



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 24 MAY 2018 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 (Chairman)
Councillor Birnie
Councillor Clark
Councillor Conway
Councillor Maddern
Councillor Matthews
Councillor Riddick

Councillor Ritchie
Councillor Whitman
Councillor C Wyatt-Lowe (Vice-Chairman)
Councillor Fisher
Councillor Tindall
Councillor P Hearn
Councillor Bateman

For further information, please contact Katie Mogan or Member Support

AGENDA

- 8. DOCUMENTS FOR ADDENDUM - 5 TRING ROAD - ITEM 5C (Pages 2 - 114)**

Agenda Item 8

PLANNING APPLICATION 4/03324/17FUL REAR OF 5 TRING ROAD, DUDSWELL

BACKGROUND

I, Cllr Lara Pringle, am ward councillor for Northchurch, elected in March 2018.

I am supporting the residents who are opposing this development on the general grounds of **road safety** and **over-development**.

There are also concerns about the accuracy and integrity of the applicant's plans as highlighted in the residents' submissions. One of the residents is a qualified engineer and has concerns that there is a significant difference between the plans and the on the ground measurements.

The residents called for the planning officer to attend to take independent measurements but this was declined.

The residents have cited over development and I support their representations on these points, summarised below. There is no need to repeat the points the residents have eloquently and forcefully made here.

I am concerned about the road safety implications of this development and submit that there are unusual circumstances surrounding this application (the HCC motion attached at Annex A – item 4 on page 3)

ROAD SAFETY CONCERNS INCLUDE:

- Increased and unacceptable severe risk to the safety of road users and pedestrians around the junction of Tring Road and Dudswell Lane
- Unsafe and unsuitable lengthy single track entrance to the development using the pre-existing driveway of number 5 Tring Rd (applicant's property) with a narrow bellmouth exiting onto an already hazardous multiple junction adjacent to bus stops
- Inadequate parking for the number of properties **in the context of the surrounding road network**
- Exceptional circumstances surrounding this stretch of road which was the subject of a Hertfordshire County Council Motion ¹ on 27 March 2018 which has not been taken into account by the Highways officer

OVER DEVELOPMENT:

- Density of the development at 21dwellings/ha is 28.6% above the recommended figure of 15 dwellings/ha set out in BCA19
- The local developments taken for comparison can be distinguished from this development as set out with clarity by residents in their submissions
- **This is a tandem development** – DBC Area Based Policies 2.6.4 describes Tandem Development as the most inefficient, problematic and unsatisfactory form of back

¹ Annex A

land development and says that it is the council's view that this is a generally unsatisfactory form of accommodating new housing

1) This is already an extremely complex junction as highlighted in my letter to HCC Highways officers sent on 6 April 2018 ²

- a) When I was elected in March 2018 I was aware that Highways had already considered the development acceptable stating *'the proposal would not have an increased impact on the safety and operation of the adjoining highways'*
- b) Having considered the application I realised that a number of important circumstances had not been taken into consideration, namely:
 - i) The single track entrance to the cricket ground which effectively forms a cross-roads with 5 Tring Road and which is also on the junction between Dudswell Lane and Tring Road, **is also used as a kindergarten**, with up to 20 cars using the junction at peak times.

The photo below shows the entrance to the kindergarten at the Dudswell Road junction marked in yellow. A blue vehicle can be seen emerging from the single track entrance. This is directly opposite the entrance to the proposed development



² Annex B

*The image below shows that family sized cars waiting for oncoming traffic to leave the kindergarten/cricket club will be positioned so that the rear of the vehicle is within the carriageway of Tring Road
This is directly opposite the entrance to the proposed development*



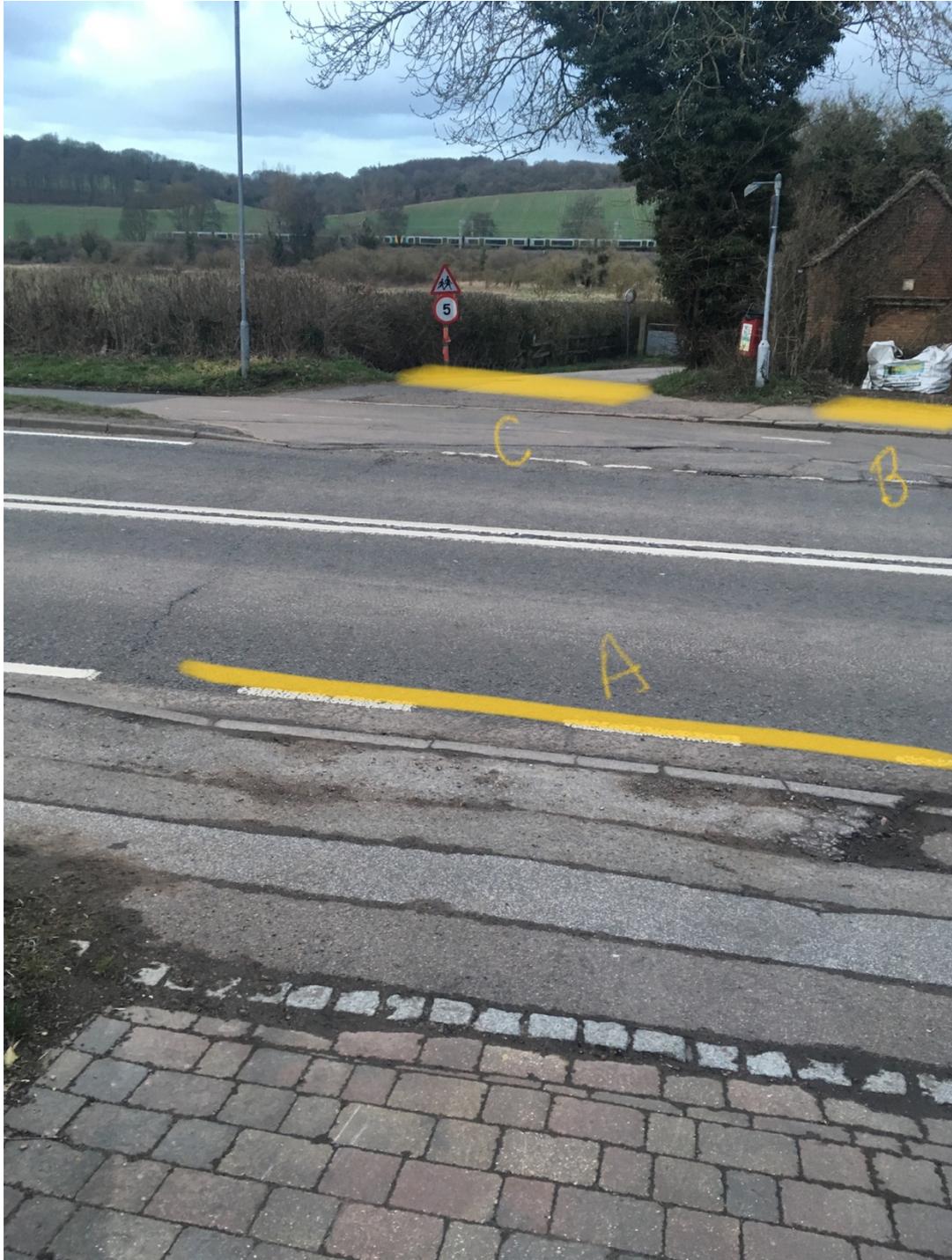
- ii) There is currently a planning application underway for the telephone repeater station opposite the entrance to be used as a storage facility reference: **4/00537/18/FUL**. This will inevitably mean that the dropped kerb, unused for some significant time, will be used by vehicles moving goods

The photo below is taken from the proposed entrance to the development, marked below in yellow with a line at A. It shows a vehicle turning right from Dudswell Lane into Tring Road. Point B shows the entrance to the telephone

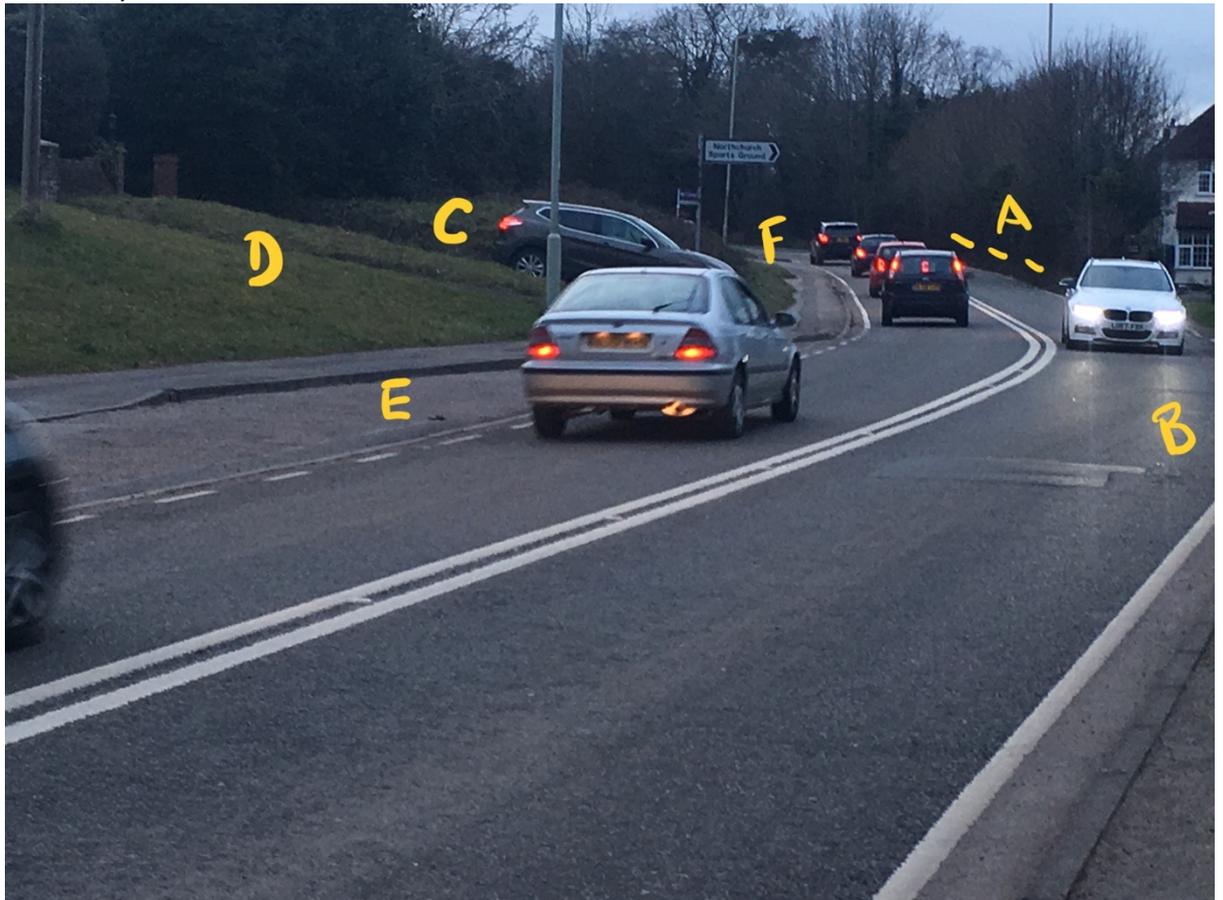
repeater station which is subject to a separate planning application. Although it has a dropped kerb already, it is currently unused and has had an overgrown driveway for a number of years. The planning application is for it to be used as storage, meaning vehicles will enter at the entrance marked B. The entrance to the cricket club/kindergarten is marked C and is a single track entrance. 20 vehicles will use this between 0800-0900 to drop off children and again between 1630 -1800 to collect them



The photo below shows the overgrown entrance to the telephone repeater station (B) which is currently unused but which will form an additional element of this complicated junction. Entrance to Kindergarten is at (C) and entrance to proposed development is shown at (A)



- iii) There are no pavements on the Tring side of the opposite driveway (A).
The photo below shows at (A) the lack of pavement on towards Tring on the opposite side of Tring Rd to the development entrance at (C)
(B) is where the junction with Dudswell Lane/telephone repeater station and cricket club/kindergarten is sited
(D) is neighbouring driveway
(E) is the layby bus stop
(F) is a 3 way shared driveway next to Lyme Avenue entrance
 Just behind the approaching white car is a driveway to a property, beside which is a bus stop



- iv) There is no pavement suitable for crossing the road on the 5 Tring Road side in the direction of Northchurch. The pavement is behind a bus stop lay-by and then ends as shown in the two photos below. These show that the pavement in the Northchurch direction is behind the bus lay-by until the junction with Birch Road, after which it runs out

(A) is entrance to Dudswell Lane; (B) is bus stop; (C) is entrance to development site; (D) is bus stop lay-by adjacent to development site; (E) is Birch Road



Image above A is Birch Road looking away from development towards Northchurch – the pavement on the 5 Tring Road side ceases at Birch Road

- v) This means that people, many of whom are school children, who use the bus stops adjacent and opposite to the entrance to the development have a very narrow corridor in which it is possible to cross the road. It is not safe to cross within the bus stop lay-by, so bus stop users can only cross directly opposite the bus shelter in the shaded area shown below

(A) shows a vehicle emerging from the proposed development. Up to 15 vehicles will use this junction, as well as refuse lorries and delivery vans; The shaded area at (B) shows the only corridor where there is pavement on both sides and therefore the only place where people using the bus stops can cross the road. It is clearly adjacent to the entrance to the development



The photo below shows the bus stop opposite the proposed development with the shaded area (A) the only safe corridor in which it is possible to cross with usable pavement on each side. The line (B) shows the entrance to the proposed development



vi) On 6 April 2018, I wrote to HCC highways drawing their attention to the general road traffic circumstances that had not been taken into consideration at the time of the initial assessment and the case was further considered. I drew the HCC Highways officers' attention to the high level of public concern about road traffic safety in Northchurch over the years which is increasing; this has led to a petition signed by 2 160 people being presented to Hertfordshire County Council on 27 March 2018. It also led to a motion being carried specifying this part of the road as an area of concern.

2) In addition to the points raised by me on 6 April, it was already apparent that there would be an increased risk to the safety of road users and pedestrians around the junction of the development:

a) The entrance to the development is a single track driveway currently serving one property where 3 vehicles can currently park. The development will add a further 12 parking spaces meaning that up to 15 cars will use the single track driveway. These cars, as well as other vehicles associated with the new development will cause additional pressure on an already dangerous and cluttered junction.

- b) The shared driveway is too narrow to enable two cars to pass. It will be approximately 60 metres long. Although the junction between the driveway and Tring Road will be improved by creating a bell entrance and visual splays, this does not provide sufficient space for a car to enter the junction whilst another is waiting to leave. There is a passing point planned some 15 metres into the driveway, but this will not assist vehicles turning into the driveway if a vehicles are already approaching the exit.
- c) **This is likely to lead to the following unacceptable access risks:**
- i) **that drivers who have entered the shared driveway will be tempted to reverse onto the main road or into the bus layby if there are a number of vehicles approaching from the development, or if someone misuses the passing point to park their car**
 - ii) **that drivers waiting to turn into the entrance of the development will have to wait for a number of vehicles to leave the exit before they can turn into it, causing traffic to back up in either direction. This will be particularly difficult if it backs up in the Tring direction, causing congestion to the junctions at the Kindergarten/cricket club as well as the traffic using the 3 way shared driveway at numbers 7, 9 & 11 Tring Road.**
 - iii) **That pedestrians, particularly those using wheelchairs or with prams and young children will not safely be able to use the driveway if vehicles are entering or leaving at the same time – there is no space for a separate walkway**

3) INADEQUATE PARKING IN THE CONTEXT OF THE LOCAL ROAD NETWORK

Although on initial consideration the allocation of 3 spaces per property would seem to be adequate, there are concerns about the impact of the development attracting parked cars to the road network in an area which clearly cannot cope with additional car parking.

The applicant resides at 5 Tring Road which currently has a drive way sufficient to park 3 cars, but at a recent event a number of cars were parked on the street in the lay-by bus stop and at a dangerous point. Despite there being a total of 12 parking spaces it is likely that there will be occasions were parking will spill onto the roads demonstrated by these recent pictures taken outside the proposed development where 6 or 7 vehicles appear to have been parked:





- 4) Having drawn the concerns outlined above at (1) b (i) – (vi) to the highway officers' attention, in the context of the points already apparent at 2 (a) –(c), the HCC highway officer has responded with the advice ³ that:

'The National Planning Policy Framework, paragraph 32, states that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".'

and

" I do not find that any of the points raised indicate that this application should be refused on transport grounds where the residual cumulative impacts of development are severe."

This appears to be a different test from that referred to at paragraph 9.4.1 of the planning officer's summary which quotes the Highway Authority as stating:

'..the proposal would not have an increased impact on the safety and operation of adjoining highways'

and paragraph 9.4.3 which states:

'The proposed development would provide satisfactory access that would result in no significant adverse impacts on highway safety or the free flow of traffic on the local highway network...'

- 5) Most reasonable people would consider that there is quite a spectrum between 'no significant adverse impacts' and 'a severe impact'. It is not clear whether this is a matter of semantics - If by definition of the National Planning Framework the impact of the development can only justify refusal of the application if it is 'severe', then it follows that unless the impact is 'severe' it is not 'significant' – or whether the Highways Authority has, in the light of the further information determined that there will be some residual impact, but that it will not be 'severe'

However it is clear that the test applied, following the further information provided about the complexity of the junction was the high threshold of 'severe risk'

I am concerned at the following analysis from the highways officer:

'As regards road safety, regardless of the number of users, bus stops, laybys and junctions on this stretch of highway, only one accident involving injury has been recorded in the last 10 years in the vicinity of the site: opposite the bus stop facing number 7. This occurred on 17 June 2012 and is recorded as "slight", indicating that there were no fatalities, and was not related to the road or traffic conditions at the time.'

This appears to demonstrate some disregard for the risks clearly presented by the evidence of the complexity of the existing junction (*"regardless of the number of users, bus stops, laybys and junctions on this stretch of the highway..'*) and adopt a view that that the only basis upon which risk should be measured is the number of historic incidents, rather than the clear hazards which are apparent to anyone who observes the operation of the junction

³ Annex C

for any significant time (incidentally, the officer later agreed that the year of the incident was 2016 and not 2012).

It appears from the language used by the Highways Officer that the final test applied is that of 'severe risk' and that some risk was therefore acknowledged and the Summary at 9.4.3 that '*The proposed development would provide satisfactory access that would result in no significant adverse impacts on highway safety...*' is overstated.

I would suggest that, as Highways Officers did not visit the site or observe its operation as part of the assessment, then it is right that the Development Management Committee members can form a view as to whether there has been margin for error in the assessment of the risk on the spectrum between 'some risk' and 'severe risk'

- 6) The question then arises, if the test applied was whether there was 'severe risk', was there anything that could or should have been taken into consideration and which was not taken into consideration which would have made a material difference between 'some risk' and 'severe risk'?
- 7) I would suggest that proper consideration of the following would make the difference:
 - a) The impact of the telephone repeater station coming into use has not been given significance, as it already has a dropped kerb. This ignores the clear evidence that this building and its access point has been derelict for some years, and has not been in use at all. This means that it is irrational to disregard the bearing of its future use on the operation of the junction, as its impact has been assessed as though it were already in use.
 - b) The Highways officer has not visited the scene and will not be aware that when family sized vehicles are waiting to turn right into the kindergarten, the rear of the vehicle protrudes into the carriageway of Tring Road until the turn can be made – which is directly opposite the development
 - c) The plans provided by the applicant suggest that the pavement continues up Tring Road opposite Lyme Avenue. This is patently not the case, meaning the 'corridor' in which users of the bus stops can cross is much more limited than the plans suggest and is right beside the access to the proposed development.
- 8) Most significantly, on the point of the recent high level of public interest in road safety in Northchurch, resulting in a petition, the highways officer responded:

"I am aware of the petition presented to HCC on 27 March 2018, which is being handled by a colleague, Mr Ed Fisher, here at HCC. The issues of road traffic safety measures in Northchurch raised in this document are not specifically related to the specific proposals of this development."

