy 9) where appropriate.

Policy 7 of the local plan indicates that new building will be permitted in the rural area where is it small scale development or redevelopment on land with established employment generating uses.

Loss of existing and proposed employment Use

The scheme proposes the loss of 4,056sq.m of employment floorspace (Use Class B2) and development of 430sq.m of office/light industrial (B1) units. The loss of employment floorspace within the rural area is generally unsupported by the policies of the local plan unless the existing use causes environmental problems. As policy 34 of the Dacorum Borough Local Plan seeks to safeguard established rural employment and therefore there is an onus on the developer to make a case that the loss of this employment use is justified.

The applicant has provided details outlining the efforts made to market the existing employment space over the last 4 years. The buildings have been extensively advertised since 2007 including on a billboard located at the current site entrance and it is evident from the submitted documents that the applicant has made a genuine effort to market the site in order to retain its employment use. The applicant has indicated that no serious prospective alternative employment occupier of the site has come forward and has indicated that there were only some enquiries from a skip handling company and a pallet storage, distribution and haulage operation. The applicant has indicated that it is their opinion that the poor market response is not limited to the specific construction of the buildings and their limited suitability to alternative uses, but also as a result of the isolated location of the site and the limitations for businesses gaining access to the site due to the unsuitability of the road network for large vehicles and carriers.

It is accepted that genuine efforts have been made to market the employment space and no serious interest has been put forward that wouldn't cause the potential for further environmental problems for the rural setting (skip handling/distribution centre). It is also recognised that other employment uses other than office and residential could occupy the site without requiring planning permission which may result in a return to heavy traffic movements to and from the site and environmental impact such as noise, nuisance, and smells. It is therefore considered that the use of this land for a large industrial is not the most suitable or practicable use due to its isolated setting and that the partial change of use to residential is in principle supported by the Council for the following reasons:

- Retention of 430sq.m of office/light industrial floorspace allowing potential for local residents to gain employment close to their homes;

- Reduce the opportunity for more environmentally harmful employment uses to occupy the site
- Reduction overall in traffic movements to and from the site associated with the established employment use;
- Marketing of existing employment space has been unsuccessful resulting in a mostly redundant building.

Finally, the retention of small office/industrial units are welcomed. These business units are to be entirely self-contained with access gained from the East Elevation to a central lobby allowing the units to be let on a floor by floor basis and subdivided into small workable units. Each unit is to have an up and over door of 2.6m in height and 3m width on the east elevation allowing the ground floor to be used for light industrial purposes. A total of 10 car parking spaces have been allocated to the 2 proposed two units.

The applicant has submitted details on the strategy and initiatives proposed to market the employment units. The information details the intention to market the units within a small geographical radius however do indicate that details of the units will be circulated to commercial property agents in the locality and within the London area. The units are intended to be marketed in both the Hemel Hempstead Gazette and Herts Advertiser and Watford Observer local papers as well as erecting an advertising board at the property. Other measures include adverting the units on the EG property link and ensuring that the units are Energy Performance Certified.

There has been concern from local residents that the employment units could be used for further residential at a later stage. Any change of use of these units will require planning permission and will need to be considered on its planning merits planning. However, considering the current policy (policy 34) which seeks to retain employment uses within the rural area, a change of use of the proposed business units is unlikely to gain planning consent especially as these are integral to the acceptability of the proposed residential units on the site.

Density of residential development

One of the prime concerns relating to this development is the density of development at 26 new dwellings and its overall impact on the surrounding rural community. The density of the development to include 26 new dwellings has been guided by both national and local policies of the local plan, PPS3 and also local and site circumstances and characteristics.

Policy 18 of the DBLP indicates that a range of dwellings in size and type will be encouraged with a need to provide accommodation for new, small households, floor area of individual buildings, the density and character of development that is suitable for that area and the client group for whom the dwellings are intended.

Policy 21 of the local plan indicates that there should be careful consideration of the density of all new housing proposals to ensure that they make the most efficient use of the land available. Densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net and proposals which have a density of below 30 dwellings per hectare net should be avoided. For sites outside an urban area, special attention will be paid to the effect of development density would have on open countryside and views. In such locations proposals will be expected to retain existing trees and hedges and incorporate landscaping.

The density of the scheme has been guided by both a requirement to make the best use of land and providing new homes whilst ensuring that the special characteristics of the area will not be adversely impacted by the proposals. The provision of 26 new homes would be below the recommendations set out above in Policy 21 however this number allows the site to retain a very open and rural setting and allows the provision of 9 new affordable homes which is a key benefit of the scheme. Whilst it is accepted that the parish plan indicates that

developments of more than 10 dwellings should be avoided, it is considered that the clear reduction in built floorspace together with the significant reduction in traffic and heavy traffic movements associated with the established employment use, it is considered that the proposed number of dwellings achieve a balanced approach to both achieving a high level of quality new homes whilst respecting the rural nature of the area.

Design, layout and Open Space

a) Volume of and footprint of buildings

The volume and footprint of the existing buildings (27,483 cubic metres) has been significantly reduced on the site to just over 16,000 cubic metres resulting in an overall reduction of 43% across the site. The total reduction of footprint across the site has been reduced by 47% and overall it is considered that the proposals are a significant visual improvement to this rural setting.

b) Site Layout

The proposal includes a broad range of unit types, sizes and materials across the site which has been positioned to create a central green core dividing the site and linking Lukes Lane to the open field to the north which allows views through to the open countryside. The dwellings are sited around a central open space which contained a large balancing pond which provides for recreational amenity and SUDS water management. The dwellings are sited as to allow for southern orientation of living spaces and it was the aim of the applicant to allow as many units as possible to have a mix of private/secure external spaces and private garden facing onto the open shared space. The positioning of the dwellings around the central open space, it is considered allows a particular open feel to the development.

It was requested that the open space be used as public amenity space however the applicant has considered this suggestion not suitable for the following reasons:

- The security of the development generally, and that of the properties immediately bordering that open space area in particular, would be compromised to a greater degree than if the area remains within the jurisdiction of a Residents Management Company.
- Any such public use could not fail to generate a demand and need for vehicle parking – being a need which cannot readily be met whilst maintaining the rural idiom and character which are at the heart of the design solution which has been adopted here.
- For the same reason, and upon the same basis, any such public use would generate additional extraneous traffic movements.
- Any such public use will create inescapable maintenance, management and other costs, which need to be assessed very carefully and critically in the current economic climate, and the straitened circumstances which apply to all local authority budgets.

It is the intention of the applicant to vest this ownership, management and maintenance of the open space with a Residents management company. A management plan setting out the particulars of the management of the open space will be requested by condition should the application be granted.

c) Height and design of dwellings

The design and access statement indicates that the mix of dwellings has informed the massing of buildings and that majority of the units are based on simple 'cottage' type designs and groups which have been clustered or terraced together in order to provide clear forms of development whilst ensuring the spread of built form is kept to a minimum. The layout includes one longer curved crescent form building, which has been inspired from a number of other buildings evident throughout the Chilterns. This curved building still can take advantage of south facing solar gain and utilises solar spaces on the first floor living accommodation. The terraced forms also assist with the thermal performance of each dwelling. Concern has been raised from local residents about the height of the buildings and that they are not in keeping with the character of the area.

