

Public Document Pack


SUMMONS

MEETING OF THE COUNCIL

Wednesday 20 January 2016

Council Chamber - Civic Centre

You are hereby summoned to a meeting of the Dacorum Borough Council in the County of Hertfordshire to be held in the Council Chamber - Civic Centre on Wednesday 20 January 2016 at 7.30 pm to transact the business set out below.



**SALLY MARSHALL
CHIEF EXECUTIVE**

TO ALL MEMBERS OF THE COUNCIL

**Contact: Jim Doyle ext 2222
 Louise Collins ext 2633**

AGENDA

- 14. PUBLIC PARTICIPATION 20 JANUARY 2016 (Pages 3 - 16)**

Public Participation
Full Council 20 January 2016

| Name | Question/Comment | Draft Response |
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| Anne Lyne | The Core Strategy and assumed housing demand on which the Local Allocations are quantified, was set in 2013. Some 3 years later, how does proposed housing supply outside the LAs exceed the Core Strategy assumptions; what is the current status of the five year consented supply of housing; and to what extent does this reduce the numbers of houses required in the LAs? | <p>Currently the Council can demonstrate a supply of available sites for housing for a period of 5.9 years. This Government's requirement is for us to demonstrate a <u>minimum</u> of 5 years.</p> <p>All sites, including the six Local Allocations are required to meet the housing delivery targets in the Core Strategy. Delivery of new housing has been below the annual target of 430 new homes in the past 2 years. While the supply of housing through planning permissions has increased recently, at the present time the Council does not anticipate the Core Strategy assumptions over housing provision being exceeded.</p> |
| Stuart Batchelor | As I can't attend the meeting regarding the building of housing on Greenbelt land in Potten end/Chaulden lane area 20/01/16, I would like the Mayor to read this below question out on my behalf please. Thanking you in advance Can the council guarantee or give me assurances that all companies involved in the development of land for housing within the Dacorum area on Greenbelt land between Chaulden Lane and Potten End and any other Greenbelt land that it intends to build on are registered here in the UK and that they pay their correct | The developers interested in building new housing at LA3 are Barratt Homes and Taylor Wimpey. Both are large, well established housebuilders within the UK. The Council has no contractual relationship between these companies or others in their capacity to deliver the Local Allocation sites. The purpose of the Core Strategy and Site Allocation documents is to set the proper planning policy, context and requirements for the development of these sites. Checking any company's tax or financial credentials is therefore not necessary nor a material |

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| | <p>amount of UK taxes, as after looking up the various developments within Dacorum's post code areas on the below website they all appear to be registered overseas for tax avoidance purposes and I don't think the council should be seen doing business with these sort of companies. Thank you S Batchelor I include the website address below so that others can also look this up themselves http://www.private-eye.co.uk/registry</p> | <p>planning factor in the identification and selection of LA3 and other sites.</p> |
| Heather Ebdon | <p>Would the Council agree that their strategy for growth in their Borough is one which allows the unbridled expansion of Hemel Hempstead whilst protecting the tranquility of other communities such as Bovingdon, Berkhamsted and Tring? I cannot be present and wish this question to be put by the Mayor.</p> | <p>The agreed development strategy does not propose the 'unbridled' growth of Hemel Hempstead, as only selective releases are being made from the Green Belt around it. The Council has set a development hierarchy in the 2013 Core Strategy which sets Hemel Hempstead as the main focus for growth, with Berkhamsted and Tring at the second level of the hierarchy as market towns to accommodate some of the Borough's growth; the third tier of the hierarchy is for the Borough's large villages, Bovingdon, King's Langley and Markyate where much more limited development is anticipated. The independent Inspector who examined the Council's Core Strategy was satisfied that this settlement hierarchy and the proposed level and distribution of future housing were appropriate. It reflects the relative sustainability of these settlements in terms of the availability of infrastructure and services and their ability to accommodate new homes.</p> |