This is not strictly the case and this has been pointed out to the Highways officers on 28 and 29 April, but to date I have received no comment or response on this.

Following the presentation of the petition of Northchurch residents to Hertfordshire County Council on 27 March 2018, there was a motion, unopposed and carried by the full HCC, to the effect that:

The executive member be requested to consider road traffic ...conditions in Northchurch.... ‘...and authorise the officers to carry out further traffic studies with a view to implementing traffic calming measures and a speed limit of 20 mph along the A4251 from Pea Lane to Billet Lane and up New Road to a point just to the north of Bridgewater Hill ...’

The clear implication of this is that the area in question, the Tring Road junction with Dudswell Lane and junction with the entrance to 5 Tring Road, is part of the area specified in the motion carried by HCC councillors.

This motion was clearly carried because of exceptional concern about the road traffic safety conditions in Northchurch and it would therefore have been appropriate for the Highways officers to demonstrate that they had taken the concern of the HCC councillors into account.

9) On 28 April I wrote to the Highways officers with reference to the motion:

‘The councillors considering the motion therefore determined that the area of concern began, from the Tring direction, at Pea Lane and thus included Tring Road at the junction with Dudswell Lane, where the access to the development is situated. The wording of this motion demonstrates that the concerns of the local population regarding road traffic safety in Northchurch are endorsed unanimously by HCC for the area which includes the relevant location, namely the stretch of Tring Road where the junction with the development will be situated at the junction with Dudswell Lane.

On the face of it this would seem to be related to the specific proposals of this development as these regard the road safety at the junction.

I wanted to bring this to your attention so that the residents can be sure that you have taken the full wording of the HCC motion into account and that you were cognisant of the fact that the junction is within the area of concern identified by HCC when you reached your decision.’

To date I have had no response from the Highways Officers. I would suggest that this amounts to an unusual and exceptional set of circumstances where the Highways officers have not taken into consideration the concerns expressed by the HCC in the motion carried on 27 March which is very specifically related to Northchurch and it’s exceptional circumstances and which very specifically relate to the junction in question as it is on the A4251 Road between Pea Lane and Billet Lane...

10) I would urge the councillors to take into consideration the following:

- a) The evidence of the exceptional complexity of this junction – there are already some 7 junctions that children and elderly people crossing the road would have to check, aside from driveways used by single residences and the entrance to 5 Tring Road. The addition of 12 vehicles to make the total sharing this driveway 15 will mean that it will become almost impossible for the elderly and children as young as 11 to safely cross the roads in the ‘corridor’ opposite the bus stop.
- b) The number of objectors to this development who are not immediately affected by the development but who have taken the time to register concerns about the road safety indicates the reality of public concern
- c) The number of vulnerable people who are using this junction – elderly people and school children using the bus stops and young children being taken to kindergarten

- d) The lack of a site visit by the highways officer
- e) The very strict threshold which has been applied to risk assessment, namely that the risk has to be 'severe' and that evidence of complexity of the junction has been overlooked because there is apparently insufficient evidence of serious injury incidents at this precise point
- f) The evidence of concern of the HCC over this very stretch of road, cited in the motion of 27 March
- g) The permanent and irrevocable nature of the development: - If this does create an unacceptable hazard at this junction, the hazard will not be removed and generations to come will have to live with the consequence of this decision

And find, exceptionally, that on this occasion, there is a severe risk to road safety and to reject this development

OVER DEVELOPMENT:

The residents have made some compelling written arguments to establish that this is a case of over development. I endorse their representations and support them, but will not repeat them here.

The residents dispute the accuracy of the plan measurements on the ground and claim that given the measurements on the ground and the inclusion of hedges and fences mean that the driveway will have to move towards the property at 5 Tring Road. This will mean that for sufficient width to be available for a fire engine to enter the property, the distance from 5 Tring Road would be extremely narrow and may have to result in alterations to number 5

I have spoken to the residents and have formed the view that they are realistic about the general need for development and would have accepted a smaller scale development of 2-3 chalet bungalows as initially suggested by the planning officer. This would have had the advantage of providing more parking space at the sides of the properties and avoided the need of creating a car park within the development, backing on to the residents' gardens. The residents are perplexed by the planning officer's decision to support 4 residences when he had originally suggested that 2-3 chalet bungalows would be suitable.

- Density of the development at 21dwellings/ha is 28.6% above the recommended figure of 15 dwellings/ha set out in BCA19
- The local developments taken for comparison can be distinguished from this development as set out with clarity by residents in their submissions
- **This is a tandem development** – DBC Area Based Policies 2.6.4 describes Tandem Development as the most inefficient, problematic and unsatisfactory form of back land development and says that it is the council's view that this is a generally unsatisfactory form of accommodating new housing

Minutes



To: All Members of the Council
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Elaine Shell
Ext: 25565

MINUTES of the Meeting of the County Council held at County Hall, Hertford, on Tuesday, 27 March 2018.

MEMBERS IN ATTENDANCE

D Andrews	L Greensmyth	A Plancey
D A Ashley	F Guest	S Quilty
D J Barnard	J S Hale	N A Quinton
S Bedford	D Hart	I M Reay
N Bell	C M Hayward	R M Roberts
J Bennett Lovell	M S Hearn	A F Rowlands
P Bibby	T C Heritage	R Sangster
J Billing	D J Hewitt	R H Smith
S J Boulton	F R G Hill	A Stevenson
A P Brewster	N A Hollinghurst	S J Taylor
S Brown	T W Hone	R A C Thake (Chairman)
E H Buckmaster	T Howard	R G Tindall
F Button	T R Hutchings	A S B Walkington
C Clapper	S K Jarvis	M A Watkin
H K Crofton	J R Jones	C J White
R C Deering	J S Kaye	A D Williams
T L F Douris	A K Khan	J D Williams
D S Drury	J G L King	T J Williams
M A Eames-Petersen	P V Mason	C B Woodward
B A Gibson	G McAndrew	C B Wyatt-Lowe
S B A F H Giles-Medhurst	M B J Mills-Bishop	W J Wyatt-Lowe
E M Gordon	A J S Mitchell	J F Wyllie
S Gordon	M D M Muir	P M Zukowskyj
J M Graham	R G Parker	

Upon consideration of the agenda for the Meeting of the County Council held on 27 March 2018, as circulated, action was taken or decisions were reached as follows:-

**CHAIRMAN'S
INITIALS**

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1. MINUTES

- 1.1 The Minutes of the Meeting of the Council held on 20 February 2018 were confirmed as a correct record and were signed by the Chairman.

2. CHAIRMAN'S ANNOUNCEMENTS

(a) NEW MEMBER FOR GOFFS OAK AND BURY GREEN

On behalf of Council, the Chairman welcomed Lesley Greensmyth, newly elected Member for Goffs Oak and Bury Green, to the Council.

(b) COUNTY COUNCILLOR CHARLOTTE HOGG: FAREWELL

On behalf of all Members the Chairman thanked Charlotte Hogg, who had resigned as a County Councillor, for her contribution to the Council and wished her well for the future.

(c) SCHOOL CHEF OF THE YEAR 2018

On behalf of Council the Chairman congratulated Michael Goulston, Hertfordshire Catering's mobile chef, who had won the Lead Association in Catering for Schools 'Chef of the Year 2018' competition. Michael, who has worked in the catering industry for 29 years and as a school chef for 5 years, competed against nine other regional final winners from around the Country in winning this most prestigious title.

Michael Goulston would be serving up his winning menu at lunchtime to those Members in the Chamber who had taken up his invitation.

(d) CHANGE TO THE ORDER OF COUNCIL BUSINESS

The Chairman advised that in order to facilitate Executive Member Question Time he would be asking Council to vary the order of business to take item 10 immediately before item 7.

3. PUBLIC QUESTIONS – STANDING ORDER 8 (10)

- 3.1 There were no public questions.

**CHAIRMAN'S
INITIALS**

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4. PUBLIC PETITIONS – STANDING ORDER 15

4A. 4.1 Lara Pringle presented a petition with more than 1,000 signatures in the following terms:-

“To REDUCE the speed to 20mph on Northchurch High Street and pedestrian crossings to be added.”

Make Northchurch High Street, a safer and healthier environment for all.

We are a thriving and friendly community with approximately 2500 residents. We have three social centres, two churches, a primary school, a pub, local shops and a recreation ground.

Pedestrians and cyclists in Northchurch deserve the right to travel through and around the village without fear.

The current traffic volume and speed, narrow pavements, insufficient lighting, polluted environment and lack of pedestrian crossings all contribute towards residents' grave concerns.

We demand Herts County Council implements measures to reduce the speed of traffic to 20mph, and add pedestrian crossings. To alleviate the above dangers, and in order to encourage sustainable and healthy transport, such as walking and cycling through our village.”

4.2 The petition was received by **R Sangster**, Executive Member for Highways.

4.3 The Chairman reminded Council that the debate on the motion at 4.4 would be in accordance with Standing Orders 11(11) – 11(15).

4.4 N A Hollinghurst informed Council that, with the consent of the seconder of the motion in his name on the Order Paper, he would accept the proposed amendment from **R Sangster** as set out on the Order Paper; that being *“that after the word ‘Executive’ insert the word ‘Member’ and after the words ‘be requested to’ add ‘consider the issues raised in (a) and (b) below”*. In accordance with SO 11(5) **N A Hollinghurst** then moved the motion set out at 4.5.

4.5 The following motion proposed by **N A Hollinghurst** and duly

**CHAIRMAN'S
INITIALS**

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seconded by **S B A F H Giles-Medhurst** was CARRIED:-

“That the Executive Member be requested to consider the issues raised in (a) and (b) below:-

(a) take into account:-

- *the high traffic flow in both directions;*
- *the narrowness of the road;*
- *the congested road junction with New Road;*
- *the densely built-up area immediately adjacent;*
- *the presence of a church and school in a position such that Northchurch High Street has to be crossed by the majority of residents to gain access;*
- *the high proportion of vulnerable adults i.e. primary school children and elderly persons needing to cross the High Street; and*
- *the accident record;*

and authorise the officers to carry out further traffic studies with a view to implementing traffic calming measures and a speed limit of 20 mph along the A4251 from Pea Lane to Billet Lane and up New Road to a point just to the north of Bridgewater Hill; and

(b) institute a review of the existing Speed Management Strategy to achieve greater flexibility to introduce 20 mph zones and limits, in particular by introducing the words “, with exceptions” into the criterion under “Rural” for the Speed Limit Framework after the second bullet point (dealing with A & B roads –“roads with a strategic or main road function”), thus introducing the same degree of flexibility present under the “Urban” heading [See Appendix 3, Hertfordshire Speed Limit Framework to the Highways & Management Speed Management Strategy, March 2014] and so enabling road safety along the stretches of the A4251 and B4506, referred to above, to be brought into line with the stretch of the A4251 in the centre of Berkhamsted where both speed tables and a 20 mph speed limit have been in existence for more than 20 years.”

5. OFFICER REPORTS RELEVANT TO EXECUTIVE PORTFOLIOS

5A. PAY POLICY 2018/19

5.1 The Chief Legal Officer was not in the Chamber for the consideration of this item of business.

5.2 The following motion proposed by **J D Williams** and duly seconded by

**CHAIRMAN'S
INITIALS**

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T C Heritage was CARRIED:-

“That the County Council adopts the Pay Policy for 2018/19 as set out in Appendix 1 to the report.”

5B. ADDITION TO CAPITAL AND ASSET STRATEGY 2018/19

5.3 The following motion proposed by **J D Williams** and duly seconded by **T C Heritage** was CARRIED:-

“That Council approves a limit of £50m for non-treasury investments to cover the arrangements required in accordance with the routes for investment and land transfer (set out in section 6 of the report to Cabinet), as required by Ministry of Housing Communities & Local Government statutory guidelines and agrees that it be included in a revised Investment or Treasury Management Strategy.”

6. THE EXECUTIVE REPORT

6A. LEADER OF THE COUNCIL – EXECUTIVE REPORT

6.1 The following motion proposed by **J D Williams** was CARRIED:-

“That the report of the Executive (being the report under Standing Order 7) be received and that the position of Key Decisions in the decision-making process shown in the current edition of the Forward Plan referred to in the report be noted.”

6B. MOTIONS ARISING FROM THE EXECUTIVE REPORT IN THE ORDER IN WHICH THEY WERE RECEIVED

6B(i) 6.2 S B A F H Giles-Medhurst informed Council that, with the consent of the seconder of the motion in his name on the Order Paper, he was proposing under Standing Order 11(5) an altered motion to that which had been included in the Order Paper.

6.3 The following motion proposed by **S B A F H Giles-Medhurst** and duly seconded by **S K Jarvis** was CARRIED:-

“Whilst welcoming the additional investment of £29 million in the maintenance of secondary and rural roads contained in the recently agreed Integrated Plan, this Council recognises that additional funding would be desirable to deal with the repairs needed. It acknowledges the recent Annual Study by the Asphalt Industry Alliance and the Alarm

**CHAIRMAN'S
INITIALS**

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Study which has once again highlighted a national shortfall of £9 billion in highways funding in England and Wales which has cost £43 million in five years in legal claims according to figures under the Freedom of Information Act.

The Council calls on the Executive Member for Highways to continue his efforts to secure extra funding from whatever source and to invite Group Leaders to jointly write to the Department for Transport in support of the Local Government Association’s campaign to secure additional central government grant funding to tackle the backlog of unfunded highway maintenance and emphasizing that well maintained footways and paths affects the County’s aim for modal shift.”

ORDER OF BUSINESS

At the invitation of the Chairman the Council agreed to vary the order of business and take the agenda item 10 “Changes to the Council’s Constitution: Annex 6” at this point in the meeting in the interests of the effective conduct of the business following.

(The Minutes of this item of business is set out below in original agenda order).

7. QUESTIONS TO EXECUTIVE MEMBERS

- 7.1 During the period for questions to Executive Members under SO(8)(7)(c) the following Members asked questions (and, where indicated, supplementary questions) of the Executive Member or their Deputy as stated [the audio recording of this item of business can be found here [Questions to Executive Members](#)]

[Questions are listed by portfolio (in alphabetical order)].

Executive Member	Questioner	Subject
Leader of the Council	C J White	Decision by Youth Connexions affecting the involvement of young people in Hertfordshire in the Youth Parliament ^{1 2}
	J Billing	Work with the MP for Stevenage [Steven McPartland] to ensure his support for the regeneration plans for Stevenage town centre
	P V Mason	Update on the Herts bid to the Housing Infrastructure Fund
Adult Care & Health	R G Tindall	The Council’s ‘Connected to Work’

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**CHAIRMAN’S
INITIALS**

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		initiative to improve employment opportunities for adults with disabilities and update on Hertfordshire MPs engagement with communities on this ¹
	E M Gordon	Council support for a Parliamentary Commission on the long term funding of the NHS and social care ¹
	S Gordon	Council decision to remove the proposal to take disability living allowances and attendance allowances into consideration when assessing charges for those using adult care services, and the number of people benefitting from this decision ¹
Children's Services	M A Watkin	Day services and overnight respite provided by Jubilee House Peartree Respite Centre (for children and young people), and opportunities for other similar respite facilities to extend their services to provide a standard offer across the County ¹
	N Bell	Young Carers' Annual Conference and what the Council can do to publicise help and support available to young carers ¹
	G McAndrew	Innovative work of the Council's Children's Services on children and family safeguarding and its work with the Department for Work and Pensions on the Parental Conflict Reduction Programme
Community Safety & Waste Management	R G Tindall	Reports to Police and Crime Panel on whether there has been any detrimental impact on combined policing units following Bedfordshire and Cambridgeshire Police Authorities both receiving an assessment of 'requiring improvement' ¹
	M A Eames-Petersen	Hertfordshire Waste Partnership and whether a review of the Alternative Financial Model should be undertaken ¹

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	F R G Hill	Update on future governance of the Hertfordshire Fire and Rescue Service
Education, Libraries and Localism	M A Watkin	Reduction in funding for the SACRE service in Hertfordshire ¹
	J Billing	Press release issued by the Executive Member (following her question at the last Council meeting) relating to proposals for an alternative model for the delivery of library services ¹
	D Andrews	Proposals for the library in Stevenage in light of the regeneration proposals for the town centre
Environment, Planning and Transport	C J White	Residents' concerns regarding issues with railway services in Harpenden and St Albans and consequences of proposed changes to service timetables ¹
	A K Khan	Action that can be taken to have Watford Junction (railway station) and other rail stations on the Hertfordshire/London boundary moved into London rail Zone 6 ¹
Highways	S B A F H Giles-Medhurst	Length of time to deal with reports of a (rail) bridge strike possibility following the lowering of the bridge and associated delay in changes to advisory signage ^{1 2}
	J G L King	Arrangements for the allocation of additional £1.8m received from central government to support the repair of potholes to ensure even spread across the County ¹
	J R Jones	The Council's use of the 'Asset Management Approach' to maintaining the County's highway infrastructure and the financial consequences if it was to lose its current (high) rating (Grade 3) ¹
Public Health, Prevention and Performance	B A Gibson	Voracity and completeness of performance indicators in relation to highways; ensuring full and accurate information so that performance can be monitored in a meaningful way ¹

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	J Billing	All-Member briefing / seminar on bodies working with the County Council on health matters and their responsibilities ¹
	F Guest	How the Council is working with district and borough councils across the County to promote the 'Year Of Physical Activity', especially with young people
Resources, Property and the Economy	S K Jarvis	Mechanism in place to ensure that the Council's property development plans deliver aspirational community benefits ¹
	S J Taylor	Update on future governance of the Hertfordshire Fire and Rescue Service ¹

Notes: 1 - denotes that a supplementary question was also asked
2 – denotes that a written reply will be given

7.2 Written questions to Executive Members – Standing Order 8(9)

7.2.1 Written questions to Executive Members and responses are set out in the attached Annex.

8. REPORT FROM THE HEALTH SCRUTINY COMMITTEE

8.1 Prior to consideration of this item of business, **S Quilty**, Chairman of the Health Scrutiny Committee, provided Council with the following statement:-

'Many of you are aware that Herts Valleys Clinical Commissioning Group [HVCCG] decided to withdraw funding from Nascot Lawn, Watford. Nascot Lawn provides respite care for children with complex health and social care needs. The decision was challenged by parents at a Judicial Review. In judgement, it was concluded that Nascot Lawn was a health facility and, therefore, the CCG had to consult with the County Council.

Health Scrutiny Committee held a Special Meeting on 21 March 2018. The Committee heard from witnesses from health, carer organisations, Children's Services, Healthwatch Hertfordshire, and parents and carers of children that use Nascot Lawn for respite care.

In conclusion, the Committee noted the progress that had been made

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towards partnership working and the commitment from both HVCCG and East and North Herts CCG [E&NHCCG] to support and provide services for children with complex health needs to safely access overnight short breaks.

The Committee was not satisfied that the proposal, as put forward by HVCCG, is in the interests of the health service; however, considers that it may be possible to reach an appropriate agreement with HVCCG. It unanimously agreed a motion requesting that the CCGs and Children's Services work together to develop a response that includes:-

- transitional arrangements;*
- financial contribution;*
- details of nursing available for overnight short breaks;*
- type and nature of legal agreement; and*
- engagement and consultation.*

The Health Scrutiny Committee will consider the response at its meeting to be held on 9 May 2018.'

8.2 With the Chairman's permission, **T C Heritage**, Executive Member for Children's Services, then made the following statement:-

'Council may find it helpful to know that to date we have successfully transitioned 8 children from Nascot Lawn as follows:-

- 3 to West Hyde;*
- 1 to The Haven;*
- 1, over the age of 18, to adult provision; and*
- 3 have converted to direct payments.*

A further 19 children and young people are currently in the process of transitioning. This includes:-

- 9 who are working towards going to West Hyde;*
- 4 are working with Jubilee;*
- 5 are working with The Pines;*
- 1 is going into shared care;*
- 1 is working with Meldreth;*
- 1 is exploring adult provision; and*
- 2 are exploring direct payments.*

This leaves 16 children and young people still to be found alternative provision. I think a number of parents had been waiting for the outcome of the Judicial Review. Now that we have that I am hoping that they will engage with us in identifying suitable alternative provision for their children and young people.'