The conservation officer has indicated that they are concerned about the height of Unit P as it is over tall for a barn like building and in addition suggests that the gable on the southern elevation is dominant and would benefit from being lowered.

It is proposed that roof forms will be predominately of natural slate however as a result of comments from the conservation officer, a condition will be imposed requesting that all materials are to be submitted and agreed should the application be granted. The roof profiles are predominately pitched whilst a number of buildings incorporate flat roofs behind brick parapet walls to allow for Green Roofs and these will incorporate provision for solar panel installations.

Majority of the walls are constructed from local brick with lime mortar and the use of black painted shipped timber is used to break up the solid walls. Detailing of buildings have been kept to a simple design including brickwork and cladding being the main emphasis. As mentioned earlier should the application be granted a condition requiring all materials to be submitted and approved will be imposed.

The proposed development will result in significant visual improvement to the site. The site cannot be seen from any public footpaths or rights of ways and the overall reduction in the scale and footprint, together with removal of the hardstanding altogether ensures that the site will be significantly visually enhanced.

It is considered that the outlook of the properties on Lukes Lane will be improved as a result of the removal of the large buildings on site and replacement with quality landscaping and designed buildings.

Subtle lighting is proposed which will reach secure by design standards and also be in keeping with the rural setting of the site. A condition restricting details of lighting will be imposed should planning permission be granted.

The conservation officer has expressed concern at the pepper potting of bin/bike and storage shed in the front garden area as it clutters the streetscene. It is also noted that the conservation officer has suggested that the live work units be brought flusher with the site entrance to give a stronger townscape definition.

d) Tree Planting

Tree Planting has been largely located within the green core and around the site boundary and much of the existing native hedgerow has been retained in order to conserve the ecological and landscape character. The black poplar located to the north of the site will also be retained. New tree and shrub planting throughout the site will soften the built form, and significantly enhance the green character of the site from its present state. This additional tree and shrub planting will also encourage new habits throughout the site.

The balancing pond will attenuate run-off from the new access road and driveways, and run off

from the surrounding green space. The edges of the pond will be planted with native vegetation. The pond is intended to provide a local visual amenity resource and a valuable wildlife habitat.

The Dacorum landscape Character Assessment Guidelines the following measures which have carefully integrated into the design and layout of the proposal.

- To support the conservation and development of the local black poplar population
- To ensure the built development is integrated through use of native tree and shrub species and creation of hedging and planting to the perimeter
- To create new ponds
- To promote the creation of new orchards

Access, Parking and Highways

The application site is accessed from Lukes Lane a relatively narrow country Lane in the rural area. Similarly the surrounding road network is characterised by narrow roads with generally poor visibility and junction alignment.

The application is supported by a Transport statement which has provided indications of likely vehicular movements for the current lawful industrial use of the site.

The site previously operated as an egg packing plant and at its peak the business employed approximately 150 staff with a total of 18 rigid and 4 articulated lorries based at the site collecting and delivering eggs. Whilst it is recognised that operations have scaled down over the years, it is still clear that the established use on the site is capable of significant heavy transport movements to and from the site which has been the case for many years.

The Transport Statement suggests that the existing commercial use of the site would generate traffic flows of 65 and 46 trips during the morning and evening peaks respectively. It is estimated that the existing use of the site might generate around 260 daily vehicle movements. The statement also indicates that the use is likely to generate some 35 peak hour vehicle movements of which 12% would be by commercial vehicles/HGV'S.

Hertfordshire Highways have accepted that the proposals will generate fewer trips than the existing use and the number of heavy vehicles using the surrounding road network will be significantly reduced.

In terms of access arrangement, the proposal will include permanent stopping of the two existing vehicular accesses onto Lukes Lane and introduce two new accesses in slightly different positions. Hertfordshire Highways have indicated that the applicant has demonstrated that the scheme can achieve sufficient visibility splays and any area of land within the splays that form part of the application site will be dedicated as public highway. The internal road layout will remain private which is accepted by the Highway Authority.

In terms of parking provision, appendix 5 of the local plan sets out the following maximum car parking standards

- 2 bedroom dwelling – 1.5 spaces
- 3 bedroom dwelling – 2.25 spaces
- 4 or more bedroom dwelling – 3 spaces
- B1 (offices) – 1 space per 30sq.m gfa

B1 (b)(research) – 1 space per 35sq.m gfa
B2 (General industrial) – 1 space per 50sq.m gfa

The scheme proposes the following parking provision:

- 50 car parking spaces and 18 garages to be used for residential dwellings and business units
- 5 light goods vehicles spaces
- 2 cycle spaces per dwelling.

The number of car parking spaces is considered appropriate for this development considering its relatively car dependent nature and isolated location. The layout of the car parking contained both within garages and designated car parking space has been carefully considered to ensure that the open nature of the site is safeguarded whilst allowing practicable and secure provision of spaces which can be viewed from residential properties.

There are several options available that could help link the site to the surrounding area to help reduce residents and employees dependence on using the private car. Firstly, there are several bus routes that operate along the Tring Road through Gubblecote. The 164 Aylesbury-Leighton Buzzard and 167 Ivinghoe-Leighton Buzzard of which the 167 is only x1 each direction Tues only, the 164 runs Mon-Sat but the timetable is rather irregular. Normally the highway authority would suggest that upgrading the bus stops or increasing the frequency of the services could help improve the sites sustainability. The second option suggested by a resident is the introduction of a footway to link the site to Long Marston which appears to be the nearest settlement and also offers some local facilities including a primary school. Unfortunately, although Long Marston is the nearest settlement it is still approximately ½ a mile from Gubblecote and the cost of a footway between the two will be prove very expensive. There is also the need to consider the visual impact of the footway, particularly in Gubblecote where the attractive verge opposite the cottages will need to be reconstructed to incorporate the 1.8m wide footway. From a technical point of view there will also be some difficulties negotiating the streams that run very close to the edge of the carriageway throughout Lukes Lane and along the Tring Road.

The highway authority has requested a contribution towards sustainable transport in line with the HCC Planning Obligation Toolkit tariff rate (£34,250). This contribution could be used towards either a new footway or improvements to the bus service or infrastructure. However, the likelihood is additional money will be required to fund either the footway or a long term increase in bus frequency.

In access/highway terms it is considered that the proposal will offer significant highway benefits against an alternative commercial re-use/redevelopment of the site. Although it is recognised that the site is not particularly well served by public transport it should be recognised that it is located only 1km from Long Marston and 1.5km from Marsworth.

It should be noted that any commercial redevelopment of the site would similarly be highly dependant on car access

Management of Flood Risk

The site is located within Zone 1 flood area which is deemed to have a low probability of flooding however a watercourse is located near to the site. An initial flood Risk assessment was submitted by the applicant however following an objection from the Environment Agency, an updated Flood Risk assessment was submitted. As a result of the more detailed

submission, the Environment Agency raise no objection to the scheme however the EA have set out a number of conditions to be imposed should permission be granted.

