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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 21 MARCH 2024 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Guest	Councillor Cox
Councillor C Wyatt-Lowe	Councillor Patterson
Councillor Durrant	Councillor Riddick
Councillor Hobson (Vice-Chairman)	Councillor Silwal
Councillor Maddern	Councillor Mitchell
Councillor Stevens (Chairman)	Councillor Smith-Wright
Councillor Bristow	

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

(g) Addendum (Pages 2 - 14)

Agenda Item 5g



DEVELOPMENT MANAGEMENT COMMITTEE

21st March 2024

ADDENDUM SHEET

Item 5a

23/02876/MPI Demolition of the existing school building and construction of new replacement school building with MUGA, all weather pitch, landscaping and parking

Blessed Cuthbert Mayne Roman Catholic School, Clover Way, Hemel Hempstead, Hertfordshire, HP1 3EA

Further plans received

- SRP1148-HAL-01-XX-D-E-9001 Rev. P04 (General Arrangement Main Service Infrastructure Layout)
- SRP1148-TER-00-XX-D-L-3001 Planting Plan 1
- SRP1148-TER-00-XX-D-L-3002 Planting Plan 2
- SRP1148-HAL-01-XX-T-E-0008-Lighting Strategy Report (Rev. P.04).
- SRP1148-TDC-XX-XX-T-X-0003-ConstructionPhasePlan-P08-S5

As a result, Conditions 3, 18, 21 and 23 are to be amended to compliance conditions:

Condition 3:

The landscaping works shown on drawing nos. SRP1148-TER-00-XX-D-L-3001 (Planting Plan 1) and SRP1148-TER-00-XX-D-L-3002 (Planting Plan 2) shall be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

Condition 18:

Construction of the development hereby approved shall be carried out in strict accordance with the Construction Phase Plan (SRP1148-TDC-XX-XX-T-X-0003-ConstructionPhasePlan-P08-S5) received on 13th March 2024.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 55 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 114 and 116 of the National Planning Policy Framework (2023). This condition needs to be pre-commencement as the access to the site (by way of Clover Way) is constrained and appropriate steps need to be secured and in place prior to construction vehicles entering the site, so as to avoid highway safety issues.

Condition 21:

Within one year of the completion of Phase 1 of the development, as set out on page 8 of the Construction Phase Plan (SRP1148-TDC-XX-XX-T-X-0003-ConstructionPhasePlan-P08-S5) received on 13th March 2024, passive Electric Vehicle Charging provision shall be provided in accordance with drawing no. SRP1148-HAL-01-XX-D-E-9001 and thereafter permanently retained.

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

Condition 23:

The external lighting scheme shall be carried out in strict accordance with the Lighting Strategy Report (SRP1148-HAL-01-XX-T-E-0008-Lighting Strategy Report Rev. P.04) received on 12th March 2024.

Reason: To avoid adverse impacts on wildlife, the amenity of nearby residential uses and in the interests of visual amenity, in accordance with Policies CS12, CS26, CS29 and CS32 of the Dacorum Core Strategy (2013), Policy 113 and Appendix 8 of the Dacorum Local Plan (2004).

Consequential amendments required to other conditions as a result of the additional / amended plans are also proposed.

Further representations received

- 1) 51 Betjeman Way, Hemel Hempstead

I am a resident of Betjeman Way, and feel we local residents have been let down by the planning process on the above case.

I am 100% behind rebuilding the school, it needs bringing up to date and will be a wonderful environment for the pupils once finished. What it won't be is wonderful for the residents who back onto the grounds and I am writing to you in the hope you will consider my points when reviewing the planning application and voting in the subsequent committee Meeting.

My home will be tremendously affected, we literally back onto what will be the car park. For two years we will have double storey shipping containers at the back of our garden, with windows in line with our bedrooms and bathroom. Once built we will be faced with Sports pitches no more than 30m from our garden fence open to the public, albeit with 'recommended usage times' but not enforced or restricted.