- 8.3 The following motion proposed by **S Quilty** and duly seconded by **C J White** was CARRIED:-

“That the report from the Health Scrutiny Committee be received.”

9. CHANGES TO THE COUNCIL’S CONSTITUTION: DIRECTOR OF ENVIRONMENT AND INFRASTRUCTURE

- 9.1 The following motion proposed by **J D Williams** and duly seconded by **T C Heritage** was CARRIED:-

“That Council:

- (a) agrees to the inclusion in the Constitution a revised senior officer management structure as set out in Appendix 1B to the Report to include the post of Director of Environment and Infrastructure; the revised senior officer management structure to take effect from 1 April 2018;*
- (b) delegates to the Director of Environment and Infrastructure the functions set out in Part 2 of Appendix 2 to the Report (the Chief Executive to retain such delegations until the Director of Environment and Infrastructure takes up post).*
- (c) confirms that the post of Chief Executive remains designated as Head of Paid Service with the principal responsibilities set out in paragraph 4.3 of the report and retains the delegations set out in Part 1 of Appendix 2 to the Report.*
- (d) authorises the Chief Legal Officer to make to make any amendments as may be necessary to the Constitution to give effect to the decisions at (a) to (c) above.”*

10. CHANGES TO THE COUNCIL’S CONSTITUTION: ANNEX 6

- 10.1 The following motion proposed by **J D Williams** and duly seconded by **T C Heritage** was CARRIED:-

“That Council:

- (a) agrees the changes to the Council’s Constitution as set out in paragraph 2.8 the Report; and*
- (b) authorises the Chief Legal Officer to amend Annex 3 to the Constitution to give effect to the decision at (a) above.”*

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11. PROGRAMME OF MEETINGS SEPTEMBER 2018 – JULY 2019

11.1 The following motion proposed by **J D Williams** and duly seconded by **T C Heritage** was CARRIED:-

“That Council agrees:-

- (a) the programme for Council and Cabinet meetings for September 2018 to July 2019; and*
- (b) the indicative programme for Committees and Cabinet Panel meetings for September 2018 to July 2019.”*

12. NOTICES OF MOTION – STANDING ORDER 9(6)

12A. 12.1 The following motion was proposed by **S K Jarvis** and duly seconded by **S B A F H Giles-Medhurst**:-

“Council believes that closer working with Town, Parish and Community Councils has the potential to improve standards of highway maintenance in parished areas at little or no cost to the County Council but notes that the current Highways Together programme has had a relatively limited take up.

It believes that the scheme should be enhanced along the lines of the those successfully introduced elsewhere which allow Parish, Town and Community Councils to perform a much wider range of highway maintenance tasks after receiving appropriate training. Such an enhanced scheme should then be actively promoted to all Parish, Town and Community Councils.”

12.2 In accordance with Standing Order 9(8), the Chairman advised Council that the motion stood referred to the Highways Cabinet Panel for consideration.

12B. 12.3 The following motion was proposed by **S K Jarvis** and duly seconded by **S B A F H Giles-Medhurst**:-

“This Council requests the Highways Cabinet Panel to review the delivery of 2017/18 Highway Locality Budget projects compared with their planned dates.”

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12.4 In accordance with Standing Order 9(8), the Chairman advised Council that the motion stood referred to the Highways Cabinet Panel for consideration.

12C. 12.5 The Chairman advised Council that, in accordance with Standing Orders 9(8) and 9(9), he would allow the motion at 12.6 to be debated at the Council meeting and that normal rules of debate would apply.

12.6 The following motion was proposed by **N Bell** and duly seconded by **S J Taylor**:-

“This Council resolves that the Leader of the Council urgently writes to the Chancellor of the Exchequer demanding that the proposed changes to Universal Credit going through Parliament that would see thousands of Hertfordshire’s children lose out on free school meals be reversed.

As the well-respected Childrens society has shown in its research, there are 35,100 children in poverty in our County though only 8,500 currently qualify for ‘free school meals’. As the Children’s society have pointed out in their research, many thousands more vulnerable children and their families will be forced into even more unnecessary poverty, adding to increased pressure on our children’s services and at food banks across all our district Councils if this legislation is given the green light by the Government.”

12.7 In accordance with Standing Order 13 (4) a recorded vote was requested.

12.8 The motion at 12.6 was then voted upon and LOST, the recorded votes being:-

Those in favour of the motion (24)

S Bedford	E M Gordon	A F Rowlands
N Bell	J S Hale	S J Taylor
J Bennett-Lovell	N A Hollinghurst	R G Tindall
J Billing	S K Jarvis	A S B Walkington
D S Drury	A K Khan	M A Watkin
M A Eames-Petersen	J G L King	C J White
B A Gibson	R G Parker	T J Williams
S B A F H Giles-Medhurst	N A Quinton	P M Zukowskyj

Those against the motion (47)

D Andrews	F Guest	M D M Muir
D A Ashley	D Hart	A Plancey
D J Barnard	C M Hayward	S Quilty
P Bibby	M S Hearn	I M Reay
S J Boulton	T C Heritage	R M Roberts
A P Brewster	D J Hewitt	R Sangster
S Brown	F R G Hill	R H Smith
E H Buckmaster	T W Hone	A Stevenson
F Button	T Howard	R A C Thake
C Clapper	T R Hutchings	A D Williams
H K Crofton	J R Jones	J D Williams
R C Deering	J S Kaye	C B Woodward
T L F Douris	P V Mason	C B Wyatt-Lowe
S Gordon	G McAndrew	W J Wyatt-Lowe
J M Graham	M B J Mills-Bishop	J F Wyllie
L Greensmyth	A J S Mitchell	

Those abstaining (0)

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

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WRITTEN QUESTIONS TO EXECUTIVE MEMBERS – STANDING ORDER 8

1. **Written question from S B A F H Giles-Medhurst to J D Williams, Leader of the Council**

“Does the Leader agree with the view taken by his predecessor and the protocol that was in place that all Cabinet decisions, unless they are of such urgency that it precludes them going to a Cabinet Panel for review and discussion, should first be considered by a Cabinet Panel and that this enables opposition members and back bench members of the administration the opportunity to comment accordingly?”

J D Williams has replied:

“It is not a legal or constitutional requirement for items going to Cabinet to be considered first by Cabinet Panels. In general I agree that items presented by Executive Members to Cabinet often benefit from the cross party discussion that has taken place at the relevant Cabinet Panel(s). I assume the question is motivated by the Highways Integrated Works Programme (IWP) not following this route. The IWP has not been to a Cabinet Panel since March 2008 following which, the Chairman of the Panel decided that, because the main debate was about the detail of the programme, i.e. individual schemes, there was no value in taking the IWP through Panel. Since that time, all members have been given regular opportunities through each year to comment on the emerging IWP as it affected their individual Divisions. This was judged to be a more effective and comprehensive way of getting members’ comments on the IWP.

That having been said, I can see the value in the Cabinet Panel giving strategic comments on the IWP, such as the distribution of resources between the various programmes. Whilst this opportunity exists when Panel and then Cabinet considers a) the Transport Asset Management Plan Annual Progress Report and b) the Integrated Plan, I have agreed with the Executive Member for Highways that the 2019/20 Highways IWP will again come to Highways Panel for strategic, rather than detailed, examination.”

2. **Written question from S B A F H Giles-Medhurst to J D Williams, Leader of the Council**

“Given any answer to the question above will the Leader now ensure that all Cabinet decisions and the reports relating them, except in the case of urgency, will first come to a Cabinet Panel?”

J D Williams has replied:

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“As I said in my previous answer, whilst it is not a legal or constitutional requirement for Cabinet decisions to go through a Cabinet Panel, in general I agree that items presented by Executive Members to Cabinet often benefit from the cross party discussion that has taken place at the relevant Cabinet Panel(s) and so usually items going to Cabinet will first go to a Cabinet Panel.”

3. Written question from S B A F H Giles-Medhurst to J D Williams, Leader of the Council

“Will the Leader please update members as to the latest position that he is aware of with regard to the Metropolitan Line Extension (MLX) and the joint letter (15th Feb) sent to the Mayor of London from himself, the Mayor of Watford and Chairman of the Hertfordshire Local Enterprise Partnership and any response that has been received?”

J D Williams has replied:

“As you have referenced, I signed a letter (along with the Mayor of Watford and the Chair of the Local Enterprise partnership) to the Mayor of London dated 15 February 2018. To date (21 March 2018), I regret to say that there has been no response. The letter expressed our deep disappointment that the Mayor of London has decided not to honour the commitment made by the Mayor’s office to deliver the project within the funding package agreed in 2015. Hertfordshire County Council, Watford Borough Council and the LEP will now be reviewing options for improving transport in this part of South West Hertfordshire and how best to protect the corridor identified for the project for future transport initiatives.

Meanwhile, HCC officers are in discussions with DfT and then Transport for London on how previous funding contributions can be returned”

4. Written question from S B A F H Giles-Medhurst to J D Williams, Leader of the Council as responsible for Resources, Property and the Economy

“Will the Executive Member undertake a review of the council's policy that prevents any commercial advertising in subways and underpasses maintained by the council?”

[As a footnote I have been informed in writing that, as such structures are 'public highways', "the council is unable to change its position regarding advertising by private companies on the Public Highway".

Given than such advertising affects pedestrians and or cyclists and that such advertising is allowed elsewhere and for community events this approach seems illogical and missing an opportunity to obtain revenue].

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J D Williams has replied:

“The County Council has previously looked at the opportunity for advertising on the highway, including structures, and let a contract to deliver this. The contract ended in 2015 and it was concluded that the service was resource hungry and only generated minimal revenue, so it was not continued. Provision has been made within the Agency Agreements that we have with the Boroughs / Districts councils for roundabout sponsorship, which is then used to enhance the verge management service.

Given the previous limited interest in advertising on the highway I do not propose to undertake a major review but will ask officers to investigate if neighbouring authorities have had any success in this area.”

5. Written question from S K Jarvis to D A Ashley, Executive Member for Environment, Planning and Transport

“What is the total value of section 106 contributions (a) received and (b) spent, by contribution type for the year 2017/18 to date and for each of the previous five years?”

D A Ashley has replied:

“Please see the spreadsheet attached.

Please note:

- *The attached is drawn from the PROMs system (Planning Responses & Obligation Monitoring System);*
- *The grand total does not include amounts held prior to the report period;*
- *The income and expenditure in the attached may therefore relate to different contributions i.e. there will be expenditure against contributions that were received before 2012/13;*
- *The net position of any un-spent un-allocated S106 contributions is found in the latest Traffic Light Report (TLR) – received by all Members; and*
- *The financial year 2017/18 has not ended and expenditure will be higher at year end.”*

6. Written question from S K Jarvis to R Sangster, Executive Member for Highways

“What criteria were used to select the locations for “Invest to Improve” projects to be undertaken in 2018/19 and what process was used to determine which roads met these criteria?”

R Sangster has replied:

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“The Integrated Plan (IP) includes extra money (£5 million in 2018/19) for local (unclassified) roads to improve their condition, which is being referred to as Invest to Improve or ‘i2i’ for short.

The i2i programme will focus solely on unclassified roads in a poor condition with the overall aim of halving the number of such roads from the current 16% which are ‘poor’ down to around 8% over the projected five year project. Within those parameters, scheme selection will be based on a combination of factors including:

- The condition of the road (with worse roads having priority);*
- How important those roads are to local communities (with priority given to highly populated areas or rural roads used frequently)*
- Whether the scheme offers good value for money (to allow as many roads as possible to be treated).*

The selection process for this programme is technically led, based on the criteria given above.

With i2i being a new initiative, the list of sites for 18/19 needed to be assembled quickly to get a programme ready for delivery this year which meant local members did not have the opportunity to see a draft before list was presented to Cabinet for approval. In future years the i2i programme will be able to follow the same timetable as the IWP and members can consequently expect to see a draft 19/20 programme in July this year alongside the draft 2 IWP for 19/20 to help inform their HLB choices.”

7. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

“Ringway gritting vehicles are monitored using a tracking system which reports on performance, including location, speed and spread of material. Vehicles used in urban areas are governed at 30mph to ensure they do not use excessive speed when gritting.

Given that this information has now come to light that such vehicles are indeed travelling in excess of 20mph in 20mph limited roads and that this has caused complaints will the Executive Member now ensure that, in future, gritting vehicles are regulated so that on such roads 20mph is not exceeded and the Winter Operational Plan adjusted accordingly?”

R Sangster has replied:

“The Ringway gritting vehicles used in Hertfordshire are tracked and the speed and spread rate is recorded. It is the driver that controls the speed of the gritter and they are told to drive in accordance with the road conditions at the time, which includes observing the relevant speed limit. There is no

electronic system which governs the speed in urban areas.

The speed the vehicles drive at and the spread rate are connected to ensure that the right amount of salt is delivered to the road surface as the vehicles drive along.

As the speed of the gritter is recorded, any enquiries received by the service in relation to the gritting operation can be investigated, if the location and time is provided and any appropriate action taken.”

8. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

“Will the Executive Member, in conjunction with the Development Management team any other Executive Member as appropriate, ensure a policy is in place that requires District and Borough Councils that, where a dropped crossing/crossover becomes redundant in the light of a new development, it is a requirement of the Highways Authority that a full height kerb must be reinstated with reinstatement of the adjacent footway?”

R Sangster has replied:

“This is an issue that has been recognised in the service and changes are already being planned. Standard highway Conditions and templates for Informatives are being regularly reviewed, updated and issued to all Highway Planning Officers. These are being included by HCC as Highway Authority, as necessary and appropriate, in response to planning application consultations from the Local Planning Authorities.

New template Conditions and Informatives will be incorporated into the new version of the ‘Highways Development Management Manual’, an internal guidance document for officers. To ensure developers include the raising of redundant dropped kerbs into their designs, the advice on vehicle crossovers within our ‘Roads in Herts’ Guidance will be strengthened in the next version currently being drafted.”

9. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

“On how many occasions in each of the last three financial years and to date has an Inspector revisited a fault reported site and decided the original decision communicated to the reportee was wrong?”

R Sangster has replied:

“This data is not captured.

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A triage inspector will visit the location of certain customer reported defects (footway and carriageway 5 and 20 working day defects) to determine if they meet intervention levels for repair. If a Category 1 repair is needed they will raise an order for this. If they decide the fault does not meet the intervention levels they will assign a new priority. This will trigger a response back to the customer. They do not revisit the location at a later date to check if this decision and communication back to the customer was correct. There have been reports from customers where they have challenged the response they have been sent. When these are investigated, the normal outcomes are that either the correct response was sent and a repair wasn't required under the standards or the wrong response was sent but the fault was actually being processed for repair or was a duplicate. It should also be remembered that a defect can deteriorate overtime especially during the winter period.

HCC officers do undertake a sample audit (around 10%) to check as far as reasonably possible that works are being carried out in accordance with our requirements. We also do a sample check of responses back to customers."

10. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

In each of the last three financial years and the year to date what has the average time for a Stage 3 Safety Audit to be undertaken on a traffic/ road safety management scheme?

What has been the longest wait for such an Audit and report?

What has been the shortest time for such an Audit and report?

Is there a set time frame and, if not, will the Executive Member institute one?

R Sangster has replied:

"For the Integrated Works Programme (IWP) Cat 4 works we have undertaken a total of 108 Stage 3 Road Safety Audits (RSA), covering the years 2014/15, 2015/16, 2016/17 and the year to date. Broken down as:-

Number of Stage 3 RSAs undertaken

<i>2014 / 15</i>	<i>37</i>
<i>2015 / 16</i>	<i>36</i>
<i>2016 / 17</i>	<i>29</i>
<i>Year to date</i>	<i>6</i>
<i>Total</i>	<i>108</i>

There is no central log of the number of RSA's undertaken for the Development Management elements of our service, in the time available it has not been possible to compile the complete answer for this part of the service. I will provide a complete answer in writing in 3 weeks.

Of the 108 Stage 3 RSA's, it took on average 196 days, between site completion and provision of the RSA report to the Project Sponsor.

The longest time gap for a Stage 3 RSA was 468 working days, but this is substantially above our norm due to particular project issues and how it has been recorded and is not typical.

The shortest time gap for a Stage 3 RSA was 6 days. Again this is substantially shorter than our normal range and not typical.

There are no national guidelines for carrying out RSA's on the local road network within particular timeframes.

That said the service have the following two targets for the delivery of Stage 3 RSA's:

- 1. Development Management works – have written in "Roads in Herts" a target of 90 days after completion of works, and*
- 2. IWP works - between 90 and 180 days after completion of works, though there is no policy basis for this."*

11. Written question from S B A F H Giles-Medhurst to R Sangster, Executive Member for Highways

"How many recommendations from Stage Three Safety Audits in the last three financial years and the year to date have not yet been implemented on the ground?"

[To be clear the answer is number of separate recommendations not the number of audits]

R Sangster has replied:

"There is no central log of this information however one is now being compiled. I will provide a full response in writing within 4 weeks."