Affordable Housing

The current adopted plan does not require the provision of affordable housing in locations outside the key towns and villages of the Borough. However, the Pre-Consultation Core Strategy (PSCS) states that affordable homes will be provided:

- on sites of a minimum size of 0.3ha or 10 dwellings (and larger) in Hemel Hempstead; and
- elsewhere on sites of a minimum size of 0.16ha or 5 dwellings (and larger)

A total of 35% of the new dwellings should be affordable homes.

The application proposes the provision of a total of 9 affordable housing units which equates to 35% of the total housing provision and accords with the PSCS.

The current SPD plan seeks a tenure split of 75% affordable rent and 25% Shared Ownership, however, the Council can consider alterations to the tenure mix if it supports the viability of the scheme. In addition due to the introduction of new affordable housing products and central government financing arrangements it is likely that future housing developments are likely to have lower proportions of social rented property. In this particular case a viability assessment has been produced examining different tenure splits. It has been concluded that a mix of 7 affordable rented units, and 2 shared ownership dwellings is an appropriate mix for this site.

The Lead Officer (Housing Development) has confirmed satisfaction with both the amount and tenure of the affordable housing being offered as part of this proposal and has indicated that there is significant demand and a growing need for affordable housing, predominately rented accommodated within the Tring Rural Area. This has been further advanced by the Tring Parish Council housing needs survey which identified a need for 8 affordable housing units within the area in a report dated April 2006 which is now likely to be growing.

The applicant has submitted a letter from Hastoe Housing Association which indicates that they would be mindful to manage the provision of affordable housing units should planning permission be granted.

Sustainability

The sustainability of proposed developments is considered to be a primary element within the DBLP. In particular this development should pay due regard to Policy 1 (Sustainable Development Framework), Policy 122 (Energy Efficiency and Conservation), and Policy 124 (Water Conservation and Sustainable Drainage Systems).

Firstly, the design approach is also to allow more flexibility for future occupants to install on-site renewable technologies, such as solar panels, rather than to install them during the original construction of the houses. As virtually all the houses have south facing roof slopes it is considered that the introduction of solar thermal panels is not only feasible, but it is desirable. The applicants have provided no explanation as to why solar thermal panels have not been incorporated into their design, especially as the Energy Statement outlines no disadvantages to their use. It is considered that the approach 'we are providing the roofs, the future occupants can provide the panels' does not meet the Council's sustainability aims as outlined in Policies 1 and 123 of the DBLP. It is therefore recommended that a sustainability condition be added to allow for further negotiations on this matter.

Crime Prevention

The scheme puts forward a number of measures to prevent crime and increase safety within the site. The design and materials proposed for roads and footpaths within the site will follow Secured by Design (SBD) guidelines. New street lighting will be subtle in keeping with the rural setting however will be illuminated to comply with SBB standards.

Hertfordshire Constabulary have raised no objection to the proposals however seek further clarification on the boundary treatment with the existing properties on Lukes Lane. A condition will be imposed requesting details of this boundary treatment.

Contamination

Due to the existing land use, a preliminary Investigation and Risk Assessment has been submitted and this has been reviewed by Dacorum Contaminated Land officer. The Contaminated land officer has identified that the site is located within the vicinity of potentially contaminative former land uses and consequently as suggested that the standard contaminated planning condition be imposed.

Section 106

The developer has submitted a Draft Heads of Terms, in which they have agreed to make financial contributions, inter alia, towards highways improvements, affordable housing, education, sustainable transport. It is also anticipated that landscaping and tree management; measures will be agreed through a S106 agreement.

9 affordable housing units and following financial contributions have been negotiated.

Primary Education £81,078

Secondary Education £68,589

Youth £1,284

Libraries £4,600

Sustainable Transport contribution £34,250.

Habitat and Ecological Implications

In terms of the existing ecological situation both the submitted Ecology report and the County Ecologist have concluded that overall the proposal results in improvements to the ecological value of the site. The submitted ecology statement indicates that the loss of the existing mainly artificial habitats within the Farm will not have an adverse impact on the integrity of the ecosystems and overall the proposal to include open space, pond and allotments will be of a positive biodiversity benefit. The report includes mitigation recommendations to mitigate the important ecological features on sites, which will be required by means of planning condition should the application be granted.

The enhancement of the hedgerow network is welcomed and it is recommended that owl boxes be up to compensate for any disturbance to the nesting. This requirement will be dealt with by condition. Installation of bat boxes will also be required by condition to compensate for any potential to bat roosts. The retention of the trees which have high roosting potential is welcomed and reasonable.

Finally it should be noted that the redevelopment of the site, will result in a more ecological diverse and sustainable place than the existing site.

Special Circumstances

The Planning and Compulsory Purchase Act 2004 requires that planning determinations must be made in accordance with the plan unless material considerations indicate otherwise. The development proposed clearly conflicts with the Rural Area policies of both the Adopted Plan and the Pre-Consultation Core Strategy. In order to support the proposal the local planning authority needs to be satisfied that special circumstances exist to override the policy presumption against development. The circumstances put forward relate to visual improvements, improvements to openness, sustainability, alternative uses, highway benefits, provision of affordable housing, ecological improvements and Section 106 contributions.

a) Visual improvements

The existing site currently accommodates an array of unattractive, utilitarian, metal clad industrial buildings set within a large area of concrete hardstanding although partly screened the sites detracts from the quality and character of the area. The proposal will remove these unattractive structures and replace them with a more domestic scaled high quality residential development with improved landscaping and the provision of feature open land areas. The development will be more in keeping with the surrounding residential development and will significantly enhance the overall appearance of the area.

b) Improvements to openness

The proposal will significantly reduce the quantum of development and on the site in terms of both floorspace and volume (reduction of 47% footprint and 43% in volume). The current floorspace is 4,514sq.m and volume is 27,483cubic metres compared to the proposed floorspace of 4,514 and 16,000cubic metres in volume of the proposed buildings. In addition the scale, height and form of the buildings are far less bulky and will therefore appear less prominent in the landscape.

c) Sustainability

The application will make positive use of a previously developed site. Although locationally the site is not ideal-in that any use either commercial or residential will be largely car dependant, it will offer the opportunities for residents to rent/own on-site commercial premises thereby potentially reducing the need to travel to work. In addition the houses have been designed in terms of their layout, orientation and construction to provide high standards of sustainability with units being designed to achieve ratings of 3-5 in the Code for Sustainable Homes.

d) Alternative uses

Although the redevelopment/re-use of the existing industrial development may well be acceptable in policy terms it is not an appropriate location for an industrial development of this scale. The principal reason for this view is the inadequacy for the surrounding road network to facilitate the movement of HGV. Surrounding roads are generally narrow with poor visibility and manoeuvring space. The proposed largely residential scheme would clearly reduce Heavy vehicles movements and would be more appropriate in highway terms offering highway safety advantages.

e) Affordable Housing

The proposal will help to deliver a total of 9 high quality affordable dwellings. The Lead Officer for Housing has confirmed that there is a pressing need for additional affordable dwellings in this rural area of the Borough.

f) Ecological improvements

The scheme proposes the introduction of both communal and private open space together with a central pond and vegetation which is considered to significant biodiversity and ecological benefits. The allotments towards the rear of the site will also increase natural habitats on the site and the scheme retains as much of the existing hedging and trees as possible including the black poplar trees.