The noise will be intrusive and ruin our enjoyment of our home and garden and we have asked that their placement be reconsidered or at least the usage be RESTRICTED (not recommended) to more reasonable timings than currently recommended in the report for the planning committee. As yet there is no application for floodlights but it will come and as you can see from picture 1 taken from my kitchen of the school in use at night, any floodlighting will be detrimental and intrude into our home and garden. If the grounds and car park are to be lit as suggested in the developers report, then we will be subject to the intrusion of light all night long unless a restriction is placed on the car park lighting times. The space between the pitches and dwellings is too small to be relevant and will have no impact on reducing any noise, nor will any acoustic fencing, there will be a tremendous amount of disruption, car doors banging, whistles, shouting, balls bouncing and hitting the metal acoustic fencing.....

Regarding the 'recommended' usage times in the report, as these are only recommended and not restrictive or a condition of agreeing the planning application, there is no recourse for us, and no respite...9am on a Saturday?? Until 3pm...? That's virtually the whole day I will be affected and will not have peace in my garden, and to add 10am – 1pm on a Sunday is very disappointing , again these people will arrive before 10 am (and 9am on a Saturday) there will be noise, voices car doors banging... **I am surprised that a practising Catholic School is comfortable with opening the pitches on a religious day, a day of rest...** It's our rest day too! It's horrendous, we will get no respite even at weekends.

There will be noise from the substation, James Gardner told us they give off a high pitched noise or a low hum, These noises will affect us, they will drive my dogs mad AND there is so much wildlife in the grounds, a high pitched noise will be terrifying for them, let alone unbearable for us, add to this noise from the plant room and Ground Source Heat Pump, the noise pollution will be unbearable, and we are desperate to have these moved.

The whole development has been underhand and not once considered the local residents, despite the report referring to a 'number of local residents' which to my mind intimates not many and unimportant... I see the development is recommended as 'agree to planning' and I feel this whole exercise and our efforts to be heard have been a waste of our time, simply paying us lip service, the developers have been given everything they want on a plate... even yellow lines in Clover Way which is disgraceful.

There is a large amount of wildlife in the school grounds, foxes nesting at the end of my garden, what will happen to them, there are owls in the larger trees, I understand wildlife cannot be moved during nesting season, how have the developers allowed for this? Again I am shocked that a Catholic School can be comfortable disturbing and probably killing a large amount of wildlife to facilitate the build.

In conclusion I am asking, begging the committee to consider the points I have made, and make allowances for the residents nearby... I am happy for any of the committee to visit my home as are my neighbours, I consider an informed decision rather than looking at a developers plan which is absolutely not to scale a much fairer way to review the residents viewpoint, the residents needs should be considered as equally and fairly as the school and developers.



2) 47 Betjeman Way, Hemel Hempstead

I live at 47 Betjeman Way an estate of homes built some 30 years ago. This estate was designed giving great consideration to the privacy of each individual property and most importantly that of St Cuthbert Mayne. Where the school currently stands properties on Betjeman Way have been positioned so as not to encroach on the classrooms and common areas of the school. The proposed repositioning of the new school building now completely exposes both the School and its neighbours, and where once the school was barely visible it will now be intrusive and overbearing.

The 'consultation' period and opportunity to post objections on the portal were woefully inadequate and the 10 day period made available on the portal was met with suspicion, as during that time the council offices were closed for the holidays for a significant number of those days. The DMC document published recently, says that 'planning permission be GRANTED with certain conditions'. **What are they?**

Several months ago we had an opportunity to view the model at the school. I and my neighbours (we) were alarmed at how close the building is to be positioned, effectively on our 'south facing' boundary. Our first thought was, 'they are building in the wrong place, Why?' We have asked the question 'why not use the current footprint?', and no satisfactory response was received. Please note that a precedent has been set by Astley Coopers School and Laureate Academy, both of whom are building on current footprint' and using temporary classroom, was this option considered in order for the school to remain on the West Boundary; if not why not?