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| Catherine Duvall | As the area between Chaulden & Potten End is a drainage area, when is proposed to mimimise flooding in the area, when concreted over with house, especially considering recent floods in the North, and also Global warming trends for greater amounts of rain | <p>The area between Chaulden and Potten End is not in the flood plain and is therefore not at risk from the type of flooding recently experienced in the north of England, which was caused by rivers breaking their banks.</p> <p>The issue for this site relates to surface water drainage and this is something that both the Council and developers are fully aware of. Indeed the developers have already commissioned specialist consultants to look at this issue and provide advice on how to prevent problems arising in the future.</p> <p>The issue of drainage is also being addressed through the masterplanning and development design at site LA3. The text of Policy LA3 in the Site Allocations document includes the requirement for there to be early liaison between the Council and developers of the site to ensure appropriate sustainable drainage mechanisms are designed into the development at an early stage. This requirement is reiterated in the draft master plan that has also been drawn up for the site.</p> |
| Julie James | I refer to the recent DBC planning determination dated 15 December 2015 declining an application for a private Traveller Site in Bovingdon on the basis that: "The proposal would constitute inappropriate development in a Green Belt area. The very special circumstances which have been advanced to show why planning permission | Government policy makes it clear that Travellers' sites are not appropriate development in the Green Belt. However, Government policy is also clear that Green Belt boundaries may need to be altered to accommodate new development that is needed, and on assessments carried out, this includes planning for the needs of the |

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| | <p>should be granted are not considered to outweigh the harm of the inappropriate development. The proposal is therefore contrary to DBCS Policy CS5 and 22 and national planning policy as set out in the NPPF and the PPTS.” However, the proposed inclusion of the Traveller Site in the Local Allocations for LA1, LA3 and LA5 supposedly accord with National Planning Policy and DBCS policy, which are explicit that inclusion in the Green Belt is “inappropriate” other than in “very exceptional circumstances” as opposed to the preferred use of brownfield sites and the promotion of more private traveller sites? How does the Council justify these seemingly contradictory interpretations of national and local planning policy?</p> | <p>travelling community. No Travellers’ sites are being planned on sites that will remain in the Green Belt.</p> <p>A more detailed explanation of the Council’s approach and Government guidance on how to deal with speculative planning applications (as at Bovingdon) versus the planned provision of sites (as in the Site Allocations document) is set out in the Cabinet Report of 15 December 2015 entitled “<i>Consideration of Responses to Pre-Submission Focused Changes and Submission of Site Allocations Development Plan Document (DPD).</i>”</p> |
| Henry Wallis | <p>The DBC Core Strategy and Local Allocations make assumptions on future employment figures in determining the need for land for both housing and commercial/industrial purposes. Of the sites reserved for commercial/industrial purposes, how long have they already been held in reserve awaiting possible development, and at what point would DBC be prepared to release them for housing purposes if the demand for such land did not meet forecasts?</p> | <p>The Council is required to ensure an appropriate balance between the need for homes and jobs within its development plan, and to allocate land accordingly. This is what the Council has done through its Core Strategy (which sets the targets for each) and the current Site Allocations document (which specifically allocated land for these different uses).</p> <p>The independent Inspector who examined the Core Strategy was satisfied that we had this balance right. The role of the Site Allocations is to show how the Council will deliver the Core Strategy targets.</p> |