Responses received from local residents and Consultee comments

Tring Rural Parish Council

No objection to the planning application although concerns have been raised regarding traffic particularly turning right into Lukes Lane, the capacity at Long Marston JMI School; the dangers associated with increased numbers of pedestrians walking along Tring Roads to Long Marston where there is no footpath. The Council trust that these concerns are being taken into account during the decision making process.

Objections raised by local residents and other interested parties

A petition has been signed by 13 local residents expressing their concern about the scale of the development. The petition indicates that these local residents support the principal of the residential development on the site however ask that community needs are considered in determining the application and that the rural nature of the area is retained. The local residents who signed the petition ask for a reduction in the size of the development and that changes to the layout and design in order to reflect the rural location and minimise the impact on adjoining homes. The residents have also asked that issues of highways, schooling and community facilities in the parish are considered in the determination of this application.

- Character of area will be changed by size of development
- Inaccurate consultation
- Proposal does not take into account the local environment or the infrastructure needed for a development of this size.
- Development would double the size of the hamlet
- Narrow roads and bridges leading to the site
- Adjoining network has been the scene of a number of road accidents over the previous number of years.
- Similar relationship to proposals at Marsworth Airfield
- Previous applications in the vicinity have rejected large housing developments due to inadequate road network, access and poor amenities.
- Inadequate School Places
- No account taken of local plans including the parish plan which indicates that development should be restricted to 10 units on any site.
- Parish Council failed to note opposition to the scheme at parish council meetings
- Type and design of dwellings

- Concern that employment units will be changed into residential units
- Number of affordable homes
- Location of proposed affordable homes in isolated location
- Height of residential dwellings
- Size of development would devalue locals properties

Letters of Support

- Support of affordable housing units
- General support of changing the use of land to residential
- Support to the reduction of heavy vehicle movements to and from the site

Statutory Consultee responses

Hertfordshire Highways

Notice is given under article 10 of the Town and Country Planning (General Development Procedure) Order 1995 that the Hertfordshire County Council as Highway Authority does not wish to object to the grant of planning permission.

Background: The site currently operates as an egg packing plant. At its peak the business employed approximately 150 staff. A total of 18 rigid and 4 articulated lorries were based at the site which were used to collect eggs from surrounding farms and distribute the packed eggs across the region. Operations on the site have scaled down over recent years

Existing situation: In the vicinity of the site Lukes Lane is subject to a 30mph speed limit. The road is approximately 5.5m wide and rural in character. Near to the western access there are several terraced residential properties immediately adjacent to the carriageway and grass verges are located along the southern side of the road. To the east of the site Lukes Lane becomes increasingly rural and the speed limit reverts back to the national speed limit.

Proposed Development: The proposal is for 26 dwellings and 4 work units. The residential proportion of the proposal will generate in the region of 20 vehicles in the peak hours and approximately 160 across the whole day. The work units will generate in the region of 34 vehicles in the peak hours and a total of 240 across the day. Generally, it can be accepted that the proposal will generate fewer trips than the existing use.

Access Arrangement: The proposal will include permanent stopping up of the two existing vehicular accesses onto Lukes Lane and introduce two new accesses in slightly different positions. The applicant has demonstrated that they can achieve sufficient visibility splays and any areas of land within the splays that forms part of the application site will be dedicated as public highway (Drawing No11026/101). The applicant has made no reference to the internal layout being adopted as public highway. The assumption is it will remain private.

Regarding parking, it is assumed the planning authority will apply the Dacorum Borough Council parking standards to the proposal.

Sustainable Transport Contribution: The applicant has applied the standard tariff rate to the proposal which equates to a financial contribution of £34,250.

- Conditions

If the Planning Authority are minded to grant planning permission the highway authority would recommend the following conditions.

Condition 1: Within 1 month of the new accesses being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up by removing the existing bell mouth and reinstating the verge and highway boundary to the same line, level and detail as the highway verge and highway boundary.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway user.

Condition 2: Before first occupation of the approved development, all access and junction arrangement serving the development shall be completed in accordance with the approved plans shown in principle (no11026/101) and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason : To ensure that the access is constructed to the current Highway Authority's specification as required by the Local Planning Authority and to comply with those policies of the development plan.

Condition 3: Concurrent with the construction of the access, visibility splays shown in drawing No. 11026/101 shall be provided and permanently maintained in each direction within which there shall be no obstruction to visibility between 600mm and 2m above the carriageway level or the areas will be dedicated as Public Highway.

Reason: To provide adequate visibility for drivers entering or leaving the site.

Condition 4: On site parking shall be provided for the use of all contractors, sub contractors, visitors and delivery vehicles engaged on or having business on site in accordance with details to be agreed in writing with the local planning authority, in consultation with the Highway authority, before the commencement of on site works.

Reason: In the interest of highway safety and efficiency.

Condition 5: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a condition such as not emit dust or deposit mud, slurry or other debris on the highway, in particular(but without prejudice to the foregoing) efficient means shall be installed prior to commencement of the development and thereafter maintained and employed at all times during construction of the development of cleaning the wheels of all lorries leaving the site

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

Hertfordshire Highways additional comments relating to sustainability

The above site is located in Lukes Lane in Gubblecote. It is located on the outskirts of the village where Lukes Lane is predominately rural in character. Between the site and the junction with Tring Road there are approximately 10 dwellings. A majority of the houses are located on the edge of the carriageway, opposite the houses there is an attractive grass verge and stream.

It is understood the planning authority has received enquires relating to the sustainability of the above proposal.

There are several options available that could help link the site to the surrounding area to help reduce residents and employees dependence on using the private car. Firstly, there are several bus routes that operate along the Tring Road through Gubblecote. The 164 Aylesbury-Leighton Buzzard and 167 Ivinghoe-Leighton Buzzard of which the 167 is only x1 each direction Tues only, the 164 runs Mon-Sat but the timetable is rather irregular. Normally the highway authority would suggest that upgrading the bus stops or increasing the frequency of the services could help improve the sites sustainability. The second option suggested by a resident is the introduction of a footway to link the site to Long Marston which appears to be the nearest settlement and also offers some local facilities including a primary school. Unfortunately, although Long Marston is the nearest settlement it is still approximately ½ a mile from Gubblecote and the cost of a footway between the two will be prove very expensive. There is also the need to consider the visual impact of the footway, particularly in Gubblecote where the attractive verge opposite the cottages will need to be reconstructed to incorporate the 1.8m wide footway. From a technically point of view there will also be some difficulties negotiating the streams that run very close to the edge of the carriageway throughout Lukes Lane and along the Tring Road.

The highway authority has requested a contribution towards sustainable transport in line with the HCC Planning Obligation Toolkit tariff rate (£34,250). This contribution could be used towards either a new footway or improvements to the bus service or infrastructure. However, the likelihood is additional money will be required to fund either the footway or a long term increase in bus frequency. At this stage the additional money may not be available.

Hertfordshire Constabulary

I have been able to look at the plans and documentation for the new development and am happy to see the development will be to Secured by Design and Code of Sustainable Homes standard. I am a little concerned with the boundary definition but do understand the rationale; however I would like a few more details of the boundary treatment with the existing properties on Lukes Lane.