When questioned 'why not build on the South Boundary away from the residents of Betjeman Way (BW)?' I was informed that that was because of trees and a slope; we live on the edge of the Chilterns, need I say more and it transpires several trees are to be felled anyway. I will go through the relevant paragraphs of the DMC Report for clarity but for the moment I am commenting generally.

It appears the architect was shown a 'plot' in isolation and was charged with the task of building a school, with MUGA, playground, parking, prayer area, etc etc. The pamphlet we received through the door, shows the design and certain elements to be included, but in no great detail, most relevant GSHP and Sub Station, bin store etc. What was glaringly obvious was that the properties on the North Boundary are a ghostly presence, barely acknowledged and apparently beyond the peripheral vision of the architects and builders.

I would like to assure you that 'We' have absolutely no objections to a new school, but we have every objection to the proximity of the 2 storey building to replace the old and the bizarrely positioned MUGA that is completely cut off from the playing field by the building. This alone is going to make conducting different activities during PE very challenging for the teachers concerned, with the MUGA at one end of the site and the field way behind the building.

The MUGA, we were informed by the planning team, was at the request of Sports England. It was claimed the land being used to build the school is owned by Sports England and therefore they insisted that a MUGA be built. This is misinformation; we have correspondence from Sports England informing us that the land does not belong to them and the MUGA is a recommendation not necessarily a requirement. Sports England also recommend that the MUGA is 'placed away from residents and away from access points as it can be a magnet for antisocial behaviour.' The MUGA is adjacent to flats at Clover Way and at the front of the plot by a pedestrian walkway. All the sound reducing elements to be included are not going to stop sound travelling up.

I will now refer to the Summary on the DMC document.

Summary

- . 2. Does the plan fully comply without deviation, ambiguity and taking into account 'opinion' with Policy CS12 Dacorum Core Strategy. The building will cause visual intrusion, loss of sunlight and daylight in the Winter months, for residents on the North Boundary. There will be loss of privacy for residents at 49 and 50 BW and there will be noise disturbance to the properties on Clover Way and 51, 52 and 53 Betjeman Way from the MUGA.
- . 9.8 There is a significant reduction in the footprint of the new building, this being facilitated by the two storey replacement. (1,138 reduced to 1,000.) This reduction in size could be

more than facilitated by building on the original footprint with room to spare for adjacent parking. Why was this not considered?

- . 9.12 The suggestion that the new building will be merely a 'glimpsed view from nearby public vantage points' is absolutely not the case; does this include the view from everyone's bedroom window on the North Boundary, our gardens, conservatories, kitchens etc. of an intrusive, overbearing out of character building.
- . 9.15 The buildings newly proposed position will afford an 'Improved outlook for some classrooms' to the valley and wooded boundary to the East, might I suggest there will be visual intrusion for residents of BW. I doubt the teaching staff will welcome this distraction from their well-planned classes. The building is so close to 49 and 50 to the point where walking around in bedrooms will indeed result in a loss of privacy for residents and could cause distress to children. I will not go into detail.
- . 9.16 There are landscaping considerations that have caused alarm. BW has several properties facing south and the suggestion that planting trees to disguise the new building is has not been thought through. A) Planting trees to 'disguise' the building demonstrates that the architects have concerns that the building IS intrusive and overbearing and its façade will need to be softened by tree planting. B) The suggested tree planting will cause loss of sunlight to the BW south facing properties and cause loss of light generally. The trees will have to be planted so as to not affect the foundations of the new building, and will have to be planted at least the eventual trees height AWAY from the building, hence much closer to the North boundary than is acceptable. The average mature height of a tree is 18 metres, these trees would have to be planted in the gardens of BW if not to affect the foundations of the School, which would result in damage to properties in BW and cause a significant loss of light.
- . 9.36 We were assured the MUGA will be solely used by the school Monday to Friday as is usual. We were assured that it was not a facility to be used at Weekends. If the MUGA is to be used by the general public at evenings and weekends this is yet another piece of misinformation voiced at the 'Consultation' and is unacceptable. This school is not a school used by the larger community of Gadebridge, as it is a feeder school for St Roses in Boxmoor and very few families in the local community would have need of its facilities as we have sufficient at Laureate Academy and Sports Space.
- . 9.46-52 There is absolutely no way noise levels will NOT affect residents on the North Boundary, how can one person possibly determine this. The GSHP is a new technology and it has yet to be fully determined that the noise levels from these pumps are within ACCEPTABLE standards. Each individual has a different tolerance to noise levels. I have ADHD and my hearing is one of my super powers.
- . 9.55 Internal light pollution affecting properties on BW. We are all blessed with peripheral vision and light travels much like sound. The building is so close to other properties on BW that again its position is of huge concern with regard to light pollution into bedroom windows.
- . 9.59 The bin store. if the current state of the school grounds is anything to go by, (see image above) this area will be unsightly and there is the very real possibility of a stench from bins etc in the summer months. Yet again residents of BW do not have selective vision and this will be an eyesore.
- . 9.62 Visual Intrusion. For each property from 38 to 50 BW the new proximity of the school building cannot be anything OTHER than intrusive.