	2012/13		2013/14		2014/15		2015/16		2016/17		2017/18		Grand Total	
	Income	Expenditure	Income	Expenditure	Income	Expenditure	Income	Expenditure	Income	Expenditure	Income	Expenditure	Income	Expenditure
Area Transport Plan Proposals					£ 150,000					£ 63,610		£ 86	£ 150,000	£ 63,696
Childcare	£ 219,502	£ 117,295	£ 131,843	£ 79,628	£ 183,598	£ 328,338	£ 148,286	£ 200,281	£ 149,029	£ 74,840	£ 92,909	£ 54,509	£ 925,167	£ 854,891
Cycling Facility/Routes	£ 15,000	£ 5,055	£ 5,682		£ 139,430	£ 32,795		£ 791		£ 13,697			£ 160,112	£ 52,338
Early Years											£ 5,207		£ 5,207	
Education		£ 216,802		£ 157,366	£ 210,729			£ 18,022	£ 259,709		£ 339,812	£ 192,707	£ 810,250	£ 584,897
First	£ 1,867		£ 811	£ 25,746	£ 80,575	£ 71,595	£ 439,346	£ 141,727	£ 466,012		£ 120,536	£ 47,074	£ 1,109,149	£ 286,142
Highway Works	£ 741,127	£ 476,072	£ 1,569,191	£ 103,201	£ 282,839	£ 388,852	£ 160,121	£ 163,858	£ 261,944	£ 148,893	£ 571,450	£ 24,749	£ 3,586,672	£ 1,305,625
Junction Improvements				£ 67,684		£ 67,372	£ 10,382	£ 11,516		£ 171,431			£ 10,382	£ 318,003
Library	£ 313,440		£ 237,462	£ 332,176	£ 408,939	£ 33,308	£ 355,665	£ 478,075	£ 278,689	£ 474,539	£ 205,628	£ 153,105	£ 1,799,823	£ 1,471,203
Middle	£ 118,639		£ 54,544	£ 40,419	£ 287,846	£ 9,568	£ 358,184	£ 493	£ 386,109		£ 91,218	£ 95,859	£ 1,296,541	£ 146,339
Nursery	£ 268,717	£ 375,072	£ 268,000	£ 68,724	£ 541,841	£ 133,344	£ 338,800	£ 132,572	£ 326,313	£ 28,329	£ 149,969	£ 40,198	£ 1,893,640	£ 778,240
Other	£ 90,122	£ 17,977	£ 173,006	£ 110,156	£ 128,074	£ 5,546		£ 404,098	£ 244,973	£ 85,562	£ 158,773	£ 231,752	£ 794,947	£ 855,091
Other Mitigating Measures										£ 1,000				£ 1,000
Passenger Transport	£ 18,664	£ 226,060	£ 24,481	£ 375,997	£ 480,941	£ 918,421	£ 111,027	£ 248,530	£ 97,657	£ 143,883		£ 150,235	£ 732,770	£ 2,063,126
Pedestrian Facilities/Routes				£ 10,000	£ 73,302				£ 76,789	£ 20,000			£ 150,091	£ 52,742
Police									£ 3,769		£ 4,005		£ 7,774	
Primary	£ 2,746,009	£ 7,037,344	£ 3,731,518	£ 3,245,164	£ 4,315,235	£ 2,840,836	£ 2,972,801	£ 2,298,359	£ 2,323,043	£ 304,381	£ 1,578,307	£ 1,940,586	£ 17,666,913	£ 17,666,671
Rights of Way Improvements		£ 6,139								£ 5,000				£ 11,139
Safety Improvements			£ 10,225		£ 10,178		£ 184	£ 392				£ 52,143	£ 20,587	£ 52,534
Secondary	£ 1,721,728	£ 407,930	£ 2,399,336	£ 2,388,406	£ 3,589,761	£ 2,583,158	£ 2,335,247	£ 1,393,312	£ 1,653,765	£ 3,084,490	£ 1,506,874	£ 3,818,229	£ 13,206,711	£ 13,675,525
Signals						£ 3,957								£ 3,957
Sustainable Transport	£ 1,592,495	£ 1,163,446	£ 1,967,894	£ 3,093,303	£ 3,188,052	£ 2,248,055	£ 1,987,891	£ 3,563,996	£ 1,943,894	£ 1,989,768	£ 511,784	£ 217,791	£ 11,192,010	£ 12,276,359
Temp Primary						£ 16,231								£ 16,231
Traffic Calming				£ 9,606	£ 139,052	£ 33,418				£ 2,483			£ 139,052	£ 45,507
Traffic Regulation Order	£ 5,000		£ 10,066		£ 9,260		£ 16,000	£ 4,253	£ 5,591	£ -			£ 45,917	£ 4,253
Transport Studies		£ 4,934		£ 17,079			£ 24,000	£ 6,528					£ 24,000	£ 28,540
Travel Plan Monitoring	£ 6,836		£ 13,950	£ 10,556	£ 6,000		£ 36,002		£ 30,918	£ 2,400	£ 23,453		£ 117,158	£ 12,956
TravelSmart	£ 555		£ 5,245		£ 6,618		£ 6,719	£ 9,437	£ 2,571		£ 442		£ 22,150	£ 9,437
Wapper	£ 93,593		£ 57,334	£ 12,123	£ 241,393		£ 354,663	£ 355	£ 399,505		£ 5,129	£ 86,136	£ 1,151,617	£ 98,614
Various	£ 6,307	£ 103,006	£ 20,690	£ 618,413		£ 909,026		£ 1,962				£ 35,000	£ 26,997	£ 1,667,407
Youth	£ 133,111	£ 62,859	£ 47,819	£ 129,538	£ 106,054	£ 106,413	£ 78,809	£ 230,805	£ 59,383	£ 128,425	£ 36,164	£ 13,901	£ 461,340	£ 671,940
Grand Total	£ 8,092,713	£ 10,219,992	£ 10,729,098	£ 10,895,286	£ 14,579,714	£ 10,730,235	£ 9,734,128	£ 9,334,586	£ 8,969,663	£ 6,740,248	£ 5,401,661	£ 7,154,058	£ 57,506,977	£ 55,074,404

CHAIRMAN'S
INITIALS

.....

Dear Mr Gough

**Re: Proposed construction to rear of 5 Tring Road,
Dudswell, HP4 3SF
District ref: 4/03324/17FUL
HCC ref: DA/52/2018 (Amended)
Case officer: Valerie Spiers**

Thanks for your time yesterday when we discussed the concerns raised by local residents, which I share, regarding impact on road traffic safety of the proposed construction of two pairs of semi-detached 2 storey homes with shared driveway to the rear of 5 Tring Road, Dudswell. During our conversation you were able to view the junction in question on Google Earth.

You asked me if I could outline the points that I had raised in writing and I am most happy to do so. I understand that Martin Stickley at DBC is willing to take into account any further representations received by 9 April before further considering the case.

I was elected to represent Northchurch at a by-election on 8 March 2018 and shortly afterwards was made aware of the strength of local feeling about the danger that this planned construction may pose to local road users, particularly to school children who use the bus stops in close proximity to the junction during rush hour. As the wider community has become aware of the proposed development I have had concerns about road traffic safety expressed to me, not just by the immediate neighbours, but by the wider community.

Prior to my election to DBC on 8 March 2018, the HCC case officer Valerie Spiers had concluded on 2 March 2018 that, subject to stipulated conditions in the highways report, the proposals would not have an unreasonable impact upon

highway safety or capacity. However I am concerned that Ms Spiers has not had full information about the day to day usage of the junction, particularly at rush hour. She has therefore not been able to give due weight to the impact of this proposed development on road safety in view of the complexity of the junction and its day to day usage. As I was not representing the residents prior to Ms Spiers' decision, I was unable to raise my concerns before she reached her decision. I therefore hope that my representations on behalf of the local residents can be taken into account at this stage. Ms Spiers also would not have been aware when she made her decision of the petition signed by over 2000 residents subsequently presented to HCC, on 27 March and the HCC motion passed with cross party support to consider road traffic safety measures in Northchurch.

I have recently visited the junction towards the end of rush hour and spent some time there hearing the concerns of the residents and observing the usage of the junction. I formed the view that this development would have a concerning impact on road safety and in particular put children using the bus stops in close proximity at an unacceptable level of risk, which could not be easily mitigated.

Context of the Junction

I use this stretch of road on a daily basis. Travelling from the Tring direction, even as an established resident, I find this stretch of road deceptive in that it gives a rural impression, but is more densely populated than it feels. This is because on the Dudswell Lane side the houses are completely shielded from view by high hedges, whilst on the 5 Tring Road side most of the properties are well set back from the road with junctions and driveways emerging from banks covered by grass or undergrowth. This creates a false sense of a rural landscape which is hard to distinguish from the approaching route, yet there is quite a high housing density with driveways and junctions hidden or obscured. From the Berkhamsted direction the recreation ground and hedge to the cricket club also provide

a sense of entering the countryside with the junctions and houses not being clearly visible on the other side.

Complexity of Junction

The proposed development means that a single driveway, currently used by a single property with space for at least 3 cars, will become a shared driveway for a further 4 properties each with 3 spaces allocated. This means a total of at least 15 cars could be regularly using the driveway.

I would submit that most people would tend to consider an entrance serving up to 15 vehicles as a cul de sac, rather than a driveway. It is also worth noting that refuse collection lorries will be using this entrance as well as the numerous delivery vans that would be normally associated with 5 residences on a day to day basis.

The driveway is situated directly opposite the junction between the Tring Road and Dudswell Lane, a dangerous junction in itself due to the angle of the junction. There is a further single track entrance to Northchurch Cricket Club from Dudswell Lane immediately opposite the proposed development, which would effectively form a crossroads with the entrance to the development (it can be seen that the sign post for the cricket club is right at the bottom of the current driveway to 5 Tring Road).

In addition to this there is a telephone repeater building with a hard standing access for 2 vehicles which joins the access road to the cricket club near the junction with Tring Rd/Dudswell Lane. I understand that there is a currently a planning application in progress for this to be extended to be used as storage, introducing the prospect of vans or trucks using the hard standing as they access the storage facility.

Immediately adjacent to the driveway in question is a lay-by bus stop. I understand this is frequently used by double decker

buses as well as lorries for rest periods. This clearly introduces the prospect of the visibility in the direction of Northchurch/Berkhamsted being obscured for both drivers exiting the development as well as pedestrians who may be crossing the road after getting off a bus.

There is also a bus stop diagonally opposite the junction on Tring Road.

Additionally, the current junctions of Lyme Avenue and Birch Road provide further hazards in each direction as the proposed development is situated between these junctions.

The neighbouring driveway is approximately one car width from the exit in question and there are other driveways exiting directly onto the road, including one next to the bus stop opposite the exit to the proposed development.

The road bends away in each direction, meaning driver visibility in both directions is limited, reflected in the fact that there is a double solid white line in the centre of the road indicating overtaking is prohibited in both directions at the entrance to the proposed junction.

Whilst all of the above may have been evident when Ms Spiers reached her decision, it is not clear from her report that she took into account the weight of the traffic at rush hour, the use of the lay by for rest periods or the use of the bus stops by children at rush hour. It is also not clear that she would have been aware of the planning permission being sought for the telephone repeater as a storage facility or the daily use of the cricket club pavilion as a kindergarten. Nor would she have been aware of the petition reflecting local residents' concerns for road traffic safety, subsequently presented to HCC.

Usage of Junction

Presence of a kindergarten has not been taken into account

Home from Home Kindergarten is based in the cricket pavilion during the day. The access is via the narrow entrance to the cricket club from Dudswell Lane. My child attended this kindergarten several years ago. I recall it was difficult turning right into the junction at busy times as there was often a vehicle leaving the kindergarten as I was trying to enter it and it was difficult to see if this was the case. I would tend to wait to turn right on Tring Road and then have to slow immediately to see if a vehicle was exiting the kindergarten. If it was busy this could sometimes cause traffic to back up behind me as I was waiting to turn right, whilst traffic exiting the kindergarten could be waiting at the junction between Tring Road and Dudswell Lane.

Recent enquiries have revealed that about 20 customers per day use the kindergarten and their drop off/collection times are 0800-0900, midday and between 1630 and 1830. All or most of the customers use cars according to the staff. In my experience this means an almost constant flow of traffic in and out of the Kindergarten at peak times.

Children crossing the roads to and from the bus stops beside and opposite the junction will be endangered

Children from Tring school, Ashlyns and Chesham Grammar school need to cross the road to use the bus stops. In the winter many children will be attending after school events and could be crossing after 1630 during dusk or darkness. It should be noted that the pavement on the 5 Tring Road side in the Berkhamsted direction ends at the end of the lay-by where Birch Road meets Tring Road. As it is dangerous to cross from within the layby, there is quite a limited area in which children on the 5 Tring Road side can safely cross the road and be received onto pavement on the opposite side. If wanting to walk towards Northchurch, they will have to cross almost opposite the bus shelter on the Dudswell Lane side as space is restricted on the Dudswell Lane side by a driveway and the pavement

then ceasing. This narrow strip, where it is possible to cross onto pavement, is close to the proposed junction.

It is already quite dangerous in that children will need to be aware of traffic coming from both directions on the Tring Road where visibility is already limited; traffic coming from Dudswell Lane; a number of driveways ; turnings onto Tring Road from Birch Road, Lyme Avenue and Pea Lane as well as from the Kindergarten and the telephone repeater station on the Dudswell Road side.

For a young secondary age child of 11, clearly with no driving experience, it is already a significant challenge to anticipate where traffic might emerge from and at what speed and to work out if it is safe to cross the road. Children may be under pressure to cross to catch the bus and during the winter months, when it may be dark during the morning or afternoon journeys to and from school. This could clearly put them at risk. This situation is already dangerous. The introduction of more rush hour traffic using the access road to the new development would simply add to the information a child would have to process before crossing the road. Children will be in a situation where there are so many junctions to check, it is quite possible that once they have checked in every direction, the situation will have already changed, meaning that it will be impossible for children to cross safely at rush hour.

Cricket Practice

During the summer months when I would collect my child from Home from Home between around 1730 and 1800 I would notice that cricket practice was already taking place. I understand from the residents that children will travel unaccompanied to use the cricket facilities during the summer months.

Pedestrians & other road users

During the time I observed the road traffic I noticed a couple collect a child from Home from Home in a buggy and cross diagonally towards Birch Road; I noticed cyclists and joggers. There were also a number of dog walkers as there is a gate to a dog walking area just inside the entrance to the cricket club where there is also a dog waste bin. At times the road was very heavy with traffic. It is not hard to imagine how difficult it would be on dark mornings for children trying to cross to use the bus stops, when the Kindergarten parents were dropping off.

Concerns by wider community

The general weight of traffic and the hazardous nature of the roads in Northchurch has been a major concern of the local community over a number of years. There is a local Go20 campaign calling for improved road safety in Northchurch. A petition calling for road safety improvements in Northchurch which attracted over 2000 signatures was presented to HCC on 27 March and is currently being considered by HCC. A motion connected to the petition calling for road traffic improvements in Northchurch also attracted cross party support at the HCC meeting on 27 March.

Road traffic safety was my priority campaigning issue leading up to my election and it is clear that Northchurch and Dudswell residents want this to be prioritised. During my conversations with the residents of Boswick Lane and Dudswell Lane prior to my election, many residents were already concerned about road traffic safety on this stretch of road due to the speed of traffic and lack of visibility. Residents have raised particular concern about children using the bus stops. As well as the residents immediately affected by the development members of the wider community including the Go20 campaign have expressed concern about the impact of this development on road safety.

I hope that the information I have provided you with enables you to reconsider the assessment of the risk to road users generally and in particular vulnerable road users regarding the proposed development.

The image below shows the pavement comes to an end where



the bus lay-by meets Birch Road

The image below shows the only space where children are able to cross the road after getting off a bus. It is in the distance at the point where the two cars driving away are passing. It can be seen that this is very close to the entrance to the proposed development.



This image shows the limited area on the Dudswell Lane side



that children can cross to after getting off the bus

Kind Regards

Cllr Lara Pringle

Sent from my iPad

Dear Ms Spiers

Thanks for taking the time to consider and respond in detail to the further representations made in this matter.

With regard specifically to the road safety issues, in your response you have said:

I am aware of the petition presented to HCC on 27 March 2018, which is being handled by a colleague, Mr Ed Fisher, here at HCC. The issues of road traffic safety measures in Northchurch raised in this document are not specifically related to the specific proposals of this development.

Although the petition and consequent motion of HCC do not specifically make reference to the development (it is not clear that the petitioners or the councillors would have been aware of it), the consequent motion passed by HCC does refer specifically to the area of road containing the junction in question. In this respect it does raise issues of concern pertinent to the proposals of the development.

The motion was carried unanimously by HCC on 27 March 2018. Subsequent to the petition being received, county councillors examined the road traffic issues in Northchurch in great detail and determined, unanimously, that the part of Tring Road relevant to this application was within the area of concern. The motion carried was:

That the Executive Member be requested to consider the issues raised in (a) and (b) below:-

(a).....and authorise officers to carry out further traffic studies with a view to implementing traffic calming measures and a speed limit of 20 mph along the A4251 from Pea Lane to Billet Lane

The councillors considering the motion therefore determined that the area of concern began, from the Tring direction, at Pea Lane and thus included Tring Road at the junction with Dudswell Lane, where the access to the development is situated. The wording of this motion demonstrates that the concerns of the local population regarding road traffic safety in Northchurch are endorsed unanimously by HCC for the area which includes the relevant location, namely the stretch of Tring Road where the junction with the development will be situated at the junction with Dudswell Lane.

On the face of it this would seem to be related to the specific proposals of this development as these regard the road safety at the junction.

I wanted to bring this to your attention so that the residents can be sure that you have taken the full wording of the HCC motion into account and that you were cognisant of the fact that the junction is within the area of concern identified by HCC when you reached your decision.

Many thanks

Cllr Lara Pringle
07977 386 541

From: Valerie Spiers <Valerie.Spiers@hertfordshire.gov.uk>
Date: 17 April 2018 at 14:38:15 BST
To: "larapringle@yahoo.co.uk" <larapringle@yahoo.co.uk>, Catherine Hay <catherinehay@outlook.com>, "gkagm@aol.com" <gkagm@aol.com>
Cc: Nick Gough <Nick.Gough@hertfordshire.gov.uk>
Subject: **Planning Application 4/03324/17FUL 5 Tring Road**

Dear Councillor Pringle,

I am responding to your email to Nick Gough of 6 April 2018 as well as representations from Graham Randall and Catherine Hay, regarding planning application 4/03324/17/FUL, 5 Tring Road, Dudswell.

I am aware of the petition presented to HCC on 27 March 2018, which is being handled by a colleague, Mr Ed Fisher, here at HCC. The issues of road traffic safety measures in Northchurch raised in this document are not specifically related to the specific proposals of this development.

My conditioned response to the proposal was given after due consideration of all the aspects appropriate to highways development management, including: safety issues, trip generation, accessibility, highway capacity, servicing and parking issues.

Taking all these aspects into consideration, my conclusion was that this development would not have a severe residual impact on the surrounding road network, providing that the recommended conditions are fulfilled.

The National Planning Policy Framework, paragraph 32, states that “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

In accordance with the NPPF, therefore, I am unable to recommend refusal.

Taking account of the issues raised by yourself, Ms Hay and Mr Kendall, my view has not changed.

As regards road safety, regardless of the number of users, bus stops, laybys and junctions on this stretch of highway, only one accident involving injury has been recorded in the last 10 years in the vicinity of the site: opposite the bus stop facing number 7. This occurred on 17 June 2012 and is recorded as “slight”, indicating that there were no fatalities, and was not related to the road or traffic conditions at the time.

The application has been conditioned on the appropriate visibility for this category of road being demonstrated as achievable; however, any temporary obstructions to this visibility, such as vehicles waiting in the nearby layby, cannot be catered for.

Tring Road is categorised as a main distributor road and in the vicinity of this site a limit of 30mph is in force. Again, HCC is unable to cater for drivers ignoring the speed limit. The proposal does not introduce a new access point onto Tring Road, but proposes improvements to the existing one serving no 5. The development would only generate a small number of additional movements into and out of this improved access.

There have been two recent applications regarding the telephone repeater building, which is currently classified as use class B8 - Warehouse/Storage & Distribution: 4/00049/18/FUL, which was withdrawn, and the more recent 4/00537/18/FUL. Whilst still proposing extension to the building, the current planning application does not seek to change this category, which is proposed as B8 - General storage and distribution use, with some

ancillary office use. There is an existing dropped kerb and parking space at this site and the current application would not result in a severe residual impact on the local road network.

Ms Hay is correct in stating that the current Roads in Hertfordshire: Highway Design Guide 3rd Edition – Version 1 – January 2011, section 2, chapter 8.5.4 states that “where a shared private drive connection to a road servicing more than 100 dwellings is unavoidable, that access should serve no more than 3 dwellings”. However, this document is currently under review and the current policy framework for shared space roads can be found in Manual For Streets 2007 and Manual for Streets2 2010. There is no mention in these of any limitation to the number of dwellings to be served by a shared drive; in fact, the concept of a Home Zone, where a neighbourhood is served by shared space roadways, is promoted.

Mr Kendall has cited appeals against refusal for backland development which have been dismissed. However, the example he provides: APP/R3325/A/12/2171892 dates back to 2012, and is within the remit of South Somerset District Council. It is worth noting that although the appeal was dismissed on the acceptability of the development, on Highway Safety considerations the Inspector concluded that “the proposed improvements to the existing arrangements outweigh any increased hazard arising from the increase in traffic generation and that it would be acceptable.”

I do not find that any of the points raised indicate that this application should be refused on transport grounds where the residual cumulative impacts of development are severe.