In order for the development to achieve Secured by Design I will be looking for a completed application form which can be found on the SBD website www.securedbydesign.com and if the link to Professionals then to Guides & Publications, then to Design Guides there is a link to the Application Form which should be completed and sent to me at the address below.

Spatial Planning

The site has been subject to on-going discussions with officers over a number of years and the policy background is set out in these policy comments.

The starting point is that a residential scheme of this scale is not normally appropriate within the Rural Area (Policy 7) and the general need to safeguard established rural employment (Policy 34). Therefore, the onus is on the applicant to make a case that an exception to

adopted policy is justified.

We need to be satisfied that there was clear evidence to support the loss of the employment use in this location. Brasier Freeth have produced a report setting out the history of marketing and its outcome. They have concluded that there is a lack of demand for the commercial reuse of the former egg packing facilities. This is due to a variety of reasons related to its location, accessibility and quality of the buildings.

It is clear that the site has been on the market unsuccessfully for over 4 years. While there has been some interest this has not resulted in any firm offers being made. Furthermore, they have pointed to the attractiveness of commercial space in other locations (e.g. Tring and Aylesbury). Overall, it does appear the applicant has undertaken a genuine and thorough marketing exercise and that there is limited interest in the reuse of the current building.

There may be some environmental gains with the loss of the existing commercial use which can be taken into account e.g. removal of heavy goods vehicles from rural roads, disturbance to neighbouring residential properties, and removal of utilitarian buildings etc. There is also a danger that the site could attract low grade uses that could prove problematic for its countryside setting.

The scheme does provide for 4 smaller business units (430 sqm). While it does not offset the wider loss of employment, it does help retain a modest level of commercial use and helps provide for a greater mix of uses on the site. This is welcomed. However, it is unclear how the proposed commercial units will be managed and the type of uses it aims to accommodate.

If the employment is to be replaced then the new use must offer clear planning advantages for the site in terms of the rural character and setting of the site. You must be satisfied that the design and layout of the site improves on the current appearance and spread of commercial buildings. The proposal does appear to provide for a housing development that is relatively open in character with a range of building form and mix of accommodation. There is also a strong emphasis on green space, landscaping and amenity areas (particularly around the balancing pond). This general approach is welcomed, but the views of the Conservation and Design team should be sought on the density, design, layout and materials, particularly the height of some of the properties.

While the site would not normally justify an affordable housing contribution under Policy 20, we have sought this as a way of offsetting the loss of the employment. The applicant is proposing a 35% contribution which would accord with our normal expectation. This is supported. The views of the Housing Enabling Officer should be sought on the suitability of the mix of housing.

The proposal will provide for a mix of house sizes (particularly "starter" and family homes) and tenure, and these will be to CSH Level 3-5. These points are welcomed.

If you wish to make an exception then there must be clear site specific reasons for a departure from policy. You must also be satisfied that all other elements of the proposal are satisfactory, particularly that it delivers a high quality scheme in terms of design and layout in this sensitive, rural location.

Conservation and Design

I have no major objections to this proposal and in general support the vision for the development. I do however consider that the scheme would benefit from some changes to the layout and house types:

- Layout:

I do consider that both site entrances and the area around the central green are unduly

dominated by the parked car. This would destroy much of the proposed rural character which the development is seeking to create. Under the Building for Life score, I therefore disagree that car parking is well integrated so it supports the street scene. The parking in my view needs to be far more concealed and less dominant.

I am concerned at the pepper potting of bin/bike storage/sheds in the front garden areas and consider this will add clutter to the streetscape; the scheme would benefit from having these items less prominent

The rear garden of house type A appears to collide with the access road, this corner would benefit from being rounded off, thereby adding visual interest at the entrance to the courtyard

The use of a random garage in front of type D could be enhanced by a range of open fronted carports enclosing the parking

The garage units associated with house types S, P and R are fragmented and don't create a positive role in the streetscene.

The Work Units are somewhat set back from the streetscene and don't reinforce the gateway. Could these be more flush with the site entrance in order to give stronger definition?

i) House Types:

Type A – Lack of roofscape interest – cowl/chimney detail. Solid arches would be better served by gauged brick heads. Brick boundary walls appear somewhat urban and would be better replaced by hedgerow

Unit C is wrongly annotated as Unit A. On Units C the solid arches would be better served by gauged brick heads. Units B lack roofscape interest. Natural surveillance in gable end required.

Units D and E – no comments

Units F, G, H, J – good composition; my only question relates to the detailing for the carriage opening through to the car parking area; could some clearer details be supplied.

Units K, L, M – the undue horizontal first floor window in the west elevation looks uncomfortable in the composition. It is unclear of the relationship of the screen garden walls with the access road and streetscene.

Unit P – bulky plan form which feels unduly stretched and tall for a barn type building. Slightly railway carriage undue horizontal emphasis to windows in south elevation. White render panel would appear incongruous in brickwork and weather boarding.

Unit R – too tall and dominant. The solid arches would be better served by gauged brick heads.

Unit S – Unduly large for a barn type building.

Units R, S, and P read very differently to units A to H which have a more domestic scale. This doesn't sit very well in my view.

Unit T – ok

Materials – it is unfortunate that all the roofs are slate, clay tile is a locally distinctive material

and it would be good to have a mix of roof coverings

Boundary treatment and hard surfacing – it would be helpful to have a plot by plot schedule. Regarding hard surfaces, I would suggest a simple low key palette avoiding fussy concrete blocks pavements

Response from Architect in response to design comments from the conservation and design department

I do consider that both site entrances and the area around the central green are unduly dominated by the parked car. This would destroy much of the proposed rural character which the development is seeking to create. Under the Building for Life score, I therefore disagree that car parking is well integrated so it supports the street scene. The parking in my view needs to be far more concealed and less dominant.

The number of car parking spaces has been set by Planning guidelines. This calls for a total of approx 58 spaces for the dwellings. Car Parking: What Works Where? (English Partnerships) has been used as a guideline to follow. Building for Life guidelines have also been followed and this calls for a balance of a number of issues including,

- a) provide parking spaces close to a residents' homes;
- b) encourage residents to access their vehicles from the front door rather than rear door as far as possible;
- provide overlooked parking for residents
- support the character of the place by providing parking areas that are of high quality and reasonably attractive.
- Parking squares or courtyards should not be visually dominating, and so should have a limited number of bays – up to about ten spaces but probably not more
- The groups should be separated by soft or hard landscaping or street furniture.
- Cycle parking, visitor and disabled parking should also be provided as part of an integrated parking strategy.

The optimal solution balances these needs with the desire to create a human specific environment of high quality character where streets are considered as public spaces. It should be noted that,

- Drawing DF_PL_MP_004 is intended as a masterplan **diagram** and as such clear distinction is made between road, parking and soft landscaping. However as has been clarified within the D&A Statement and Landscaping proposals the streets and parking are integral aspects of public space where edges, surfaces and changes in level are softened by the use of natural materials and careful integration with planting. Road ways and parking spaces will remain unmarked and when not in use provide sympathetic but robust landscaping surfaces.
- For security parking should be visible from within dwellings.
- Secondary visitor parking is located around the edge of the park. Private parking is located either within each plot or in courtyards (overlooked) away from public view.
- Parking layout has been designed to provide a maximum area for the landscaped park that runs through the middle of the site. If all parking was arranged to be out of public sight this park area would be greatly reduced, dwellings would be more dense towards the centre and the carefully planned 'openness' would be lost.
- Visitor parking located around the park edges are screened with planting providing a natural visual impact from within the park and from Luke's Lane.