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| | | <p>It is agreed that the uptake of commercial floorspace slowed during the recession, but there are now no allocated employment sites where there is no developer interest. We expect all of the vacant employment sites (of which there are actually very few) to be developed by the end of the current plan period, and probably considerably before. As the amount of vacant employment sites is low, their contribution to future housing supply would, in reality, be limited. For information, the Site Allocations currently identifies a number of employment sites which we are encouraging to come forward for housing.</p> <p>The Borough has also already lost quite a lot of office floorspace through the Government policy that allows offices to change to residential use without the need for planning permission. This has further reduced the supply of vacant commercial land.</p> <p>Information on the gains and losses of commercial floorspace is collected on an on-going basis by the Council and reported annually through the Council's Authority Monitoring Report (AMR). This document, and the detailed housing and employment land position statements that inform it, are published on our website.</p> <p>The relative balance of land allocated for homes and jobs will be reviewed as part of the process of preparing the new single</p> |
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| | | Local Plan for the Borough, which will supersede the adopted Core Strategy and this Site Allocations document. Work on this document is already underway, and members of the public will be consulted about its content later this year. |
| Lee Royal (on behalf of WHAG) | <p>On behalf of the West Hemel Action Group, I want to provide you context to two questions as follows.</p> <p>1. We urge you as the elected members of the Council before voting on the Site Allocations to challenge the planners at DBC to be more open and transparent of the risks of commencing on a huge development such as LA3 without a joined up plan demonstrably tested at every development approval milestone; a clear recipe for disaster that we all want to avoid. With reference to the recently published Jacobs' report 'Hemel Hempstead Transport Model Update' for DBC dated 10 July 2015 and the associated DBC 'Explanatory Note' (undated). Jacobs conclude that "The full demand scenario has been discussed as far as possible but given the level of congestion and the curtailment of the model runs due to gridlock we feel that taking forward this scenario for further testing would be impracticable. On the basis of the modelled assumptions to date, this indicates that the current road network would be unable to cope with the full level of proposed development." This is BEFORE considering</p> | <p>Dacorum Borough Council has, and will continue to be guided by advice from the County Council as the local Highway Authority. They have supported the Council's approach to development set out in and throughout the process of preparing, the Core Strategy and Site Allocations documents, and are content with the impact of the development at LA3 subject to the new access points to The Avenue and Long Chaulden, together with key junction improvements on the highway network being provided. These have been identified in the recent masterplan document and will be a requirement of the developer as part of the planning application process in due course.</p> <p>In this regard, the further work carried out by Jacobs does not change HCC's views. Turning to the detailed points raised by Mr Royal, many of his points are covered in the Background Note that accompanies the model report. It should be noted that the model is not a precise forecast of exactly what will happen. The model was run to test the outcome of the housing growth required to meet our housing target. The role of the model has been to identify potential</p> |