Kind Regards,

Valerie Spiers

Development Officer,

Development Management,

Whole Client Service, Environment & Infrastructure Department

Post Point CHN203

Hertfordshire County Council

County Hall, Pegs Lane, Hertford, SG13 8DN

Tel: 01992 658147 (Comnet x58147)

My normal working days are Monday, Tuesday and Friday

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5 Tring Road Ridge Levels

	<u>Current Drawings</u>	<u>Correct Ridge Levels</u>	Variance
5 Tring Road	12.460	12.460	0.000
3 Tring Road	9.110	9.063	-0.047
1 Tring Road	11.790	11.800	0.010
7 & 9 Tring Road	12.330	14.320	1.990
11&13 Tring Road	14.750	14.710	-0.040
1 Lyme Avenue	17.006	15.990	-1.016
3 Lyme Avenue	17.006	16.320	-0.686
5 Lyme Avenue	18.350	17.880	-0.470
7 Lyme Avenue	18.350	18.280	-0.070
9 Lyme Avenue	17.600	18.330	0.730
11 Lyme Avenue	17.600	18.870	1.270
13 Lyme Avenue	19.450	19.380	-0.070
15 Lyme Avenue	19.450	19.620	0.170
27 Lyme Avenue	16.420	16.400	-0.020
29 Lyme Avenue	16.970	16.950	-0.020
1a Birch Road	14.140	14.075	-0.065
2a Birch Road	12.750	12.700	-0.050
2 Birch Road	n/a	13.230	

Our ref – 13/DN/HA05101

Your ref –

Date 18 April 2018

Mr M Stickley
Dacorum Borough Council

By email
Martin.stickley@dacorum.gov.uk
James.doe@dacorum.gov.uk

Dear Sirs

4/03324/17/FUL
5 Tring Road, Dudswell - Construction of Two Pairs of Semi-Detached Dwellings - 4 units in total with shared driveway

We are instructed by Peter Hay, a concerned resident who has already submitted representations to you.

Our client objects to the proposals because they will constitute over intensive development, harm the amenities of adjoining occupiers of land and buildings (that include the host dwelling number 5) and the design is bad, each warranting refusal for the detailed reasons set out below.

The proposal must be determined in accordance with Development Plan unless there are material considerations otherwise, pursuant to s38(6) PCPA 2004. In an email in October your approach was to resist the proposal on the grounds that the densities suggested 4/6 (units) did not “respect” the area or amenities of adjoining properties, referencing layout and site coverage, adding a large number of residents would be negatively impacted. You indicated smaller scale may be acceptable e.g. 2-3 chalet bungalows, *as long as* Plan policies and principles were going to be met. You had concluded that the pre app schemes amounted to “over development” of the site that would create a “contrived and cramped layout”....failing to correspond with neighbouring development, urging that the scheme should be reduced from four to two dwellings.

However, you later drew the applicant’s attention to an appeal decision in Grove Road and closed your email by saying that two pairs of semi-detached properties would be the best way forward, but did not explain why. In November you made further suggestions on massing and design but did not revert to the number of dwellings being 2/3 to respect the environment.

The decision from PINS in January 2017 was for a 5 unit scheme behind 5 houses. There was respect for existing “pattern and grain” by parity of unit numbers, with adequate

access and no harm to neighbours - precisely what you had encouraged the applicant here, before you shifted your stance. It is considered that appeal decision 3157873 is directly comparable assessment supporting your original view, and not that later indicated.

In the Braybeech Homes case the Inspector said the main issue was the effect of the proposed development upon the character and appearance of the area, and you have identified that issue in your communications with the applicant, though there are others matters (see below which it is considered warrant careful review).

Given that the core strategy requires respect for the typical density intended in an area and that development should integrate with such character respecting adjoining properties in terms of outlook, site coverage, scale height, bulk, landscaping and amenity space, there can be little doubt that the point about your initial view was correct as to over-development, the end properties "overbearing impact" on adjoining occupiers (a serious point that remains harmful). Such has not been overcome by good design, the massing by full site width avoided by chalet bungalows with single storey side elevation, not 2.

Fewer low-rise buildings might, in terms of "pattern/grain/respect", fit proportionately in this setting, though the adverse impacts to adjoining occupiers of land and buildings remained your key caveat. Here we consider that harm is not overcome, so turn to that.

We attach our client's diagram to illustrate his concerns as to access safety and adjoining occupier amenities. There is concern about the occupant amenities of the host dwelling number 5, and number 3. At 5 (re-plotted as found on the ground) there are windows and entrance door facing what appears to our client to be a narrower roadway than shown, trafficked by 4 large dwellings. No 3 is due to be redeveloped coming closer to the same boundary. There will be a "funnelling" effect with significant traffic, beyond that recommended by policy, with emissions, odours, vibration, light pollution and other injurious impacts to human health and hypothetical occupant amenities. Put simply, the access seems right up to No 5's windows and door, the access is not adequate either – compare this with the appeal scheme for Braybeech where the access area/road is far wider and appropriate, the housing site much larger, found to respect character/grain/pattern/density, so Plan requirements were met.

The site entrance to a pinch point hedged and walled (it appears to our client well below 3.7m) conflicts with Plan policy. The open land behind Nos 3 and 5 might lend itself to 2 low level homes so their flanks will respect neighbours, but there is also the need ensure Nos 3 & 5 occupiers are not harmed and the access is adequate/safe. You are urged to look back at your own analysis, and check the site/plans, then conclude that the balance tips against this scheme. There is widespread support for that view. It is clear that the applicant is willing to moderate their scheme in order to achieve an approval. There is established up to date PINS analysis directly comparable that this site to justify refusal not just for over-intensive development/spatial conflicts etc, but for the other reasons outlined above. There is a robust case to defend any appeal.

Yours faithfully

A handwritten signature in black ink, appearing to read "Kingsley Smith" followed by a long, horizontal flourish.

For and on behalf of Kingsley Smith Solicitors LLP

15 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Sat 19 May 2018

By concreting over existing gardens, the development will detract from the appeal of the area as well as creating line of sight issues for a number of near neighbours due to the height of the proposed dwellings.

13 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Thu 17 May 2018

We are opposed to and very concerned about the creation of 4 new homes and 12 parking spaces on plot reference 4/03324/17FUL 5 Tring Road.

These will impose into our space and local area near our house backing onto our garden and are likely to impact our light and view. We appreciate the need for new homes in the Northchurch vicinity but squeezing additional houses into existing garden space we feel is not the answer to the current housing issues. One of our biggest concerns is the safety of the local children including our son. Houses regularly pop up in the area without any consideration for the infrastructure and safety considerations to support them. The access road down to the already extremely busy Tring Road is a huge concern. Additional traffic in this area is not welcomed especially as it's at a blind spot on a main road, by an obscured junction, with a children's nursery school, cricket ground, playing fields and school bus stops nearby. We are already anxious for our son having to cross this busy road each morning to catch his school bus with traffic speeding along and no crossings to make this any safer or easier for all the local kids who have to take their lives into their hands to get to school. It's already an area that's unfortunately witnessed several accidents along this stretch of road including the tragic death of a young girl who was run over in the last few months.

Comment submitted date: Thu 17 May 2018

Not Available

27 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Wed 16 May 2018

I strongly object to the construction at the rear of 5 Tring Road.

I have lived in Lyme Avenue, directly behind the proposed development for 63 years and enjoyed wonderful views across Northchurch Common.

The development will be directly behind my property and spoil these views and the upstairs windows will look directly into my garden.

I have no objection to additional housing but they need to be sympathetic with the surrounding properties i.e. bungalows.

1 TRING ROAD, DUDSWELL, BERKHAMSTED, HP4 3SF (Objects)

Comment submitted date: Tue 06 Feb 2018

We wish to object most strongly to the above numbered planning application. For the sake of brevity we endorse everything that has been mentioned by other objectors, particularly Mr Smith at number 3 Tring Road. Our aspect and enjoyment of our property would be very largely curtailed by the squeezing in of properties that clearly do not belong in this small area. We would be overlooked both in our garden and our bedroom and bathroom by any houses at the end of our garden. We often have our grandchildren here on a weekly basis and completely endorse Mr Smith's comments vis a vis carbon monoxide effects on very young children. Our most important objection is for the benefit of the general public. The access to Tring Road is already a dangerous place with two bus stops, a blind exit from Dudswell Lane and householder traffic emerging from several drives and most importantly the Mums and kiddies trying to emerge from the Nursery opposite the proposed exit. A serious accident is inevitable.

Further comments

My wife and I who live at 1, Tring Road would like to object in the strongest possible terms to the above Planning Application.

There are many reasons for our objections, all extremely valid, and many of which have already been covered by Cllr Pringle and Catherine Hay in particular, whose sentiments we endorse 100%.

Because of this endorsement I will not re-address what has already been written, but there are more facts that you need to be made aware of.

Let me start by saying we all understand the need to provide housing and the commensurate pressure that councils are under to provide said housing as quickly as possible. Your job is not one that I would relish!

However that does not obviate the necessity to make the correct decisions for the good of all existing homeowners.

For my part I will focus on three main areas of objection. Road Safety, Backland Development and damage to character and appearance of our amenities.

1) Road Safety

The proposal suggests a road exit onto Tring Road. Our house faces directly onto this junction which already has seven, yes 7, traffic flows and is already a very dangerous spot. These plus the additional drive exits of 1 and 3 Tring Road and the difficult exit from Birch Road.

There is the A4251 which carries a lot of fast moving traffic, much of which would have absolutely no chance of stopping for vehicles exiting number 5 if their vision was impeded, and often even if it isn't.

We see vehicles and motor bikes daily whizzing past our exit at 60-70 mph, particularly at night. This is no exaggeration. I was a director in the Motor Industry for 35 years, I know about speed. Indeed there was a nasty accident here on

07/06/16 which resulted in road closure for several hours and the result of which I am awaiting Herts Constabulary to advise whether or not the accident resulted in a fatality. There have been previous accidents here too which is why there is a double white line, which is often ignored because of buses pulling out.

The two bus stops block visibility to traffic as do the parked 40ft container trucks that park in the bus stop lay-by outside number 1, sometimes for up to an hour at a time.

The other exits are Dudswell Lane emerging at an oblique angle but exactly opposite number 5, the Kindergarten and Cricket Club exit, always busy and often with very distracted drivers having just collected their little ones. These things I have observed first hand.

Now we also have the office/storage drive for which planning has just been granted I believe and the exits for numbers 3 and 5 Tring Road make six and seven. I have not included the drive for number 1, or the exit from Birch Road.

With another 12 cars at 'No 5' with an average vehicle movement of 3.5 times per day, that would mean a further 42 exits and entrances on an already extremely dangerous stretch of road. Many of the pedestrians trying to cross here are young children and older people who use the buses and are either not as sprightly as they once were or are a bit too sprightly! It does not seem appropriate that Highways can grant approval based upon Google. They really do need to come and have a look at what their decision would mean. I lost my sister and have a permanently damaged niece from a road traffic accident and cannot in all conscience allow this development to go ahead without doing my utmost to prevent it. I would love to be wrong, but I believe that somebody, probably a stranger that does not know the road, or a motor cyclist doing excessive speed, will pay a heavy price for making this piece of road even more dangerous.

2) Backland Development

I see that Dacorum's Area Based Policy calls Backland Development 'generally unsatisfactory form of accommodating new housing' and even more, that Tandem development is 'the most inefficient, problematic and unsatisfactory' form of backland development.

I would also refer you to one of many planning application appeals refused by The Planning Inspectorate, APP/R3325/A/12/2171892, following a site visit, the decision of which was based upon, A) 'its effect on the character and appearance of the area and B) 'its effect on highway safety'. The decision also noted, "Incongruous appearance, alien and out of keeping with the pattern of development in the locality which is characterised by linear housing on single plot depths.' The Planning Inspectorate also identified 'significantly more vehicle movements' and decided that 'the harm identified outweighs the benefits'. I would submit that this application very much mirrors our situation. There is no doubt that 4 semi-detached houses and 12 parking spaces virtually in own our back garden would significantly "harm the character and appearance' of very many of the homes in this area which would be affected. That is why there is a such a strong, united, numerous and organised objection to this proposal.

3) 1, Tring Road

I suppose I am a nimby, but I am not anti-progressive, but this proposal really is in my backyard. As I mentioned earlier, I really do understand the need for more housing and the Council's desire to collect the CIL, but this proposal really is a couple of steps too far.

We don't want our grandchildren playing in the garden to be taking in 12 plus cars worth of exhaust emissions on a daily basis, both Co2 and NoX. Would you? We don't want potential new occupants looking directly into our bathroom, (not currently fitted with opaque glass), our conservatory, our living room, our bedroom or our garden. Is that so wrong of us? Not when the only motive is profit. Should we change all the glass in the entire rear of our home? I will leave others to advise you of the technical incorrectness of the dimensions of the proposal, the incorrect rooflines, the artist's impression that bears no resemblance to the plans and the difficulties that delivery vehicles and Public Service Vehicles will face, and all this within a few feet of our rear hedge. This proposal is right in the middle of a square of houses, four roads worth, who enjoy a calm, quiet, domestic environment enjoyed by much wildlife, another major consideration in its own right. It is absolutely wrong to interfere with all these quiet tax-paying lives solely for profit. The loss of amenity would be substantial and the strength of feeling among us all, except the applicant, is very real and will be very persistent. The number of objections you have

already seen on the website show you the numbers of households adversely affected. It is in your power to allay all our fears and refuse this planning application for all the reasons mentioned by all the objectors.

Comment submitted date: Sun 29 Apr 2018

Having reviewed the plans, it appears that approximately 60 metres of hedgerow and habitat will be removed, unmentioned in the application save for the removal of one willow tree. This destruction would eliminate Silver Birch, Pear, Forsythia, Hazels, Willow and a magnificent Eucalyptus tree, to name a few. These will be replaced with bricks, tarmac and fencing. None of this habitat destruction could be described as "minimum intervention" as demanded by Hertfordshire Ecology in their report. No site visit has yet been made by them. Replacing this local habitat for the amazing variety of birds and mammals that we enjoy would appear to be 80% non-indigenous trees. The report calls for "net gains for biodiversity". Very clearly there will only be massive loss for biodiversity. The impact upon the residential community upon losing this amenity and wildlife would be substantial, and nesting birds and mammals will be severely diminished. I would urge that a site visit be made to examine the truth.

29 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Tue 06 Feb 2018

We live at 29 Lyme Avenue directly behind the plot in question. We have a strong objection to the proposed development which, if passed would have a significant impact on our lives, and the lives of our neighbours.

The houses in the application are described as two storey, but this is misleading as they are in effect three storey. They would be extremely overbearing on our property since they are much larger in height and volume than our house, and even larger still than our immediate neighbours house. In fact if you compare them to all the surrounding houses, the two buildings are bigger than anything existing. It seems unfair to be able to potentially be able to build structures of this size on a plot which is at present someone's garden.

We currently enjoy a position which is very private, quiet, and does not feel at all overlooked. The proposed houses would take all of this away from us. We would be hugely overlooked, over shadowed and lose light in to the garden, would suffer massive loss of all privacy and have the noise and disruption of potentially four large families to endure. Our loss of amenity would be significant. We dislike the appearance of the development, and we cannot see that it is in keeping with the area, most of the surrounding properties have hedge lined or other natural borders, whereas this would have a very substantial brick wall boundary which would be in stark contrast. The development has a large car park area which seems more in keeping with flats or apartment - very out of place in the setting.

The neighbourhood surrounding the plot currently feels spacious and open, something which we feel should be conserved for the ongoing enjoyment of the residents. In the documentation it says the BCA19 recommends low density development in this area of around 15 dwellings per hectare, but that this proposal would have a density of 20 dwellings per hectare. The documentation also states that in 2014 a pre-application for two chalet bungalows on the part of the plot to the rear of 5 Tring Road was considered unacceptable. With this in mind surely the current proposal, despite the plot being larger should also be deemed unacceptable as the impact on the neighbours will still be the same, and likely greater due to the height of the proposed houses.

We also believe the development poses a security risk, particularly to the houses on Lyme Avenue and Birch road that back on to the car park area, it would allow vehicular access to the rear boundary of their properties, which is currently not possible. A very worrying aspect of this application is the dangers that would arise from the new driveway on to Tring Road. This is an already treacherous stretch of road and in the immediate proximity to the driveway to the properties would be the turning to Dudswell, the entrance in to the cricket club, which is used as a kindergarten throughout the week, and bus stops on either side of the road which are used daily by school children. The entrance is also positioned on a bend in the road and visibility along the road is affected. Traffic from a development of this size entering and exiting this dangerously positioned driveway would be substantial and create an even higher risk of accident.

We hope these points will be carefully considered, and that you will be sympathetic to the welfare of us and our neighbours during the application process.

Further comments

My family and I strongly object to this application. I posted our objection to the first application which can be seen on here. ALL of my initial objections still stand and I am now reinforcing and adding to those objections as I believe there have not been enough revisions made to the scheme to make it acceptable from either DBC's point of view or that of the neighbours or road users. There are several areas where the application falls short of policy standards. My observations are as follows:

SHARED ACCESS ROAD SUITABILITY/SAFETY The question of the safety of the access road is a huge consideration. Road users and local residents are showing this by their comments. Including my own initial comment. In addition to this, in section 2.4.1 the application is said to be in accordance with section 8.5.4 the Hertfordshire 'Highway Design Guide -3rd Edition', however this is not the case. The policy states, 'Where a shared private drive connection to a road serving more than 100 dwellings is unavoidable, that access should serve no more than 3 dwellings.' The shared private drive in question here would connect on to Tring Road which serves far greater than 100 dwellings. Therefore according to policy the four proposed dwellings plus 5 Tring

Road is too many for this shared private drive. Surely this is safety feature? By limiting the number of dwellings served to 3 you should minimise the amount of cars coming in and out of the access road. This safety standard has therefore not been met, and should bring in to question the conclusion that the development poses no additional risk to highway safety. 8.5.4 also goes on to say that 'A single lane access would normally be sufficient to serve up to 3 individual dwellings or the equivalent.' Here it would serve 5 dwellings, so would be insufficient. DBC state in their Pre - App Response on 18/10/2017 that in relation to Option A and B (both of which have 12 parking spaces the same as the current proposed scheme). 'The long single track lane would be considered inadequate to deal with the number of vehicles entering and exiting the site on a daily basis' I don't have the width of the Option A and B driveway, but it is clear that is still 'a long, single track lane' and is still serving the same number of vehicles, so it would still be considered inadequate. Mr Stickley also says in his recommendations for option A, 'it is felt that the scheme should be reduced from four to two dwellings'... 'the reduced number of properties would relieve stress on the access road'... 'and help to mitigate any issues surrounding overlooking.' These criticisms would also apply to the current scheme as it has the same number of allocated parking spaces. Mr Stickley clearly thought this was overdevelopment from the outset, yet his recommendations have simply been disregarded.

USE OF LAND In section 2.4.4 the application quotes DBC Adopted Local Plan which states that 'vacant or underused land and buildings should be brought in to the appropriate use(s) as soon as practical ...' I would argue that this policy is not referring to people's gardens, and definitely not where the property is occupied. This land is neither vacant, nor underused. I respect that while the occupants feel only they can decide how much they use their gardens, this policy is not relevant in this instance. Also, bringing something in to the appropriate use suggests a change of use, not as in this case where part of an existing dwelling would simply be split in to multiple dwellings (the same use). I believe this policy is referring to wasteland, derelict, abandoned, rundown buildings which detract from an area and are not used or maintained by anyone and so again would conclude this policy is not relevant here.

DENSITY Also in this section the application claims to be in accordance with policy 18 of the DBC Adopted Local Plan which states, 'Regard will be paid to the density and character of development that is suitable in the area...' In truth, no regard has been made to the density of the dwellings in the area. The issue of density and keeping developments appropriate for the area is a massive consideration and is echoed in a number of policies and guidelines. The application repeatedly sights 30-50 dwellings/hectare as the recommendation. This is grossly misleading, as although this may be a general standard for the much larger area and is mentioned in policy 21, it is merely an average and is not the recommended density for the specific character area in question. DBC quote BCA 19 (Northchurch) in their Pre - App response to the applicant, which states, 'Density: should be compatible with the character within the existing density range, not normally exceeding 15 dwellings/hectare.' The applicants have ignored this guidance and have submitted a scheme with a density of approximately 21 dwellings /hectare. The Pre -App response also quotes CS11 and CS12 of DBC Core Strategy 2006 -2031 which states that development should respect the typical density intended in the area, and in the 'Area Based Policies' for Berkhamsted, point 5 of the design objectives reads, 'Maintain the existing pattern of densities throughout the town'. The density guidelines are clear and are reiterated across a number of policies. I cannot see how this scheme could be acceptable given that it ignores this.