A natural solution would be to agree a reduction in the car parking numbers. This would

however provide an attractive design on paper but in reality would create a more unattractive and uncontrolled environment when in use.

I am concerned at the pepper potting of bin/bike storage/sheds in the front garden areas and consider this will add clutter to the streetscape; the scheme would benefit from having these items less prominent.

Bike sheds and bin stores are a requirement for Code for Sustainable Homes. These should be in accessible locations. Their locations are determined by,

- *The low building form provides a buffer for privacy to the front garden spaces.*
- *The facilities are not built into the main dwelling fabric as this would provide more expensive construction cost.*
- *The simple shed form provides a change in scale to built environment.*

The rear garden of house type A appears to collide with the access road, this corner would benefit from being rounded off, thereby adding visual interest at the entrance to the courtyard.

There is no clash as the road way shown on master plan includes for pedestrian walkway. At the tightest position on this corner there is still approx. 1m strip of vegetation.

The use of a random garage in front of type D could be enhanced by a range of open fronted carports enclosing the parking.

Garages are provided for higher market housing. Our aim has been to reduce as far as possible the built volume (relative to the existing buildings) of the new development.

- *Garages increase the volume and visual impact.*
- *When not in use the space remains open.*

The garage units associated with house types S, P and R are fragmented and don't create a positive role in the street scene.

We have deliberately used the stand alone garage blocks around the site to vary the building volumes and scale to provide a more 'rural' informality. It is our view that traditional 'rural' informality emerges from,

- *Traditional 'uncontrolled' small scale development - no architects, planners or controls. Visual harmony is emergent and can be related to simple building form, scale, local natural materials and limited construction technologies.*
- *Loose fit and functional*
- *The garage blocks also provide a visual boundary to screen the higher areas of SE glazing from public view for units S, P and R.*

The Work Units are somewhat set back from the street scene and don't reinforce the gateway. Could these be more flush with the site entrance in order to give stronger definition?

The Work Units are set back enough to provide vehicle and pedestrian access. The unit frontages are as far forward as possible.

Type A – Lack of roofscape interest – cowl/chimney detail. Solid arches would be better served by gauged brick heads. Brick boundary walls appear somewhat urban and would be better replaced by hedgerow

Type A units are designed to extend the street vernacular. The existing terraced houses likely originated

as basic agricultural worker houses. Type A units are very simple in form. Chimneys are not required as there are no flues. The quality of the building (and the knock on extra building cost) is given over to the use of high quality traditional materials such as slate tiles, handmade brick and high performance windows. The cost for extra superfluous details will likely mean that these materials cannot be used. The simple building forms would not be appreciated or viewed in isolation but as part of a wider homogenous composition.

The brick walls extend the built form into landscaping rather than just having objects (buildings) placed within a landscape. The walls are low and it would be possible to provide hedging or planting above this.

Unit C is wrongly annotated as Unit A. On Units C the solid arches would be better served by gauged brick heads. Units B lack roofscape interest. Natural surveillance in gable end required.

Labelling noted.

Block B does not require any detail to the roofscape. There are no flues. Plain, simple roof forms in natural high quality materials are preferable in rural settings as this expresses the utilitarian informal and low budget nature of rural vernacular architecture. The gable ends and jetted first floor provide a simple yet interesting form.

Gable end of unit C has window surveillance from first floor. Surveillance at this end is also provided by unit A which overlooks the courtyard access.

Units D and E – no comments

Units F, G, H, J – good composition; my only question relates to the detailing for the carriage opening through to the car parking area; could some clearer details be supplied.

The carriage opening is 4700mm (w) with a minimum vehicle access of 2300(h) x 2700(w).

Units K, L, M – the undue horizontal first floor window in the west elevation looks uncomfortable in the composition. It is unclear of the relationship of the screen garden walls with the access road and streetscene.

All first floor windows on all the units are tilt/turn type to provide a cost efficient high performance window that can be cleaned from the inside.

Garden walls are generally chest height and provide clear courtyard type boundaries to private amenity without creating an overly 'closed' community and streetscape. The brick walls will be constructed from the same bricks as those used within the dwellings.

Unit P – bulky plan form which feels unduly stretched and tall for a barn type building. Slightly railway carriage undue horizontal emphasis to windows in south elevation. White render panel would appear incongruous in brickwork and weather boarding.

Our character approach is based on the principles of the prevailing rural agricultural architecture. It does not seek to replicate the forms of this style since these would generally not be relevant to 21st C dwellings. Unit P dwellings are CfSH Level 5 and as such require a home office with its own separate entrance. A large area of ground floor accommodation is required and our design aims to keep this from creating a large bulky 3 story block.

- *The single storey front block allows for the placement of solar panels (PV and SHW) at a low level whilst still gaining good uninterrupted south solar access. This means that the southern face of the main roofs (highly visible from Luke's Lane) will not be visually blighted by these reflective glass panels. Easy access is also provided for maintenance.*
- *The Unit P designs are loosely based on a detached dwelling type we have undertaken for the St Austell, Cornwall EcoBos EcoTown we are involved with and we know that these satisfy CfSH*

Level 6.

Unit R – too tall and dominant. The solid arches would be better served by gauged brick heads.

Because the location is not within a Conservation area we do not think that a 3 storey dwelling would have a negative impact if framed by the appropriate context. We have sought to include a variety of building heights within the development so as to,

- *Provide a mix of dwelling types*
- *To provide a varied roofscape that creates a better 'rural' setting for long views rather than a monotonous profile of standardization. Within the development there are only three possible variables for creating this variation - 2 storey dwelling, 3 storey dwellings and garage blocks. Bungalow dwellings were not considered appropriate.*

Unit S – Unduly large for a barn type building.

Unit S is a 3 storey 6 bedroom dwelling. We would suggest that the form of this unit is more akin to rural mill architecture rather than agricultural barn.

Units R, S, and P read very differently to units A to H which have a more domestic scale. This doesn't sit very well in my view.

The design strategy has been to gradually move incrementally from very traditional dwelling forms along Luke's Lane Terrace at SW through to contemporary design on the NE corner where the higher value detached units require higher levels of environmental performance. We have achieved this so as to still maintain a cohesive and unified character for the whole development.

Units R, S and P are large detached family house. These units have large areas of external glazing which do not fit comfortably with traditional vernacular styles - a more contemporary form integrates this better. A-H are small 3 bedroom terraced dwelling.

Unit T – ok

Materials – it is unfortunate that all the roofs are slate, clay tile is a locally distinctive material and it would be good to have a mix of roof coverings

Slate provides us with the option to have lower roof pitches than traditional clay tiles. We would be happy to use clay tiles so long as these are 'real' handmade tiles that provide the softness required once naturally weathered in. We do not think that mass produced clay tiles contribute very well to the rural vernacular architecture of the region. Slate tiles provide a more cost effective solution to using a natural high quality material that is also part of the Chiltern vernacular.