- . 9.63 This is directly quoted from DMC. 'There is no statutory planning definition of visual intrusion' Yet Visual Intrusion is accepted as part of 'Material planning consideration' as stated in a letter from DBC. Anyone with any level of peripheral vision will not be able to avoid the intrusive nature and position of the building. It is overbearing and out of keeping.
- . 9.66 CONSIDERABLE DISTANCE. I would like anyone on the planning committee to take a look at this. We assure you 23m/75ft is not a considerable distance from the properties on BW, it will be considerably closer.
- . 9.75 There is most definitely visual intrusion. From having no building to having a 2 storey building two bus lengths away from your boundary. (see image above)
- . 9.81 The residents of Clover Way have now to find alternative parking for the duration of the building. Provision has been made for contractors in the former Laurate Academy car park, but none for residents. This must be addressed as there are residents who have disabilities.
- . 9.118 The new building will be in such a exposed position (exposed to BW) that light pollution is something that is of huge concern. Where once there was darkness there will be light, and this light pollution is going to be intrusive.
- . 9.119 Trees being felled on the building site is something that 'We' were told was the reason for NOT putting the building on the South Boundary, 'We cannot build on the south boundary as it would require us to remove trees' and yet 5 trees are being felled, including 3 Category A. More disinformation. The council Arboreal officer has been contacted to ascertain whether these trees can be protected or saved from felling.

There are concerns about drainage as the new building will be down hill from the current site, where one must assume the necessary services are in place and in full working order. With the new building being constructed on the current playground, (it hasn't gone unnoticed that this is the only flat area on site, path of least resistance comes to mind) how are they intending to pump waste and water UP HILL. There are filters, pumps, soak aways that are being incorporated to prevent flooding and that must be maintained strenuously, who is to pay for this. Will the new services affect those of BW that has its own issues with drainage due to the lie of the land.

To conclude.

This site has the capacity and tolerance for a plan that would work for everyone. The architect has at no point considered the impact on residents. There is consideration for the 'Green Corridor' running along the top of the valley towards Gade Valley school, this is admirable, but this doesn't detract from this terrible design. I am unsure why having the school 'in line with GV school' is worthy of note in the DMC. If the building had been planned on the South and/or West boundary adjacent to GV, and the MUGA placed on the South Boundary further down away from prying eyes and temptation, I would not have spent the last 3 months fighting with the affects this has had on my mental health.