SAFEGUARDING THE AREA 21.6 of this same policy states that 'views across the valley and along the valley floor will be safeguarded'. I know that it is said that loss of a view is not a valid objection, but when that same view is mentioned in documents as being 'safeguarded' it seems the objection should have some weight. BCA19 also says that, 'Perspective views along the High Street, Peter's Place, Covert Road, and St Mary's Avenue should be maintained.' Many of the houses surrounding the proposed plot enjoy the same incredible view across the valley as the mentioned roads. In addition, in the 'Area Based Policies' document May 2004, 'Berkhamsted: Design Objectives' point 7 is 'Maintain attractive cross valley views given the steeply sloping valley side topography of town'. This view would be ruined for a number of people if the current scheme went ahead. The Berkhamsted Place Strategy also goes on to say in 21.7 with regard to open spaces, 'The contribution from other smaller open areas (such as the remnants of hedgerows in the low- density residential neighbourhoods) will be protected to provide opportunities for a network of wildspace linking the centre to the edge of town.' This describes perfectly the area that would be destroyed (including a long length of hedgerow) if this scheme was permitted. If these areas are indeed going to be protected this cannot possibly be allowed. In section 2.4.6 the application quotes BCA19 Northchurch which it has chosen to openly disregard elsewhere.

TANDEM DEVELOPMENT Further inconsistency is illustrated in the next section of the application regarding Backland Development. It describes the scheme as 'plot amalgamation', 'a series of parts of existing residential plots to the rear of existing housing (frequently rear garden areas) are amalgamated to form a development site'. Actually it appears this would more accurately be described as Tandem Development which is the very next paragraph. 'The positioning of one (but sometimes more) new houses behind an existing dwelling and sharing access arrangements is a common form of backland development, but certainly the most inefficient, problematic and unsatisfactory... It is the Council's view that this a generally unsatisfactory form of accommodating new housing.' Even though the plot is the combination of the land behind two properties it still clearly leans towards Tandem Development because of the significant feature of the shared driveway. The fact that this would fall under Tandem Development means it should be looked upon unfavourably according to Council policy.

GARDEN LENGTH 'Area Based Policies Supplementary Planning Guidance, May 2004' 2.5.6 states that the minimum rear garden depth of 11.5 m should normally be applied.' although the application claims that it meets this standard, the plans indicate that the 11.5 m standard is only met on a fraction of the rear of the property. To add to this the policy goes on to say, 'For Character Areas' (of which Northchurch is one) 'where dwelling densities are low and plot sizes are large, rear gardens may be required to be provided at depths considerably over 11.5m where this is necessary to harmonise with area character.' The applicants are fully aware of this policy as Martin Stickley

included it in an email to them on 31/10/2017. This would definitely be necessary in this area. The site plan shows that all all of the surrounding gardens have considerably longer rear gardens than the proposed dwellings. This is another standard the scheme is failing to meet, showing again it is not acceptable and it has disregarded guidance from the Planning Officer. There is also a policy which deals with the percentage of hard surface within the development (parking, turning area etc). Large areas of this nature are not liked and should be minimised and softened and broken up by soft landscaping. The proposed scheme is totally at odds with this. Even without including the access road the plans clearly show a large expanse of paved area, much larger than the garden areas combined and larger than entire plots on Lyme Avenue and Birch Road. The large expanse of hard surface is both unattractive and not in keeping with the area, it also highlights how small the gardens are by comparison. NEW HOMES In section 2.4.5 the application sights Berkhamsted Place Strategy (policy 21) which states that 1180 new homes will be provided between 2006 and 2031. Most of these homes will be coming from large developments many of which have either already been built or have been agreed and so the 4 dwellings proposed here would be of little significance and would surely not be desirable to DBC given the fact that they fail to comply with a number of guidelines and policies. They do not count as 'affordable housing', and they have a negative effect on the character of the area in terms of density, the effect on the amenities of the neighbours, and the general level of objection raised I am conscious that the scheme would be subject to CIL if passed and this must be an incentive for DBC to allow such developments, but I also believe that this should not overshadow the fact that the scheme falls short of guidelines on a number of levels. I am confident that there is no shortage of developments in the area which will contribute to the CIL arrangement, while also facing less opposition, and being in line with planning standards. It was highlighted in an email on 09/02/2018 that the applicant was suggesting the scheme was becoming financially unviable. Mr Stickley disagreed with this, and rightly so in my opinion. I struggle to believe this development would ever be unprofitable. The applicant may have an expectation of how much profit they would like to achieve, but surely this is irrelevant to anyone else. I was concerned by this as believe this should not really be put forward to the Planning Officer as a consideration. Especially given that fact that the scheme still fails to meet a number of official expectations. Yes the planning officer is there to aid the applicant and work towards a solution they are content with, but most importantly he is there to ensure the suitability of the development on every level. I believe this revised scheme is still unsuitable for the area. The Pre-App options A and B included in the paperwork suggest a huge scaling down and massive compromise from the applicant. I don't believe this is the case as the applicant would have known that these densely packed and oversized options were totally unacceptable. In 2014 a pre-application for two chalet bungalows to the rear of 5 Tring Road was turned down. Today, despite the fact that the plot is now approximately double the size, 4 dwellings should still be deemed unacceptable. The density of the area supports this. Martin Stickley himself suggested 2-3 chalet bungalows as an acceptable option. This has however been ignored, and for some reason the proposal of four semi-detached houses is where the applicant seems to be determined to stay. I see little compromise here and little effort to minimise impact on the amenities of the residents. Our property 29 Lyme Avenue would, in our opinion, be massively overlooked by the large mass of the rear elevation and the large 1st floor windows. Looking directly in to our property. We would lose all privacy that we currently enjoy and would have the added noise of the 4 family sized dwellings. To go from nothing to 4 substantial 2 storey buildings seems an unreasonable jump given the open and spacious feel that so many enjoy. The character features of the area are supposed to be safeguarded as stated in the local policies. I believe this is extremely important. We chose to live here because of the character of the area and what it adds to our lives. This scheme, if passed would have a devastating effect on this, we would no longer see this as the safe, peaceful environment we have chosen to raise our children in.

Comment submitted date: Wed 18 Apr 2018

Our client objects to the proposals because they will constitute over intensive development, harm the amenities of adjoining occupiers of land and buildings (that include the host dwelling number 5) and the design is bad, each warranting refusal for the detailed reasons set out below.

The proposal must be determined in accordance with Development Plan unless there are material considerations otherwise, pursuant to s38(6) PCPA 2004. In an email in October your approach was to resist the proposal on the grounds that the densities suggested 4/6 (units) did not 'respect the area of amenities of adjoining properties, referencing layout and site coverage, adding a large number of residents would be negatively impacted. You indicated smaller scale may be acceptable e.g. 2-3 chalet bungalows, as long as plan policies and principles were going to be met. You had concluded that the pre app schemes amounted to over development of the site that would create a contrived and cramped layout, failing to correspond with neighbouring development, urging that the scheme should be reduced from four to two dwellings.

However, you later drew the applicant's attention to an appeal decision in Grove Road and closed your email by saying that two pairs of semi-detached properties would be the best way forward, but did not explain why. In November you made further suggestions on the massing and design but did not revert to the number of dwellings being 2-3 to respect the environment.

The decision from PINS in January 2017 was for a five unit scheme behind five houses. There was respect for existing pattern and grain by parity of unit numbers, with adequate access and no harm to neighbours? precisely what you had encouraged the applicant here, before you shifted your stance. It is considered that appeal decision 3157873 is directly comparable assessment supporting your original view, and not that later indicated.

In the Braybeech Homes case the Inspector said the main issue was the effect of the proposed development upon the character and appearance of the area, and you have identified that issue in your communications with the applicant, though there are others matters (see below which is considered warrant careful review).

Given that the core strategy requires respect for the typical density intended in an area and that development should integrate with such character respecting adjoining properties in terms of outlook, site coverage, scale height, bulk, landscaping and amenity space, there can be little doubt that the point about your initial view was correct as to over-development, the end properties overbearing impact on adjoining occupiers (a serious point that remains harmful). Such has not been overcome by good design, the massing by full site width avoided by chalet bungalows with single storey side elevation, not 2.

Fewer low-rise buildings might, in terms of pattern/grain/respect, fit proportionately in this setting, though the adverse impacts to adjoining occupiers of land and buildings remained your key caveat. Here we consider that harm is not overcome, so turn to that.

We attach our client's diagram to illustrate his concerns as to safety and adjoining occupier amenities. There is concern about the occupant amenities of the host dwelling number 5, and number 4. At 5 (re-plotted as found on the ground) there are windows and entrance door facing what appears to our client to be a narrower roadway than shown, trafficked by 4 large dwellings. No 3 is due to be redeveloped coming closer to the same boundary. There will be a funnelling effect with significant traffic, beyond that recommendation by policy, with emissions, odours, vibration, light pollution and other injurious impacts to human health and hypothetical occupant amenities. Put simply, the access seems right up to No 5's windows and door, the access is not adequate either ? compare this with the appeal scheme for Braybeech where the access area/road is far wider and appropriate, the housing site much larger, found to respect the character/grain/pattern/density, so plan requirements were met.

The site entrance to a pinch point hedged and walled (it appears to our client well below 3.7m) conflicts with plan policy. The open land behind Nos 3 and 5 might lend itself to two low level homes so their flanks will respect neighbours, but there is also the need to ensure Nos 3 & 5 occupiers are not harmed and the access is adequate/safe. You are urged to look back at your own analysis, and check the site/plans, then conclude that the balance tips against this scheme. There is widespread support for that view. It is clear that applicant is willing to moderate their scheme in order to achieve an approval. There is established up to date PINS analysis directly comparable that this site to justify refusal not just for over-intensive development/spatial conflicts etc, but for the other reasons outlined above. There is a robust case to defend any appeal.

26a Graham Road, Dunstable, LU5 4EH (Objects)

Comment submitted date: Fri 13 Apr 2018

I am a daily user of the road between Tring and Northchurch, as well as occasionally playing at Northchurch cricket club.

The stretch of road at the Dudswell turning is already hazardous, with bus stops either side and people using the junction and entrance to the cricket club. To add another turning at that point would make it extremely dangerous for road users and pedestrians either using the stops or crossing the road for the nursery.

1 ALMA ROAD, NORTHCHURCH, BERKHAMSTED, HP4 3RF (Objects)

Comment submitted date: Fri 13 Apr 2018

As recently elected DBC councillor I confirm the level of public concern locally re the safety of children using the bus stops/walking to school along this dangerous stretch

I have written to HCC Highways who have reopened the case for consideration of new information/change of circumstances

Material information was not included by the applicant in the Design & Access statement, namely the use of the cricket club pavilion as a kindergarten with 20 customers using cars to enter and exit along a single track entry directly opposite site access at peak times

Diagrams appear to show the opposite footpath continuing in the Tring direction, when in fact it ceases, meaning the limited area next to site access in which bus users can cross is much smaller than appears

Entry to the property subject to planning Ref 4/00537/18/FUL is not shown - this further junction between kindergarten entrance & Dudswell Ln j/w Tring Rd is omitted

The site is considerably more complex/hazardous than represented

10 BIRCHNELL CLOSE, BERKHAMSTED, HP4 1FE (Objects)

Comment submitted date: Mon 09 Apr 2018

Dear Sirs,

As a frequent visitor to this site, I would like to formally object to the plan to develop houses and an access road off the Tring Road.

My reasons for this are that this is directly opposite a park and play area in which there is an increased risk of an incident with pedestrians, especially children, and cricketers who use the area.

Also, there is a bend approaching the proposed access road which will make it a dangerous junction to pass, enter and exit, again increasing the risk of an accident.

Regards,

Richard Bayliss

13 CHARLES STREET, BERKHAMSTED, HP4 3DG (Objects)

Comment submitted date: Mon 09 Apr 2018

I object to this proposed development on Highway grounds. In terms of access and egress to the main road it will pose a significant danger to traffic and other road users. The entry will serve 12 cars for the new properties together with the additional cars for 5 Tring Road meaning at least 15 cars trying to use a single track driveway. The entry point is directly opposite a road junction and cricket club entry. The Cricket club grounds houses a nursery which together with junior cricket means significant numbers of children use this facility together with any parents access the club as well. At this point there are also bus stops on the main road and traffic flows quite quickly leading into/out of Berkhamsted. This additional vehicle access point poses a significant extra hazard. Having personally been involved in a serious accident on this stretch of road where cars have crossed on coming traffic, I am well aware of the dangers of this stretch of road.

77 HIGH STREET, NORTHCHURCH, BERKHAMSTED, HP4 3QL (Objects)

Comment submitted date: Sun 08 Apr 2018

I object to the construction of the proposed housing as the proposed shared driveway would be directly opposite the turning to Dudswell and the entrance to the cricket club and local childrens nursery.

Please take into account the number of school children walking from Dudswell and along the High Street to St Marys School and parents dropping their children at the nursery and cricket club throughout the week. It is also by 2 bus stops which are regularly used by school children and the elderly.

This would make the conditions for pedestrians even more hazardous along this stretch of road.

27 DURRANTS ROAD, BERKHAMSTED, HP4 3PG (Objects)

Comment submitted date: Fri 06 Apr 2018

I would like to object to the above mentioned application due to the access to the development. From the plans it appears that the access is directly opposite the cricket club. There are also two bus stops either side of the road and the entrance to Dudswell Lane. I am a local football coach and our team play at the cow roast playing fields. Most of the lads and myself regularly pass through this junction and it is always busy. I know that there have been accidents here in the past and I agree with everyone else that this will clearly create more danger to pedestrians and motorists.

10 Crispin Field, Pitstone, Leighton Buzzard, LU7 9BG (Objects)

Comment submitted date: Fri 06 Apr 2018

I fully support all of the objections within submitted so far. I am a resident of Pitstone but regularly use this road as my elderly parents live in Northchurch. I agree that this is already a very dangerous part of the A4251. People do speed down this stretch and I have seen accidents historically (I lived in Berkhamsted for 20 years) and lots of near misses with traffic turning into the cricket ground and into Dudswell lane. Planning to build an access directly where there is a bus stop appears utter madness to me and will only add to the traffic issues in the area.

THE LARCHES, NORTHCHURCH COMMON, BERKHAMSTED, HP4 1LR (Objects)

Comment submitted date: Fri 06 Apr 2018

The roads in this area are already very congested during commuting times, the very last thing that is needed in this area are another 4 properties with goodness knows how many cars located there. Please be brave and reject this planning application so that no more cars feed onto already very busy roads in this area. Yes build more homes in the south-east but ensure that the road infrastructure is enhanced. In this present location the road network is very poor and far too many roads currently feed into the main road.

THE NEW FORGE, MAPLE FARM, SHANTOCK LANE, BOVINGDON, HP3 0NN (Objects)

Comment submitted date: Fri 06 Apr 2018

I drive through Northchurch to Tring almost everyday. This part of the road is already dangerous, so why add an entrance to a new development on top of this. My elderly mother lived in Northchurch up until her death, she used the buses to get around and regularly used the two bus stops either side of the site of this entrance. I was always concerned about her negotiating the crossing of this road. Unfortunately because of the width of the road and the open aspect I believe people don't treat it like a residential area and tend to speed up here.

I regularly witness drivers overtaking buses that have stopped at the bus stop opposite Lyme Avenue, even though visibility is poor. If someone was pulling out of the entrance in question at the same time and heading to Tring, this could be disastrous.

My grandson attended the kindergarten and I have crossed there with his sister to drop him off, this is already difficult to negotiate, how can you justify adding another element of danger.

21 Vandyke Road, Leighton Buzzard, LU7 3HG (Objects)

Comment submitted date: Fri 06 Apr 2018

I wish to strongly object to the proposed construction of dwellings to the rear of 5 Tring Road, Dunsdell, Berkhamsted HP4 3SF. Having looked at the plans and where the proposed access is planned for this development I feel that they have not taken into account how dangerous the access to this development will be. I travel to work by car along the A4251 which is already a very dangerous, fast and busy road at any time of the day (and especially when the A41 bypass is closed and traffic is diverted along this road.) To add an additional turning in here for access to the proposed development is going to add to the problems I already face using this road daily. There are already bus stops on both sides of the road, a children's play park, cricket club and children's nursery which already have to deal with the traffic along this road without having more obstructions put in their way either trying to access the car parks or cross the road. This development should not go ahead!!

2 Sunnyside Cottages, Two Dells Lane, Ashley Green, hp5 3ra (Objects)

Comment submitted date: Fri 06 Apr 2018

The above mentioned planning application has been brought to my attention by friends who live in Northchurch. As I understand, it is normal to notify anyone who is directly affected by planning proposals. I believe anyone who uses this route as I do regularly is affected by this development, specifically the access road. I Object to the proposal on the basis that the access road is going to increase the risk of a serious accident to motorists and even more so pedestrians using the bus stops and cricket club as well as the walkway through to the fields and canal.

28 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Wed 04 Apr 2018

I would like to object to the development at the rear of 5 Tring Road. For the last 24 years I have operated a Day Nursery from Northchurch Cricket Pavilion along with my wife Liz Curtis.

Over the years there have been many accidents on the stretch of road where the development would have its entrance. The road junctions are very complicated at present and it is necessary to look in many directions at once to be sure that no traffic is coming, another busy junction opposite can only make this worse.

The proposed junction would be on the inside of a corner where visibility is restricted, and with most of the road users doing more than the speed limit at this location it can only increase the chance of more accidents.

29 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Neutral)

Comment submitted date: Tue 03 Apr 2018

My family and I strongly object to this application.

I posted our objection to the first application which can be seen on here. ALL of my initial objections still stand and I am now reinforcing and adding to those objections as I believe there have not been enough revisions made to the scheme to make it acceptable from either DBC's point of view or that of the neighbours or road users.

There are several areas where the application falls short of policy standards.

My observations are as follows :

SHARED ACCESS ROAD SUITABILITY /SAFETY

The question of the safety of the access road is a huge consideration. Road users and local residents are showing this by their comments. Including my own initial comment.

In addition to this, in section 2.4.1 the application is said to be in accordance with section 8.5.4 the Hertfordshire 'Highway Design Guide -3rd Edition', however this is not the case.

The policy states, ' Where a shared private drive connection to a road serving more than 100 dwellings is unavoidable, that access should serve no more than 3 dwellings.'

The shared private drive in question here would connect on to Tring Road which serves far greater than 100 dwellings. Therefore according to policy the four proposed dwellings plus 5 Tring Road is too many for this shared private drive.

Surely this is safety feature? By limiting the number of dwellings served to 3 you should minimise the amount of cars coming in and out of the access road. This safety standard has therefore not been met, and should bring in to question the conclusion that the development poses no additional risk to highway safety.

8.5.4 also goes on to say that 'A single lane access would normally be sufficient to serve up to 3 individual dwellings or the equivalent.' Here it would serve 5 dwellings, so would be insufficient.

DBC state in their Pre - App Response on 18/10/2017 that in relation to Option A and B (both of which have 12 parking spaces the same as the current proposed scheme). 'The long single track lane would be considered inadequate to deal with the number of vehicles entering and exiting the site on a daily basis'

I don't have the width of the Option A and B driveway , but it is clear that is still 'a long , single track lane' and is still serving the same number of vehicles, so it would still be considered inadequate.

Mr Stickley also says in his recommendations for option A , 'it is felt that the scheme should be reduced from four to two dwellings'...'the reduced number of properties would relieve stress on the access road'...'and help to mitigate any issues surrounding overlooking.' These criticisms would also apply to the current scheme as it has the same number of allocated parking spaces. Mr Stickley clearly thought this was overdevelopment from the outset, yet his recommendations have simply been disregarded.

USE OF LAND

In section 2.4.4 the application quotes DBC Adopted Local Plan which states that 'vacant or underused land and buildings should be brought in to the appropriate use(s) as soon as practical ...' I would argue that this policy is not referring to people's gardens, and definitely not where the property is occupied. This land is neither vacant, nor underused.

I respect that while the occupants feel only they can decide how much they use their gardens, this policy is not relevant in this instance.