Boundary treatment and hard surfacing – it would helpful to have a plot by plot schedule. Regarding hard surfaces, I would suggest a simple low key palette avoiding fussy concrete blocks pavements.

As is normally the case we would expect to provide greater detail of material selection and location via condition

Comments from Conservation and Design on revised Plans

No major objections to this proposal and in general support the vision for the development. I do however consider that the scheme would benefit from some changes to the layout and house types:

- **Layout:**
- I am concerned at the pepper potting of bin/bike storage/sheds in the front garden areas and consider this will add clutter to the streetscape; the scheme would benefit from having

these items less prominent

- The Work Units are somewhat set back from the streetscene and don't reinforce the gateway. Could these be flusher with the site entrance in order to give stronger townscape definition at the entrance?
- Revised House Types:
 - a) Type K/L/M – This works better. There could be a benefit in providing blind windows in elevations in order to symmetry to the elevations. As a key building, solid arches would be better served by gauged brick heads.
- Unit P – I remain concerned at the height of the unit since this is over tall for a barn like building. In addition, the gable on the southern elevation is dominant and would benefit from being lowered in height to make this more subservient.
- Materials – a mix in roof coverings is required – please provide an amended plan showing plots with slate and clay tile.

Environment Agency

In the absence of an acceptable Flood Risk Assessment (FRA) we object to the grant of planning permission and recommend refusal on this basis. The FRA submitted with this application (Flood risk assessment ref 22617/FRA/Masterplan dated June 2011) does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The site is over 1 ha therefore a detailed surface water drainage strategy should be undertaken to demonstrate that surface water and volumes will not be increased and can be attenuated in a sustainable manner for all rainfall events up to the 1 in 100 year event including an allowance for climate change.

In particular, the submitted FRA fails to

- b) Provide necessary data - the site is over 1 ha therefore a detailed surface water drainage strategy is needed demonstrating a hierarchy approach to demonstrate that surface water and volumes will not be increased and can be attenuated in a sustainable manner for all rainfall events up to the 1 in 100 year event including an allowance for climate change. We are pleased with intention to infiltrate surface water runoff stated in section 8.1 of the FRA. Soakage tests should be carried out to determine the suitability of infiltration methods across the site. Infiltration rates should be worked out in accordance with BRE 365. If infiltration methods are likely to be ineffective then discharge may be appropriate.
- Demonstrate the development will not increase surface water flood risk in the surrounding area - runoff rates should be calculated using Institute of Hydrology 124 (IOH124) in line with the requirement of the interim code of practice for sustainable drainage systems. When calculating the runoff rate for catchments less than 50ha, the method should be applied with 50ha in the formula. The results can then be linearly interpolated using the ratio of the development size to 50ha. Equations 7.2 to 7.4 in the IOH 124 report allow the runoff rate for a greenfield site to be modified for a Brownfield site such as this. Please provide details of the existing and proposed runoff rates from the site for the 1, 30 and 100 year events.
 - Demonstrate the development will not increase surface water flood risk on the site - the reduction in runoff as a result of the reduced impermeable area will result in a reduction in flood risk downstream. However, we would not accept that attenuation is not required as a result as stated in section 8.4 of the FRA. Attenuation will be required on site to ensure the site does not experience flooding from surface water on site. The applicant

should provide to the planning authority detailed calculations of the surfacewater network together with a drawing of network with pipe numbers; to show the surfacewater system has been designed to ensure:

- No flooding for the 100 year climate event in the entire surfacewater system or
 - No flooding for the 30 year event in the entire surfacewater system and that all surfacewater flooding can be safely contained on site for the 100 year plus climate change event.
1. Provide justification for design and assessment of sustainable drainage (SUDS) options - we need to see sustainable drainage alternatives to traditional piped and tanked systems; these techniques not only cater for flood peak attenuation, but may also improve water quality and enhance the environment. Such systems include permeable pavements, grassed swales, infiltration trenches, ponds and soakaways. The feasibility of SUDS should be considered in accordance with management train principles to attenuate water on site including justification for the design layout. As outlined in the Interim Code of Practice for Sustainable Drainage. The applicant should provide a drawing clearly indicating the drainage system and location of SUDS features.
 2. In addition to the above, the site is sensitive from a groundwater perspective as it is situated over a principal aquifer. The groundwater in the principal aquifer needs to be protected, therefore we need to ensure that no pathways have been created that link any surface contamination with the aquifer. We also need to ensure that no new pathways are created by the proposed development. The potentially contaminative activities of the Egg Packing Station (mechanised equipment; vehicle movements, refuelling and repairs) are addressed in the Investigation and Risk Assessment. We have reviewed the Applied Geotechnical Engineering Preliminary Investigation and Risk Assessment for Dean's Farm, Lukes Lane, Gubblecote dated October 2008. However what has not been addressed in the report is the potential for underground fuel tanks to have been sited on top of the Chalk. If site investigations reveal significant contamination in soils and made ground and pathways for contamination to have migrated vertically, then we may ask for groundwater monitoring to be carried out.
 3. Should our objection to the FRA be satisfactorily addressed and infiltration be possible in clean areas of the site, then we would request a number of conditions be placed on any planning permission granted to protect the Principal Aquifer on this site. Please note that we may have additional conditions relating to surface water, following any amended FRA. In respect of the planting plan for the site, would we request that non-native species such as the Locust tree (*Robinia pseudacacia*) be removed from the plan. Such invasive non-native species are becoming particular problematic and invasive along river corridors and in the wider environment and is relevant here considering the proximity of the site to the Long Martson Brook

Comments from Environment Agency on updated Flood Risk Assessment

We are satisfied with the details provided and can remove our objection to the application provided that the following conditions are placed on any planning permission granted.

Condition 1: Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in line with the principles in the Flood Risk Assessment (FRA) produced by Abington consultants dated 7 November 2011. The scheme shall subsequently be implemented in accordance with the approved details.

The scheme shall include the following:

4. Soakage tests to determine the suitability of infiltration devices as stated in section 8.4 of the FRA produced by Abington consultants dated 7 Nov 2011.

Runoff rates to be limited to no greater than 40.4 litres per second.

The scheme should show how it will utilise above ground attenuation such as ponds and swales as shown on drawing 11026/102 included in appendix 1 of the FRA produced by Abington consultants dated 7 November 2011.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these.

Condition 2: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority. The scheme shall be implemented as approved:

- A preliminary risk assessment which has identified:
 - all previous uses
 5. potential contaminants associated with those uses
 6. a conceptual model of the site indicating sources, pathways and receptors
 7. potentially unacceptable risks arising from contamination at the site
- 1. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 1. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

Reason: To protect ground and surface waters.

Note:

- We reviewed the Applied Geotechnical Engineering Preliminary Investigation and Risk Assessment for Dean's Farm, Lukes Lane, Gubblecote dated October 2008 and are **satisfied that part 1 of this condition has been fulfilled.**
- The site is situated over Head Deposits (unproductive stratum) and the solid geology under this is the West Melbury Marly Chalk (Principal Aquifer) over the Upper Greensand (Principal Aquifer). The groundwater in these Principal aquifers needs to be protected, therefore we need to ensure that no pathways have been created that link any surface contamination with the Chalk. We also need to ensure that no new pathways are created by the proposed development. The potentially contaminative

activities of the Egg Packing Station (mechanised equipment; vehicle movements, refuelling and repairs) are addressed in the Investigation and Risk Assessment. The Chalk and Upper Greensand have possibly been protected by the presence of the Head deposits, however what has not been addressed in the report is the potential for underground fuel tanks to have been sited on top of the Chalk.