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| | <p>the impact of development in the East Hemel Hempstead area. The Council's Explanatory Note suggests that 'full demand' is a worst case scenario and we agree that gridlock impractical to model is indeed a bad situation. However, to mitigate this, rather than reduce the scale of development appropriately, an unsubstantiated 15% reduction in 'trip rates' has been applied. Our first question, with this context, how does DBC substantiate the 85% trip rate figures & therefore what does a 15% variance mean in terms of numbers of units being developed taking into account how many additional planning applications have been received and/or consented since the Jacobs report was undertaken; and even then what is the probability of the current "worst case scenario" occurring?</p> <p>2. Again, given the context of my previous question, the duty of care of a Council in such matters is well tested in case law such as Kane v New Forest DC, 2011 and Lovell v Leeds CC (2009). While only one of these two found against the Council, both demonstrate the need for timely and effective discharge of the Council's duty of care not only to avoid blame but to avoid the accidents themselves. For example, regardless of any computerised model, every parent is anxious about the gridlock around the Chaulden Lane playing fields delaying and even denying Ambulance access on match days, Sunday 10th Jan was just one</p> | <p>congestion in the local road network without improvements and to suggest how such demand can then be accommodated. The detailed masterplanning work has shown that off-site highway improvements to certain junctions are needed (these are at Long Chaulden / NorthridgeWay; Long Chaulden / Boxted Road; Warners End Road / Northridge Way and Leighton Buzzard Road / Warners End Road).</p> <p>The highway consultants tested the modelling against the <u>current</u> road network i.e. without any improvements. In both scenarios congestion was identified. However, they did not rule out the full level of development providing mitigation measures were put in place as already described, although more significant infrastructure changes or a significant shift in favour of active travel and/or public transport would be required in the case of the full (100%) demand.</p> <p>There were practical reasons running the model at a trip rate of 85%. It was used to show up hot spots on the road network. Demonstrating gridlock on its own is of limited value in understanding issues and potential solutions.</p> <p>The model outputs are largely unchanged (along with the broad scale of development assessed in each case) from those of the model that was considered by the Planning</p> |
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| | <p>of a litany of such incidents. This is relevant both to the current under capacity of Chaulden Lane and its future proposed use for emergency access to LA3 & Traveller Site access. Given the semi-rural nature of West Hemel Hempstead, the roads in question contain cycle lanes, obscured sightlines (horizontal and vertical) as well as pedestrianised rural lanes such as Chaulden Lane and Pouchen End lane. Our second question, given the evident strain on the town's infrastructure in either trip rate scenario, to what extent have these scenarios been tested for health and safety including by reference to the police collision investigations unit and road safety teams?</p> | <p>Inspector at the Core Strategy examination, when identification of the site was first agreed. The model does not take into account any potential increase in non-car trips, something we and the County Council will try to encourage. The modelling also does not take account of the future mitigation measures I have referred to (i.e. junction improvements and changes to the local road layout) that will be required as part of new development (including at LA3). However, it does reinforce the need for such measures in bringing forward such schemes.</p> <p>The level and detail of the information available is reasonable and proportionate at the town-level and to assess the impact of proposal LA3 given the early stage the scheme has reached.</p> <p>Further transport assessment work will be carried out as the development proposals progress, but this is to define the detail of the improvements needed rather than revisit the basic question of whether the development is acceptable in terms of its traffic impact,</p> <p>Finally on the matter of road safety for all users, this is a fundamental issue for the Borough and County Council to consider when assessing new development. Traffic on the local roads around LA3 will be carefully managed with safety in mind. Certainly the traffic study for LA3 took into account local accident data. Road Safety audits would</p> |
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| | | <p>also be part of the detailed technical work to be undertaken as part of the planning application process and applicants would be expected to mitigate against any potential safety issues.</p> <p>The Council cannot omit LA3 (or any of the local allocations) at this stage of the process on highways grounds alone, when the highway authority has been fully aware of the conclusions of the modelling, they have clearly stated that they have no objections to the schemes, and are working with DBC to deliver these.</p> <p>There has also been no significant change in circumstances since the Local Allocations were first considered and agreed via the Core Strategy process.</p> |
| <p>Leo Bedford</p> | <p>DCLG 'Planning Policy for Traveller Sites' and 'Designing Gypsy and Traveller Sites Good Practice Guide', include without limitation, the need for:</p> <ul style="list-style-type: none"> • Easy access to Major roads or public transport • Easy access to General Practitioner and other medical services • Easy access to local services and to social contact with other residents in the community • Proximity to a bus route, shops and schools • Promotion of integrated co-existence between the site and the local community • The health and safety of children and others when considering sites adjacent to | <p>The Council is aware of this DCLG guidance and the criteria it includes regarding the choice of locations for Gypsy and Traveller sites. These criteria are reflected in the Council's own adopted Core Strategy policy for 'New Accommodation for Gypsies and Travellers' (Policy CS22). It is this Core Strategy policy that we must ensure we comply with, as it forms part of the statutory Development Plan for the Borough, rather than just guidance.</p> <p>The Council is satisfied that it has chosen the most appropriate sites within the Borough to accommodate new pitches. The</p> |