We must remember that it is the children who need their privacy as well. Why build a school in such an exposed site, half way down a hill, vulnerable to flooding in the years to come. More consideration has been given for car parking a 'MUGA' and the obsession with landscaping to hide this terrible design. The architects could have done so much better. In years to come our lives are going to be blighted by the distant torturous drone of GSHP and sub stations because the building is considerably closer than I think many can appreciate, and we will not hesitate to complain to

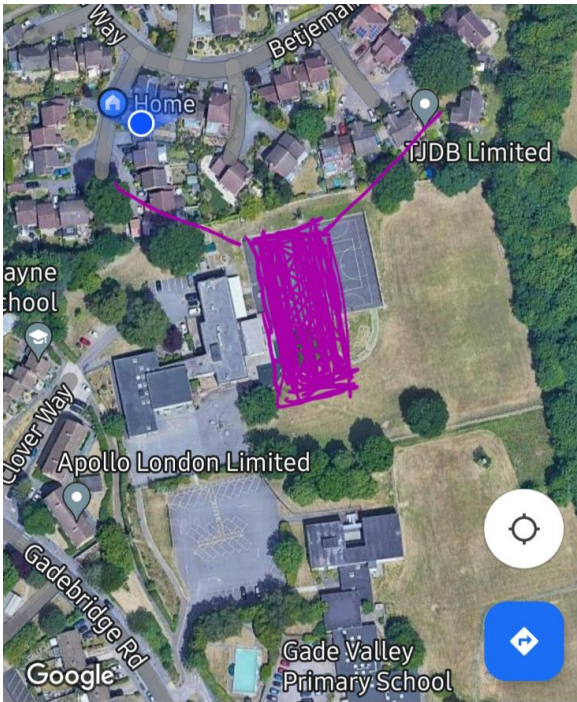
the school at every opportunity. We will feel the impact of the such an intrusive building looming as we look out of the window. No more sun rises for us.

If you have an opportunity to visit the school or BW before the committee meets, (any one of the neighbours would be happy to demonstrate the points raised in this letter), and please take a moment to glance at Google Maps images attached to see how very close this building will be. Plonked on the current playground for ease of build.

There is now the consideration that though 'Granted' has been used in the DMC (subject to conditions) this application has to be rejected as too many objections fall under what will be considered in 'material planning considerations'. We have been ignored, patronised and our comments trivialised. We have been fair in our comments, but as this is a 'Facility funded by the Government' the time constrains are thus that effectively decisions have been made in haste and the school is going to be marred with all manner of issues from flooding to anti-social behaviour purely because the design and layout have not been thought through thoroughly. The residents of BW will no longer have the privacy they have enjoyed for some 30 years and naked sunbathing is defo off the menu. We have enjoyed the privacy afforded us by the design of our neighbourhood and that is going to be taken away because the architects DIDN'T LOOK AT THE MAP and did not give the neighbours due consideration when it comes to, Noise and Light pollution, Privacy, the overbearing nature of the building, intrusion, loss of light and sunlight. They could not have got it more wrong.

I look forward to your comments. I am more than happy to demonstrate how intrusive and overbearing this whole scheme will be if planning permission is Granted.





3) 48 Betjeman Way, Hemel Hempstead

Whilst I understand the benefit of a new school, the plans seem to be focused, first and foremost, on making the aesthetic an inviting location for hire and second, an education facility.

In placing all of the 'undesirable' aspects on the edge of the Betjeman Way estate I can only assume this is part of the number one intention which is to hide these from view to further appeal to the money-making ability of this new development.

We are all greatly concerned with the change to the landscape from a visual perspective as well as the clear impact this building will have on the invasion of light and privacy to our gardens and homes.

When you add this eyesore, along with the robbery of sunlight and add in the noise of a substation, we then have to contend with the smell and potential pest problem that will come with having waste areas so close to our houses.

Greater than all of this though is the privacy issue. From the perspective of protecting the children I'm not sure how safe it is that they will be able to see directly into bedroom windows. Then in reverse of that, many of us have children within our homes and they shouldn't have to feel trapped in their own home for worry of being seen in a disrobed state during such a simple task of getting ready for bed.

Finally, how will all of this affect the price of my property. I bought what I thought was a nice house

in a good area and a large portion of that reasoning was the fact that it is so private. It is not a through road, so the only traffic is for residents and their visitors. This appeal is going to be quickly taken away when we are plunged into darkness through shadow and must check how appropriate our clothing is before opening the curtains.