Trees and Woodlands

Of the trees scheduled for removal, none are of significance and should not be considered as a constraint to development. The landscape treatment thus far appears as only outline and needs a more detailed submission. Please condition full landscape details, as an ongoing management plan for the landscaped areas that are situated in common parts of the development (as opposed to those in individual ownership) and the tree protection plan for those trees being retained.

Rights of Way

No comments

Thames Water

Waste Comments

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Hertfordshire County Council

I refer to the consultation for the above mentioned proposal and my previous, pre-application correspondence. I am writing in respect of planning obligations sought towards education, library and fire and rescue services.

I note that the dwelling mix has changed from the mix previous commented on in respect of the

affordable housing and have therefore revised the financial contributions accordingly. The following contributions are based on a development comprising 2 two bedroom, 5 three bedroom, 4 four and 5 five+ bedroom houses open market/intermediate dwellings with 7 two bedroom and 3 three bedroom social rented dwellings.

Please note, if the size, number or tenure of any of the dwellings changes, this calculation will need to be reviewed.

Financial Contributions

Primary Education £81,078
Secondary Education £68,589
Youth £1,284
Libraries £4,600

All calculations are based on PUBSEC index 175 and will be subject to indexation.

Provision

Fire hydrant provision is also sought and should be secured by the standard form of words in a planning obligation.

Justification

The above planning obligations are sought based on the amounts and approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents and Circular 05/05. PPS1: Delivering Sustainable Development, sets out the planning system. It seeks to ensure that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community. It also advises that the provision of a transparent flexible, predictable, efficient and effective planning system through the provision of a plan led approach is needed to deliver sustainable development. PPS3: Housing, covers the Government's objectives on planning for housing. It indicates that developments should be located in areas with good access to key services and infrastructure.

The development plan background supports provision of planning contributions. Policy 13 Dacorum Borough Local Plan 1991-2011 (adopted April 2004 covers the requirement for financial contributions to be made by developers towards the provision or improvement of related facilities, services or infrastructure. In addition, the Dacorum Planning Obligations SPD April 2011 covers the planning obligations sought from new development within this area and the application of the HCC Planning Obligation Toolkit (paragraphs 1.26-1.28, 3.5-3.9, 6.10-6.12)

The production of the Toolkit document reflects the advice at paragraphs B25-30 of Circular 5/05, which among other things requires all tiers of government with legitimate land-use

planning interests to be involved at an appropriate level and in a focused way in providing an evidence base and setting planning obligation policies. The cumulative impact of development on local service provision is also an important consideration. As set out in paragraph 10.2 of the Toolkit, the use of formulae and standard charges is a means of addressing the likely cumulative impact of development in a fair and equitable way. Accordingly, financial contributions may be pooled to address cumulative impact, as set out in paragraphs B21-B24 of Circular 05/05 and paragraphs 7.5 and 16.4 of the Toolkit.

The provision of public fire hydrants is not covered by Building Regulations 2010 (Part B5 as supported by Secretary of State Guidance 'Approved Document B')

(ii) Directly related to the development;

The occupiers of new residential developments will have an additional impact upon local services. The planning obligations sought towards education, youth, childcare and library services from this development relate to the specific residential dwelling mix following identification of local service requirements and will only be spent on those services and facilities serving the locality of the proposed development (as set out within the Toolkit) and therefore, for the benefit of its occupants. Only those fire hydrants needed to serve the proposed development are sought to be provided by the developer (as set within the Toolkit)

(iii) Fairly and reasonable related in scale and kind to the development.

The financial contributions are linked to the size, type and tenure of each individual dwelling comprising the proposed development. Only those fire hydrants needed to serve the proposed development are sought to be provided by the developer (as set out within HCC's Toolkit)

Ecology Officer

Nothing of any significance other than local use by local wildlife. Use of the Atcost barn by bats is not significant as its construction is of very low value for bats -still, it has been used as a temporary feeding perch on occasion. The semi-natural boundary hedge with Black poplars is locally significant but will be retained. The fields beyond have potential but are currently species poor grassland - they are unlikely to change unless management changes as they are probably part of the local farmed environment which requires relatively intense systems. There are no habitats of sufficient quality 'inside' the site to merit compensation in terms of wildflower meadow grassland in the fields, although of course this would be desirable! However there is no reasonable planning requirement to suggest this, although new hedgerow planting in places (eg north field boundary) would also be beneficial. An active badger sett was found on the edge of the site but two years later was recorded as disused.

As for the recommendations:

- Enhancement of the hedgerow network is recommended - I agree with this.
- 1. Nesting birds - usual provisions apply re works outside breeding season (march - Sept unless demonstrated no nests). Owls have used dome of the buildings but owl boxes could be put up on the mature trees to compensate.
- 2. The possible night roost requires further work to determine its use as a roost. Presumably this should have been done as the Consultants would know that if it was shown to be a roost, an EPS licence would be needed and the 3 tests applied in accordance with Habitats Regs in order to proceed with the planning determination. Has this work been done? Without it you are, technically, unable to determine this application as you don't know if a known roost will be affected. Given the roost status etc this should not be a problem, but the applicant would need to find this out and get a survey done ASAP - otherwise its next spring unless you do it by condition. In my view every time a Consultant finds evidence they SHOULD advise their client the LPA would

not be able to determine an application without further details to demonstrate how - if necessary - the issue can be resolved without detriment to the species. Not doing this stalls the process re the three tests if they have found some evidence - which they did. Compensation by bat boxes is acceptable.

3. Retention of trees with high roosting potential - this is reasonable.
 - a) Check for badgers again if delay - This is reasonable.

In summary, this application could happily be determined with some of the recommendations incorporated if it were not for the bat evidence - which is hardly worth worrying about but they found some and this should now be dealt with properly. Especially if wildlife has been pointed out. In the end they may not need a licence or the LPA need to apply the 3 tests, but the emergence surveys were not done to inform this so we don't know. Let me know if this doesn't make sense!

Environmental Health

Environmental Health Noise Pollution Team has no objections to this application but would like to draw the applicant's and agents attention to informatives.

Affordable Housing

The affordable housing provision of 35% on the proposed scheme of 26 homes will result in 9 new affordable homes. The following mix has been agreed, 5 x 2 bed 4 person houses and 2 x 3 bed 5 person houses for rent and 2 x 2 bed 4 person houses for shared ownership.

RECOMMENDATIONS

1. That the application be **DELEGATED** to the Group Manager, Development Management and Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.
2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

Total contributions are 9 affordable housing units and a Health Centre, which can be broken down as follows:

- b) Primary Education £81,078
 - Secondary Education £68,589
 - Youth £1,284
 - Libraries £4,600

A list of conditions will be supplied as an addendum in advance of the committee meeting.