Also, bringing something in to the appropriate use suggests a change of use, not as in this case where part of an existing dwelling would simply be split in to multiple dwellings (the same use). I believe this policy is referring to wasteland, derelict, abandoned, rundown buildings which detract from an area and are not used or maintained by anyone and so again would conclude this policy is not relevant here.

DENSITY

Also in this section the application claims to be in accordance with policy 18 of the DBC Adopted Local Plan which states, 'Regard will be paid to the density and character of development that is suitable in the area...'

In truth, no regard has been made to the density of the dwellings in the area. The issue of density and keeping developments appropriate for the area is a massive consideration and is echoed in a number of policies and guidelines.

The application repeatedly sights 30-50 dwellings/hectare as the recommendation. This is grossly misleading, as although this may be a general standard for the much larger area and is mentioned in policy 21, it is merely an average and is not the recommended density for the specific character area in question.

DBC quote BCA 19 (Northchurch) in their Pre - App response to the applicant, which states, 'Density: should be compatible with the character within the existing density range, not normally exceeding 15 dwellings/hectare.'

The applicants have ignored this guidance and have submitted a scheme with a density of approximately 21 dwellings /hectare.

The Pre -App response also quotes CS11 and CS12 of DBC Core Strategy 2006 -2031 which states that development should respect the typical density intended in the area, and in the 'Area Based Policies' for Berkhamsted, point 5 of the design objectives reads, ' Maintain the existing pattern of densities throughout the town'. The density guidelines are clear and are reiterated across a number of policies.

I cannot see how this scheme could be acceptable given that it ignores this

SAFEGUARDING THE AREA

21.6 of this same policy states that 'views across the valley and along the valley floor will be safeguarded'. I know that it is said that loss of a view is not a valid objection, but when that same view is mentioned in documents as being 'safeguarded' it seems the objection should have some weight. BCA19 also says that, 'Perspective views along the High Street, Peter's Place, Covert Road, and St Mary's Avenue should be maintained.' Many of the houses surrounding the proposed plot enjoy the same incredible view across the valley as the mentioned roads. In addition, in the 'Area Based Policies' document May 2004, 'Berkhamsted: Design Objectives' point 7 is 'Maintain attractive cross valley views given the steeply sloping valley side topography of town'. This view would be ruined for a number of people if the current scheme went ahead.

The Berkhamsted Place Strategy also goes on to say in 21.7 with regard to open spaces, 'The contribution from other smaller open areas (such as the remnants of hedgrows in the low- density residential neighbourhoods) will be protected to provide opportunities for a network of wildspace linking the centre to the edge of town.'

This describes perfectly the area that would be destroyed (including a long length of hedgerow) if this scheme was permitted. If these areas are indeed going to be protected this cannot possibly be allowed.

In section 2.4.6 the application quotes BCA19 Northchurch which it has chosen to openly disregard elsewhere.

TANDEM DEVELOPMENT

Further inconsistency is illustrated in the next section of the application regarding Backland Development. It describes the scheme as 'plot amalgamation', 'a series of parts of existing residential plots to the rear of existing housing (frequently rear garden areas) are amalgamated to form a development site'.

Actually it appears this would more accurately be described as Tandem Development which is the very next paragraph. 'The positioning of one (but sometimes more) new houses behind an existing dwelling and sharing access arrangements is a common form of backland development, but certainly the most inefficient, problematic and unsatisfactory...It is the Council's view that this is a generally unsatisfactory form of accommodating new housing.'

Even though the plot is the combination of the land behind two properties it still clearly leans towards Tandem Development because of the significant feature of the shared driveway.

The fact that this would fall under Tandem Development means it should be looked upon unfavourably according to Council policy.

GARDEN LENGTH

'Area Based Policies Supplementary Planning Guidance , May 2004' 2.5.6 states that the minimum rear garden depth of 11.5 m should normally be applied.' although the application claims that it meets this standard, the plans indicate that the 11.5 m standard is only met on a fraction of the rear of the property.

To add to this the policy goes on to say , 'For Character Areas' (of which Northchurch is one) 'where dwelling densities are low and plot sizes are large, rear gardens may be required to be provided at depths considerably over 11.5m where this is necessary to harmonise with area character.' The applicants are fully aware of this policy as Martin Stickley included it in an email to them on 31/10/2017. This would definitely be necessary in this area. The site plan shows that all all of the surrounding gardens have considerably longer rear gardens than the proposed dwellings.

This is another standard the scheme is failing to meet, showing again it is not acceptable and it has disregarded guidance from the Planning Officer.

There is also a policy which deals with the percentage of hard surface within the development (parking , turning area etc). Large areas of this nature are not liked and should be minimised and softened and broken up by soft landscaping. The proposed scheme is totally at odds with this. Even without including the access road the plans clearly show a large expanse of paved area, much larger than the garden areas combined and larger than entire plots on Lyme Avenue and Birch Road.

The large expanse of hard surface is both unattractive and not in keeping with the area, it also highlights how small the gardens are by comparison.

NEW HOMES

In section 2.4.5 the application sights Berkhamsted Place Strategy(policy 21) which states that 1180 new homes will be provided between 2006 and 2031.

Most of these homes will be coming from large developments many of which have either already been built or have been agreed and so the 4 dwellings proposed here would be of little significance and would surely not be desirable to DBC given the fact that they fail to comply with a number of guidelines and policies. They do not count as 'affordable housing', and they have a negative effect on the character of the area in terms of density, the effect on the amenities of the neighbours, and the general level of objection raised

I am conscious that the scheme would be subject to CIL if passed and this must be an incentive for DBC to allow such developments, but I also believe that this should not overshadow the fact that the scheme falls short of guidelines on a number of levels. I am confident that there is no shortage of developments in the area which will contribute to the CIL arrangement, while also facing less opposition, and being in line with planning standards.

It was highlighted in an email on 09/02/2018 that the applicant was suggesting the scheme was becoming financially unviable. Mr Stickley disagreed with this, and rightly so in my opinion. I struggle to believe this development would ever be unprofitable. The applicant may have an expectation of how much profit they would like to achieve, but surely this is irrelevant to anyone else. I was concerned by this as believe this should not really be put forward to the Planning Officer as a consideration. Especially given that fact that the scheme still fails to meet a number of official expectations

Yes the planning officer is there to aid the applicant and work towards a solution they are content with, but most importantly he is there to ensure the suitability of the development on every level.

I believe this revised scheme is still unsuitable for the area.

The Pre-App options A and B included in the paperwork suggest a huge scaling down and massive compromise from the applicant. I don't believe this is the case as the applicant would have known that these densely packed and oversized options were totally unacceptable.

In 2014 a pre-application for two chalet bungalows to the rear of 5 Tring Road was turned down. Today, despite the fact that the plot is now approximately double the size, 4 dwellings should still be deemed unacceptable. The density of the area supports this.

Martin Stickley himself suggested 2-3 chalet bungalows as an acceptable option. This has however been ignored, and for some reason the proposal of four semi-detached houses is where the applicant seems to be determined to stay.

I see little compromise here and little effort to minimise impact on the amenities of the residents. Our property 29 Lyme Avenue would, in our opinion, be massively overlooked by the large mass of the rear elevation and the large 1st floor windows. Looking directly in to our property.

We would lose all privacy that we currently enjoy and would have the added noise of the 4 family sized dwellings.

To go from nothing to 4 substantial 2 storey buildings seems an unreasonable jump given the open and spacious feel that so many enjoy.

The character features of the area are supposed to be safeguarded as stated in the local policies. I believe this is extremely important. We chose to live here because of the character of the area and what it adds to our lives. This scheme, if passed would have a devastating effect on this, we would no longer see this as the safe, peaceful environment we have chosen to raise our children in.

3 TRING ROAD, DUDSWELL, BERKHAMSTED, HP4 3SF (Objects)

Comment submitted date: Fri 02 Feb 2018

We wish to object to the building of the above application for the following reasons:

The application is directly to the rear of our property No.3 Tring Road, the proposed development is on what was part of the original garden they sold a section behind No 3 to 1A Birch Lane when my father suffered a heart attack and became too ill to look after it, this consists of a fruit orchard which is not utilised land as described in this application.

The Application form applies for 4 x 3 Bed two story houses.

The plan 3.2 Development standards proposed floor area schedule, states 4 bedrooms so inaccurate to the planning application.

We believe that the height has been taken from Lyme Avenue and Birch Road approx.12 metres high to make the development look less intrusive than if they had taken their measurements from the front of our house at no 3 Tring Road. This is approx. 17 metres overall, making a huge visual impact from the main road at the front of our property.

The Height of the building would impact greatly on our privacy, we will be overlooked completely by at least two of the houses directly behind our garden, from their second floor windows but even more so from the third floor giving them complete views of our living accommodation, kitchen and bedrooms. These houses will also have a detrimental effect on our health and lifestyle because we would lose natural daylight and sunlight into our house and garden.

The proposed floor schedule says two storey house, but the pictures show the house over three levels with Juliet balconies on the top floor, although they have stated these are two storey houses. With clever use of terminology, they have used the roof space to achieve what is actually a three storey house which will have views into the rear of our property. We are much lower than these planned properties, by our calculations at least 5 metres. We could plant Leylandii trees to provide us with privacy but then we would have no light into our house or garden at all. Also this could cause an issue if they grow too tall.

We are directly adjacent to the new proposed road, and the exit of our driveway is on the right where it meets Tring road. On the right of us is the end of a bus stop inset which is directly outside our house. In our experience a bus stationary in the inset will block all vision of oncoming traffic from the right, the proposed new road will have exactly the same issues that we experience on a daily basis.

They say the access road would go between no 4 & 5 Tring Road, this is an error, in fact it is 3 & 5 Tring Road, this is going to be an extremely narrow single track road 3.7 meters, there is no footpath so any kerbs will be extremely close to our boundary so nothing to protect the proposed wall which will be replacing hedges, trees and shrubs. Currently we enjoy a natural boundary which will be lost when replaced by a high brick wall, this will also have a negative effect on the natural environment. This will also be serviced by lorries and refuse vehicles on a regular basis, this will increase noise and carbon monoxide pollution as well as the car parking noise issues, being situated directly on our boundary again, they have not shown our drive or the bus stop on their junction visibility diagram.

The proposed road and our drive converge at the same place onto Tring road, this will affect our ability to enter and exit our drive, and it will make it extremely difficult and dangerous for us, cars will cross our exit which they have not shown in their plans. This main road is busy and fast, and the new roadway will be on a blind bend. Cars on Tring Road approach this bend quite fast from the left looking out from the proposed road and development, it is a notorious blackspot, and it will effectively turn the road into a crossroads, the proposed exit

being directly opposite Dudswell Lane.

We feel this proposal would make it a more dangerous environment for children going to school and for other vulnerable road users. Studies have already showed that there have been a large number of accidents at the junction of Dudswell Lane only two years ago someone was killed here. Traffic calming measures were implemented with little or no impact.

The design solutions do not show the actual fall in the land level from their site to Tring Road, neither do the actual computer drawings of the houses or road, the lower properties drawings show heights in relation to east to west making it look more level, if they had taken their measurements north to south it would have shown a much greater impact than they have implied. Pictures also show the access and height as level in relation to surrounding properties. This proposed development will sit high in the middle, at the end of all the gardens backing onto these proposed houses, light, noise and privacy will affect all residents surrounding this area directly.

They have shown a provision for 12 parking spaces, seven of which are directly in front of the rear of our garden, every time they start their cars carbon monoxide fumes will be coming into our garden at a low level, as you know this is heavy gas and as our garden falls much lower than the height of the parking spaces carbon monoxide gas will flow into the garden so pollution is a big issue for us especially in our garden potentially reducing outside enjoyment for us our children and our grandchildren. This will also be the case down the side of our boundary with vehicles large and small using the proposed new road daily. Case studies have shown that in open spaces short and long term exposure to carbon monoxide can cause a variety of symptoms including headaches, weariness, an increase in coronary flow and heart rate. Long term exposure or enclosed exposure can cause sudden death by anoxia. We are also worried that again carbon monoxide fumes could enter the house especially during the summer months through open doors and windows.

We are concerned about security, our garden is fully enclosed at present, if these plans go ahead then unwanted access could come from the side and rear of our property, as well as affecting all the other neighbours' security who are concerned about this development.

Overall we consider that to build houses in this enclosed space amongst the surrounding properties will have a negative impact and adverse effect including visual intrusion, whilst on the plans they might look evenly spaced but in reality they will have an over bearing impact in every aspect, the view we have enjoyed will be blocked by this development. Overlooking us and the surrounding neighbourhood.

All residents surrounding this development will be overshadowed by these houses, residents have lived in their homes for many years enjoying peaceful surroundings, if this development is granted it will have a depressing and debilitating effect on our existing way of life.

Comment submitted date: Tue 03 Apr 2018

We wish to lodge further objections to the above application for the following the following reasons:

The planning officer recommendations:

The revised plans, heights and units should be reduced: Although they say they have reduced the overall sizes of the dwelling 3.2 development documents still states the same height and is identical to the previous application, so the hole document is still completely misleading to the council and the residents affected by this development, this could lead to the applicants building to the original documents if they get approval so therefore all documents need to match what the applicant has changed. If all planning documentation are incorrect then it should be rejected / refused.

The planning officer's response was that the scheme fails to comply with policies CS11 and CS12 which states that the development should respect the typical density intended in the area and respect adjoining properties in terms of layout, sight coverage and amenity space. The size and density still falls far below the BCA19 recommendations of low density developments of around 15 dwellings/ha. The latest submission is 20 dwelling per/ha.

In 2014 a pre application for two chalet bungalows to the rear of 5 Tring road was considered unacceptable, although the amalgamation of two gardens would double the size of the plot it would still not be big enough to accommodate four chalet bungalows let alone two blocks of semi-detached houses in this space, they would be an overbearing mass, intrusive, and detrimental to the lifestyle and wellbeing of all the neighbours affected by this development.

We again object to this development because of the following reasons:

Dacorum development of residential areas: policy 2.5.6 Garden and amity space, the minimum depth of 11.5 should normally be applied, the Character Areas were infill developments are acceptable, rear gardens may be reduced if the shape and size and depth are compatible with the existing adjoining properties, For Character

Areas where dwelling densities are low and plot sizes are large, rear gardens may be required to provide at depths considerably over 11.5m where this is necessary to harmonise with the area character. This development is oversized for the plot and the garden sizes will be much smaller than all the gardens of the adjoining properties.

Dacorum borough council policy quote;

Gardens are great for mental and physical wellbeing they reduce stress and keep you fit, protecting gardens is important to improve quality of life, this development will ruin the character for this area.

We object to this application under the Decorum development policy 2.6.5 Tandem Development.

To quote: the positioning of usually one (but sometimes more) new houses behind an existing dwelling and sharing access arrangement is a common form of backland development but certainly the most inefficient problematic and unsatisfactory. The area policy statements make no reference to tandem developments, it is the council's view that this is generally an unsatisfactory form of accommodating new housing.

We object to this application with reference to policy 2.6.11 the distance which should be maintained between the flank wall of extensions and new builds. Policy 2.7.3 Bulk and mass for the character of this area could be seriously at odds with the surrounding properties.

We object to this application under the right to light which exists and has existed since 1832, commonly known as the 45 degree rule, for anyone who has uninterrupted views for 20 years without consent openly and without threat for more than one year, a right to light is protected in England and Wales under common law, unless a neighbour waives their rights, they are entitled to take action. (Aztech Architecture) guidance advise, right to light.

We object to the new proposed access to this development, again this is going to cause all kinds of safety issues regarding the bowmouth of this proposed new single track road crossing our driveway and falls directly into a bus lane, if buses and lorries are parked on the bus stop and vehicles have to reverse back down the road their view will be obscured and this as the potential to cause a serious accident.

As Mr Holder 1A Birch Road has personally attacked me and my previous objection I feel I have the right to defend the remarks made through 90% of his agreement to the application which he wished to vent publicly and suggested the Council planning office reject my objections as negligible.

All of our objections were and are based on fact.

Firstly I have every right to object to this Application along with all the other home owners affected by this development, we own the property 3 Tring Road, we pay council tax and utility bills which help toward the infrastructure of this area, Mr Holder has no right to decide if or where we live, or if our property is empty, I would have thought he would have concluded that as we had applied for planning permission for our bungalow to be demolished and a large house to be built in almost the same footprint as the existing bungalow, that once this was built then we would move in, but that is nothing to do with him, we however would and do consider the environment we do wish to live in and the other neighbours surrounding this oversized development.

Just for the record, our development is approximately the same size as no 5 Tring road, which was also once a bungalow very similar to my parents, so well within the planning application granted to us. Not oversized, not overbearing, not intrusive.

We object to this development again on the grounds that we will lose light, and privacy, the bulk of the application will be overbearing and intrusive, it WILL impact on our enjoyment of our garden and well-being equally as much as that of our neighbours.

Mr Holder agrees to this development because as he stated he stands to gain a financial benefit if this planning application goes ahead, whilst he will greatly benefit many of the neighbours affected by this development will be affected in a very negative way again affecting wellbeing and causing stress, and total loss of enjoyment of living in the area.

Mr Holder is being hypocritical when it comes to complaining about his neighbour building large extensions which affect his outlook and light, he failed to mention his extension and loft conversion he had in 2006.

The applicant originally contacted me a short time after my mother's death, he enquired about our plans for the bungalow, and he asked if he could buy the strip of land up the side of his driveway and house, but I refused to sell this to him. He contacted me again and asked if I could have a meeting with him and Mr Holder, we had a meeting at my bungalow in the driveway they asked if they could buy the whole plot and I refused. After reading Mr Holders attack on me I am convinced this is the reason for his verbal attack, they wanted to expand this development and I stood in their way.

Mr Holder suggested that no-one has a right to a view, but just for sake of argument, in fact if there is a covenant on the land, then a right to a view can be imposed and exists, Davis ?v-Dennis and others 2009. Security is an issue for all of us, Dacorum Planning states that security has to be taken into account for new developments.

Mr Holder stated that our driveway will not be affected by the new opposed access road, then why did he and the applicant want to buy the strip of land adjacent to the applicants land. This will be dangerous with a bowmouth crossing our driveway, it will affect the bus stop and the one opposite, Dudswell lane will be affected as will the pedestrians crossing the road. If this access does go ahead it will be dangerous if cars and Lorries have to reverse onto a major road there are no pedestrian foot paths and planting trees will also reduce the width a vehicle can be to access this road, reserving vehicles back down this road will have an obscured view of traffic in both directions. It will be a serious accident waiting to happen.

Mr Holder lives in Birch road so cannot comment on how long a bus or Lorries stays in the bus stop, on occasions large vehicles including buses have spent long periods of time stationary. Tring Road is an extremely fast and dangerous road, Mr holder has stated that Birch road is a blind and dangerous exit as the other residents have already stated, so why would it be Ok to put another access road a few hundred yards away from birch road on a blind bend opposite Dudswell lane causing a negative impact on road safety. Highway agencies did do studies on the speed of vehicles, they were deemed to be traveling far too fast on this stretch of road, traffic calming measure were implemented to get vehicles to slow down which has not worked. On the 11th October 2017 a nine year old girl was killed in Northchurch High Street, although this is further along the road from this development but prove that this is a fast and dangerous road, an another accident like this could happen at any point along this stretch of road. Mr Holder also agrees to quote his words 'speeding vehicles are a problem and the 30 mph limit is totally ignored by some drivers and this is a long term problem' Again we object to this development based on another issue regarding the access road. He then says that the access road is ok and not an issue for the residents also after saying the bus stop is in the wrong place, but then says that objections are negate comments from all the people objecting to this development.

Mr Holder agrees that the air quality is poor and pollution is high as we are on a main road with lots of traffic and because we live in a valley so air quality is low, again we object to this application based on the pollution issues we will have with a service road right next to our property, carbon monoxide will be greatly increased again causing harm to us our neighbours and our environment. Government policies 2010 -2015 environmental quality, Air pollution, noise from traffic or neighbours harms our health and wellbeing, local authorities are responsible for reviewing and assessing air quality under the clean act, noise and nuisance have a big impact on our quality of life our health and the economy, all sorts of factors the noise we experience these can include things like planning decisions about where we put new roads.