To my knowledge I did not receive a notification for a public consultation and feel that without the diligence of my neighbours I'm not sure how wise I would be to what is happening.

I have many questions that I feel are unanswered, of which I will leave some of them here:

1. Has the light invasion been considered?
2. With heat source, waste and substation on our side how does this affect pest/sound control?
3. Is there proof available to inform us why the current foundation cannot be utilised?
4. How can our privacy not be considered when it will be minors that are exposed to these potential risks?
5. Where is the security considered here? With such a good view into our homes my concern is this could be used to monitor our properties for vulnerabilities that could put us at further risk. With the best will in the world, schools do not have the best security, especially not when they are renting out space to a third party.

As a father, I will always agree that improvements to education are welcome, but not at the detriment to the surrounding area and residents. If the Betjeman Way area is impacted financially as a result, then this will be widespread as a ripple effect will be felt and the once peaceful area will slowly be overcome as prices plummet. If this happens then you end up with a school that is backed onto an undesirable area and this will affect school attendance. Leaving you with a half empty school backing onto half empty or dilapidated properties. Both of which will rob money from the area and impact the town negatively.

So, with this I suggest to reject the current plans. Return to the design board and look at a development that is not self-serving, but one that will enhance the area for longevity. Keeping residents, student and the town on an upward

Recommendation

As per the published report.

Item 5b

**23/01583/FUL Demolition of existing single storey garage building.
Construction of 1no. detached four-bedroom family dwelling with associated car
parking / landscaping.**

Land Rear Of 38-40 Windmill Way, Tring, Hertfordshire, HP23 4EH

This item has been deferred and will not be heard at this Committee

Item 5c

23/02283/FUL Construction of new vehicular access

Access to Beeches Farm, Icknield Way, Tring, Hertfordshire

NO UPDATES REQUIRED

Recommendation

As per the published report.

Item 5d

23/02655/FUL 9 no. residential dwellings with access off Tring Road, including parking and garaging, creation of public open space, landscaping, and all enabling and ancillary works.

Land Off Tring Road, Wilstone, Hertfordshire

NO UPDATES REQUIRED

Recommendation

As per the published report.

Item 5e

23/02339/FUL Proposed detached double garage

Flat 1, The Street, Chipperfield, Hertfordshire, WD4 9BH

Further representation received:

4 The Street

We have waited patiently for the development to be finished and have had 18 months.

It now feels that this proposed application is delaying the completion of the parking area for the restaurant.

Although we like to support our local Restaurant, unfortunately some its customers have no regard for the safety of other road users or residents and regularly park on the corner of the crossroads block the pavements and entrance to access making it at times difficult for the traffic using the crossroads to turn out safely.

We feel that the completion of the parking area should be the priority to provide safe parking for its customers.

This is a conservation area and also feel that the proposed building is not within keeping to this.

5 The Street

The planning application for the new houses adjoining this site was granted on the basis that this land would be used for parking to prevent people using Osteria Restaurant from parking dangerously along The Street. This proposed development will remove some of those parking spaces, meaning that people will still park in The Street. In addition, the cars that do park behind the restaurant will now reverse out on to the road behind the restaurant. This is a road where accidents regularly occur already and cars need to be able to turn and exit Osteria car park in a forwards direction into Chapel Croft, an extremely busy, unlit road.

This is a site in the conservation are of Chipperfield which is already over developed. They had previously applied for a two storey building, which was refused.

The proposed garage is out of keeping with the local area, which is being degraded by numerous developments. It is extremely close to the new houses which have just been built and the cottages along The Street.

Recommendation

As per the published report.

Item 5f

23/02025/FUL Alterations including front and rear extensions to provide enhanced community facilities to the existing building

Community Centre, Great Sturgess Road, Hemel Hempstead, Hertfordshire

NO UPDATES REQUIRED

Recommendation

As per the published report.