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| | <p>railway lines</p> <ul style="list-style-type: none"> • The avoidance of exposed sites where there is a risk of flooding and caravans being overturned. • The avoidance of undue pressure on local infrastructure • The avoidance of such scale that the site does not dominate the nearest settled community. <p>It seems to me that the current proposed location within LA3 meets none of those criteria, being on an exposed, currently flooded, marginalised location adjacent to the hamlet of Winkwell and segregated from the rest of the community and services accessible only by circuitous route via the already strained infrastructure of Chaulden Lane. Therefore, how does the Council consider that it's proposed location of the Traveller Site in LA3 complies with national planning policy and design guidance.</p> | <p>process that the Council went through in terms of considering alternative site options is set out in the 'Home and Communities: Background Issues paper' that accompanies the Site Allocations DPD. Consideration has also been given to alternative locations for the site within the wider LA3 development; following suggestions from some residents at consultation meets that the site would be better located in a more central position within the site. However, it is the Council's view that the site now indicated is the best option when the needs and wishes of both the existing settled community, new residents of LA3 and the Gypsy and Traveller community are taken into account.</p> <p>The location of this site (and the other proposed sites) also has the support of the Gypsy Liaison Officer at Hertfordshire County Council, who has been a key consultee through the process of allocating sites.</p> <p>With regard to the specific concerns raised:</p> <ul style="list-style-type: none"> • In terms of location, the site will be part of a wider residential development and therefore part of the expanded settlement of Hemel Hempstead. It will have good access to the services and facilities that the LA3 development will provide, and to those in nearby local centres. This includes GP services. |
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| | | <ul style="list-style-type: none">• Its scale is very modest compared to other sites in the county, comprising only 7 pitches and is appropriate in terms of the scale of Hemel Hempstead (even when the existing site at Three Cherry Trees Lane is taken into account).• In terms of access, it is not always possible to locate traveller sites with immediate access on to main roads. This is a much more important requirement where transit pitches are involved, which is not the case here. The local highway authority has accepted the general principle of access arrangement from Chaulden Lane to serve the traveller site. The level of traffic generated from the site is likely to be low.• The site is not located within the floodplain, and there are already measures propose as part of the wider LA3 development to address current surface water drainage issues. <p>The location of the Gypsy and Traveller site within the LA3 sites will however be a matter for the independent Inspector to consider when he examines the Council's Site Allocations document.</p> |
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| Sam Graham | What studies have been undertaken and what evidence is there that the road network can cope with the road layout in the proposal. | <p><i>Note: It is assumed that this question relates to the LA3 development, although this is not specified.</i></p> <p>Both the local highway authority (Hertfordshire County Council) and the Highways Agency (now called Highways England - who are responsible for the motorway and trunk road network) have been consulted throughout preparation of the Core Strategy and Site Allocations DPDs. No concerns regarding the ability of the overall road network to cope with the scale of new development proposed have been raised by either party, although it is acknowledged by the Council that some local highways improvements and mitigation measures will be required relating to specific site proposals. The Council is not proposing growth in the Site Allocations document above the level set out in the Core Strategy. The evidence base reflects this position (see below). Improvements have already been identified in order to accommodate the growth. The technical transport work is ongoing, particularly as we take forward work on the new Local Plan, and additional transport assessments will be required for the larger sites such as LA3 at the appropriate time.</p> <p>For Hemel Hempstead the consideration of highway issues has reflected outputs from the Hemel Hempstead Transport Model (Paramics model). This model is managed</p> |
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| | | <p>by specialist transport consultants on behalf of Hertfordshire County Council.</p> <p>A number of model runs have been undertaken throughout the preparation of the Core Strategy and Site Allocations DPDs to ensure that the most up-to-date information regarding the scale and location of new development within the town is reflected. These are as follows:</p> <ol style="list-style-type: none">1. 2008 base model (May 2009).2. 'Do minimum' models for 2021 and 2031- accompanied by a Future Years Issues Report (May 2009).3. LDF Option Test Western Hemel (August 2010).4. Combined Local Plan Test (July 2012).5. Morrisons Development Test (Summer 2013). <p>In addition to the above a further model run was carried out in Spring 2015 to ensure that there had been no material change in circumstances since 2013. The Highway Authority have advised that the 2015 model outputs indicate that there has been no material change in highway conditions since the Site Allocation Pre-Submission document was prepared and that there are no issues highlighted that cannot be ameliorated through appropriate mitigation.</p> <p>In addition to transport modelling, a specific traffic study has been prepared for Local</p> |
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| | | <p>Allocations LA3. This was carried out by specialist transport consultants (Stomor) and is available on the Council's website.</p> <p>The Highway Authority have been involved in the development of the indicative layout for the site included within Site Allocations Policy LA3 and within the draft master plan for the site, and are happy that it can link appropriately with the wider road network.</p> <p>Any necessary highway improvements are referred to in the relevant Local Allocations policies of the Site Allocations document, and elaborated in the site master plans. The Highway Authority has confirmed through their representations that they support the content of all.</p> <p>There will of course be the need for on-going liaison with the local Highway Authority (HCC Highways) on the LSA3 site, and for more detailed transport technical work to consider the timing and precise types of highway works required will be carried out as part of the planning application process. This is specified within the master plan that has been prepared for the site and is usual planning practice.</p> |
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