Mr Holders remark about not seeing any Hedgehogs for years, is this because they are in decline due to garden spaces being reduced and Backland /Tandem developments being allowed to spoil their natural habitat, increases in urbans developments, new and fast roads are destroying the environment in which they live, this will have a disastrous affect not only on hedgehogs but bees, insects and other creatures which are already affected in this way, I think it will take more the a hedgerow to make a difference.

Mr Holder's remarks are hypocritical and contradictive. All of my objections are based on fact I kept any remarks to the proposed development and not to any person, perhaps Mr Holder should have done the same, these unfounded remarks about any objections are purely his opinion. The NPC and DBC should take all objections and agreements to this application on their merit, and not be influenced by just one person's personal biased remarks, all of the residents are involved, as far as I am concerned, Mr Holders interest in this application is purely financial, he has not made any valid points as to why this application would be beneficial to the character Area in question, but if he had not got a financial benefit as he stated would his opinion of this application be just like the rest of ours and would he be quite so defensive of the applicant?

116 HIGH STREET, NORTHCHURCH, BERKHAMSTED, HP4 3QN (Neutral)

Comment submitted date: Wed 31 Jan 2018

NPC: OBJECTION all nine members of public present attended the meeting to put an objection in for 5 Tring Road on the basis of loss of privacy, the plan shows it is a two storey building in fact it is a three storey building, the balcony overlooks into other houses in the nearby proximity, the plans shows it is a four unit with three bedroom but it is in fact four unit with four bedroom, no provision made for garages

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Comment submitted date: Mon 02 Apr 2018

NPC: Members of the public gave their views on this application. Cllr Pringle commented on road safety, the A4251 already is dangerous and the possibility of increased traffic from the current access to more vehicle movements. It was suggested that a further report from Herts Highways be requested, but the Chairman stated that they have already been consulted and had no comment to make.

Mr. Kelly (applicant) informed the members that he has addressed all the issues raised from the original plan which reflect on the amended plan such as the number of units in total have been reduced as well as height and scale of the properties.

The owner of No. 1a Birch Road part of whose property was included in the application confirmed that there was no orchard there nor had there ever been.

NPC: No comment.

16 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Thu 29 Mar 2018

This is already a dangerous stretch of the A4251. Traffic especially from the Berkhamsted direction repeatedly disregards the speed restrictions despite the recently installed "smiley face" warning. It is therefore dangerous turning out of Lyme Avenue and Birch Road. Also very unsafe for pedestrians crossing the road to use the bus stop or park and play area.

Another junction and additional housing will exacerbate the situation and may necessitate additional measures such as an enforceable 20 mph speed limit and improvements for pedestrians wishing to cross the road.

9 TRING ROAD, DUDSWELL, BERKHAMSTED, HP4 3SF (Objects)

Comment submitted date: Sat 24 Mar 2018

This entire application appears to centre around squeezing intrusive dwellings into a plot that is far too small and I would question the necessity for building them considering the infrastructure of the area. I would agree with all the previous comments and objections that have been made and draw attention to the previous applications that have been misleading at the outset and when inaccuracies highlighted how quickly they change to fit the 'real objective' at work here. They would have a direct impact on my family with living accommodation windows overlooking our rear bedroom windows. They would impact on our natural light and peace and tranquillity we currently have in our back garden. The building of a wall and planting of trees at the end of the driveway near Tring Road would further restrict visibility from our driveway and Lyme Ave into what is already a busy road. An additional 12 cars would significantly increase risk for families and users of the roads at a busy intersection.

Comment submitted date: Thu 29 Mar 2018

I note the comments from occupier at 1A Birch Road and feel that they are completely biased due to the fact they are going to gain not doubt considerably from this construction. Not always good to give a view when you have a vested interest in the project. I however, have no vested interest other than to protect the area from grotesque intrusions of unnecessary or unwarranted intrusions. There have been road collisions along Tring at junction of Lyme Ave and at the Cricket Club in the 25yrs we have lived on Tring Road. This is not far from driveway and is caused by the design, condition and visibility of this section of Road. To have additional traffic enter this from a 'single driveway' will only escalate this issue. What happens if cars meet whilst trying to enter and leave the access? Will this cause unnecessary congestion resulting in cars trying overtakes on bends etc. Why does it have to be four dwellings. It is not fair or just to compare it with other applications in New Road.

BOSWICK HOUSE, DUDSWELL LANE, DUDSWELL, BERKHAMSTED, HP4 3TF (Objects)

Comment submitted date: Thu 29 Mar 2018

I object to this development on the grounds of road safety. As a user of the bus service when I had limited mobility I dreaded having to cross the tring road at the Dudswell bus stop. Children have to cross here. It is already a complex junction for cars with the entrance to the cricket club right on the junction. The lack of pavement makes this junction and bus stop access even more dangerous for pedestrians

Another access point at this spot would make an already complex junction even more dangerous.

THE POD, PEA LANE, NORTHCHURCH, BERKHAMSTED, HP4 3SX (Objects)

Comment submitted date: Wed 28 Mar 2018

I feel that the access point to this new proposed development, through a bus stop is asking for trouble. This area carries a lot of traffic that is splitting in a number of directions all within a short distance. Birch Road is already a difficult junction for access. Two bus stops on opposite sides of the road which are used very regularly by children and elderly people are sited very close together with a v junction towards Dudswell that also has a further problem of the cricket club access/children's nursery at its entry point. There have been a number of near misses associated with these junctions already that I have witnessed, I pass this point to get home. The number of cyclists have increased along Tring Road and we regularly hear motorbikes travelling too fast along this stretch of road. To add to all of this when the A41 is closed even more pressure is applied to this narrow section of road. Adding more turning vehicles to this section would be dangerous in the extreme.

Comment submitted date: Wed 28 Mar 2018

Concerned regarding the increased risk of accidents and injuries that this new 'access' will create. Seen a number of situations occur with the present road and pavement access. Already two bus stops here opposite each other, Dudswell access, Cricket Club, Children's Nursery, Lyme Avenue and Birch Road in very close proximity. I have seen close misses with children running across the road and cars 'taking a chance' when they can't see because of parked buses at this very dangerous corner. I have often taken to driving at 15-20 mph, as have others, through this dangerous point, simply because it is unsafe to travel there any other way. This, of

course, causes stress and angst with other drivers who, not knowing the hazards in this area, often get wound up and try to overtake, thus exacerbating the problem. Another access here = more traffic = more risk = injuries and fatalities to our loved ones and others. This is definitely a development that should be turned down.

1A BIRCH ROAD, NORTHCHURCH, BERKHAMSTED, HP4 3SQ (Supports)

Comment submitted date: Wed 28 Mar 2018

I wish to support this planning application but am unable to make all my comments using only 1000 characters online, hence this email to you for consideration.

I have no doubt that the Planning committee is used to public objections to applications, and duly consider their merit. There have been some very misleading statements lodged with the intention of influencing the Councils decision, which have led me to respond accordingly.

I wish to comment on some of the factually incorrect comments made by some of those who have lodged their objections online.

Whilst I acknowledge that I stand to benefit financially should any such development be permitted and I am fully aware that my comments might be seen to be biased. I have tried to remain objective and constructive.

I have however been astounded at the level of hypocrisy that some of the objectors have shown, and wish to bring balance and possibly negate comments already made regarding this application, also to bring perspective when comparing this application with other applications that have been approved locally by the Council.

Over the time I have owned my garden many of the objectors surrounding my property have built out on the sides of their homes and into their roofs (some making their houses three storey), as a consequence. I have now lost all my privacy. I am overlooked from all angles in my garden and have had to accept this. I see this as progress for those individuals enhancing their properties. This does not however give them any legal right of view into the properties subject to the application.

From many of the objections made by the adjoining neighbours it would appear that the space afforded by the two large gardens in question are some form of public space to which they have a right of enjoyment, which exceeds the rights of the actual owners to lawfully develop it. Both 1A Birch Road and 5 Tring Road gardens are both underutilised and completely out of proportion with all the gardens surrounding them. This land is surplus to the owner's requirements. Most people today neither have the time for, nor want, large gardens.

Dacorum Borough Council needs to build new houses.

This small development meets all the requirements of local planning policy, and is within the required density for the local area.

There will be no loss or disruption to the surrounding countryside. The impact on surrounding homes is negligible. Yes there will be a different view for some.

3 and 3a Birch Road residents who have objected do not adjoin the proposed development and are not impacted in any way. Their views directly to the rear of their properties will not change. Sadly I haven't seen a single hedgehog in my property in years and the retained hedgerows would accommodate them if they reappeared.

2 Birch Road to date has made no comment. Their view will be directly onto the gardens of the new builds and as such doesn't alter.

Factual corrections to comments from 2a Birch road.

The comments imply that I am the applicant seeking planning permission for this development. I am not. I have not been consulted on any matters concerning the design layout or configuration of the proposed site and have only seen the publicly available documents. I am not moving house at this time and do not see the relevance of such a comment being made in connection with this planning application.

With regards to loss of light, there are two hazel trees bordering between No. 2A and the proposed plot, these are to be retained by the development. These trees when in leaf (in excess of six months of the year) provide a screen, preventing No. 2a from overlooking the plot. Being adjacent I do not suffer any loss of sunlight in my own garden during times mentioned and challenge this statement.

I bought the garden from Mr and Mrs Smith at 3 Tring Road, as they could no longer manage it. 3 Tring Road has now passed into the hands of their son. This bungalow has now been empty for two years and remains uninhabited. Mr Smith using phrases 'in our experience' and 'on a daily basis,' makes claims of loss of privacy and enjoyment, but does not and may not ever live there. He neglects to mention he has recently been granted planning permission to demolish and build a three storey 5000 square foot house (without a garage) that overlooks my garden. Clearly his concerns regarding overlooking his neighbours weren't an issue then.

I hope my point about hypocrisy on the subject of overlooking one's neighbours is becoming clear.

Comments from 3 Tring Road.

Mr Smith's comments are really surprising, given that he was party to and present at a meeting with the applicant when a proposal was made that would have incorporated his own bungalow into the proposed development, at this time Mr Smith certainly didn't have any objections at all, but eventually decided instead to press ahead with his own planning application.

The garden I bought from Mr Smith's parents was NOT an orchard. There is no orchard.

I did not object to Mr Smith's plans although I do feel his new build will be an over development for the size of the plot compared to other properties nearby.

I am also aware that legally no one has a right to a view and can be overlooked for the purposes of planning.

I trust both NPC and DBC will take this into account when making their decision about Mr Kelly's application, as it is no different to Mr Smith's in this regard.

Other comments from Tring road residents regarding bathrooms being overlooked must also be considered by their actual proximity from the proposed houses and angle making overlooking unlikely and considerably difficult, also that bathroom glass is normally obscured.

Access:

The development will be using an existing Highways department approved junction for access, which is already serving 5 Tring Road. It doesn't interfere with 3 Tring road as stated on the objections.

Many comments made about the dangers of this access are unfounded. When compared to Birch Road which itself is a blind and dangerous entrance onto the main road.

NPC and DBC a while ago granted planning for two more houses in Birch road, which now has 10 houses, and currently has 17 resident vehicles plus 10 regular visiting cars using it daily. At least 27 vehicles exit and enter Birch Road on a daily basis, NOT counting delivery vans, waste disposal lorries etc.

5 Tring Road entrance will serve just 5 properties in all with approx 10 resident vehicles plus visitors, on a much open, wider entrance, assisted (not hindered as suggested) by the greater visual splay of the bus lay-by. Yes a bus does park here but only for a couple of minutes as the timetable advises.

There are traffic-calming signs, the necessary white lines in the main road and speed warnings, all in place. When the bank to the left of 5 Tring Road is lowered I fail to see how this entrance is an issue. Indeed planning was granted just beyond Lyme Avenue for a much larger development of houses almost at the brow of the hill on the main road.

Claims of many road traffic accidents and indeed deaths outside No. 5 have been made by some objectors but not supported with any evidence. I have lived in Birch Road over 30 years and am unaware of any traffic incidents being caused due to a vehicle pulling out of a driveway.

When I observed, most school children crossing to the bus stop, did so further up towards Lyme Avenue directly opposite the actual stop. If they were to cross outside 5 Tring Road they would actually walk into Dudswell lane. It's not an ideal spot for a bus stop.

Speeding vehicles are the problem, and the 30 mph limit is totally ignored by some drivers, but this is a long term on-going problem, which can only be dealt with by enforcement by the relevant authority, and isn't caused by residents turning on or off from nearby properties, indeed this actually slows the traffic down.

Parking for the new development: There are many assumptions being made that because there are 12 parking spaces that there will actually be 12 cars in residence all the time.

Security: Please refer to the site plan; many have mentioned security to their rear gardens, as an issue there are 4 properties that will have a change of scenario to the rear of their houses, two of which are the applicants and my property. I do not consider this to be any more of a problem than an intruder entering my garden through another.

Pollution: from the extra cars is unlikely to make any significant difference to air quality in this area, which is adjacent to the main road with hundreds of cars going past every day, and with no limit to this number. Northchurch is in a valley the air quality is and remains poor.

Comparison of this planning proposal with recent planning approvals in the Northchurch area already setting the precedent.

NPC / DBC recently granted planning permission for the development immediately opposite St Marys School in New Road for six houses. Here the traffic entrance from the development is extremely obscured, New road is busy and congested with not only parked cars but additional school traffic, lots of pedestrians and narrow pavements, making this by far, more of a danger to school children than the existing driveway at 5 Tring Road. Not forgetting the continuing pollution levels at this point.

The intrusion and density aspect on neighbouring properties compares favourably with the new bungalow built half way down Darrs Lane and the new house build in Ashby Road both utilising much smaller former gardens of other properties

No one likes change, and certainly not in his or her own back yard, however the applicant has at every step sought advice from the planning department, taken on board their comments, amended plans to suit and tried to accommodate the surrounding residents concerns. The scheme has now been scaled down in size.

When looked at pragmatically and ignoring the high level of Nimbyism shown which itself is fully understandable, it must be seen that this is a reasonable development, which fits comfortably within the density requirements for this area and is providing four much needed homes with little or no disruption to the surrounding area or indeed countryside.

I believe this application meets all requirements for planning purposes, and as a consequence should be granted, as it is far more suitable than some of those already granted in Northchurch.

2A BIRCH ROAD, NORTHCHURCH, BERKHAMSTED, HP4 3SQ (Objects)

Comment submitted date: Sat 03 Feb 2018

1. Our bright open aspect to the rear would feel imprisoned by an imposing overbearing intimidating and intrusive brick wall.
2. Our light, especially in the winter months, built 14.80 m not 17.50m from our house as per plans. The residents of Lyme Ave are afforded 24.50m from their properties Birch Road should be the same.
3. In a 3 storey development the pitch of the roof is higher to accommodate the third floor, excavation of the land of 1m in close proximity allows no perceived difference at all.
4. Our garden is not overlooked, on the plans there are windows to side elevation which invade our privacy.
5. The proposed plot nestled between existing properties isn't big enough to warrant 4 semis it's intrusive and invasive. (Fewer bungalows and reversed so the applicants overlook them with parking at the rear. I understand one of them is moving away anyway)
6. Access/exit to Birch Road is challenging enough with the volume and speed of traffic.
7. Planning to attend Birch Road please

I have lived at 2a Birch Road for 30 years and while I accept change happens and development goes on I object to the proposed planning application for the following reasons.

Whichever window I look out from my eye would be drawn to a brick wall and roof. From the lounge windows where I sit and look out at a pleasant aspect I would see a brick wall. From the dining room window where we sometimes eat I would see a brick wall. From the kitchen window where we eat most of our meals I would be looking at a brick wall. I can imagine it already and feel like I would be imprisoned by an imposing overbearing, intimidating and intrusive brick wall.

It has to affect our light, especially in the dull winter months when the sun is lower in the sky. It will be so close to our house, not the 17.5 metres on the plans but 14.7 metres that is the distance between our back wall and back boundary fence. I understand development has to be at least a metre from any boundary but its accepted builders will 'drift' in their measurements to gain every last millimeter so it could be very very close to our house. Given it is a three storey development the roofline will not be a shallow pitch but much higher to accommodate a third floor. I see it is proposed that the land would be excavated to a depth of one metre to lower the perception of the overall dwelling but in such close proximity I don't see that will make any perceived difference at all. I'm told a planning officer has already expressed the view that it was too close to our property.

Our house and garden are not currently overlooked at all, our garden is very private but according to the plans there are windows on the side elevation which would overlook both house and garden and be invasive to our privacy.

It seems from the proposed plans that our property takes the brunt of the invasion. If the applicant wants planning permission then why cant the proposed properties be behind his current property with parking behind so as not to affect other residents so strongly.

I don't think the proposed plot nestled between other properties is big enough to warrant more than four semi

detached bungalows. Three storey dwellings in such a small space are too invasive and intrusive to existing residents.

If its acceptable for the houses in Lyme Ave to have 24.5 metres from their back wall to the proposed dwellings then other residents i.e. Birch Road should be afforded at least the same distance.

Birch Road already has difficult access/exit especially in the summer months when the grass on the banking to the east is overgrown, its hardly a safe place to stand to cut it. There is then traffic trying to access/exit Dudswell Lane, extra busy when its time to collect from the nursery at the Cricket Club. Given the speed of the traffic in both directions on Tring Road in spite of any supposed calming measures adding another access/exit to the mix on such a small stretch of road is an accident waiting to happen.

Then there will be the added noise of extra residents and the possible lack of security to our property.

Comment submitted date: Tue 20 Mar 2018

I have looked over the amended plans for 5 Tring Road and can only say I still object strongly to the new plans.

It concerns me that you seem to contradict yourself saying you think that the plot would only warrant a couple of bungalows and then say you are in broad agreement with the amended plans for four semis.

I'm extremely disappointed that a planning officer hasn't visited our property to see just how close overbearing and invasive the new buildings would be given we are the ones to be most affected as the nearest.

They are being called one and a half storey properties but as before to accommodate a floor in the loft the roofline has to be higher. The buildings appear to be as close to the boundary as it's possible to get and even with the required one metre added to the 14.8 metre depth of our garden it means it would only be 15.8 metres from our back wall so will still cut our light for half of the year.

I'm incredulous that the Highways Agency find it acceptable to go ahead with the access. Perhaps they should spend a day 'on site' too so they can monitor the speed of traffic on Tring Road.

Disappointed.

Dacorum Borough Council, Cupid Green Depot, Redbourn Road, Hemel Hempstead, hp2 7ba (Neutral)

Comment submitted date: Fri 16 Feb 2018

Each house should have sufficient space to store 3 x wheeled bins and a kerbside caddie and space outside the boundary to present them for collection.

The driveway should be suitable for the access of the collection vehicle which is typically a 26ton rigid freighter. There should be sufficient room for it to turn at the top of the drive.

7 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Tue 06 Feb 2018

The application as submitted is of worryingly questionable accuracy ? the houses are listed as 2 storeys yet they clearly from the plans and drawings have 3 storeys. They are listed as 3 bedrooms in the application but have 4 bedrooms on the plan.

The land is listed as underutilised, which is a value laden term to describe a space that was planted as a fruit orchard and forms well-proportioned gardens for two large detached houses.

Submitted drawing 9717-204A shows the sun track in relation to the new houses. From this it can be seen how the early morning light will now be lost from the rear aspect of the houses on Lyme Avenue ? particularly numbers 5, 7 and 9. These proposed developments will block this light to the lower floors and garden until the sun is high enough to clear the three storeys of the building.

The current view from the rear of 7 Lyme Avenue has no houses from the ground floor, and only the distant houses on Birch road from the upper floor. All of these viewpoints will suffer from the visual intrusion of the proposed development as there will be no rear view which does not include the new four houses.

In the application, the splayed sightlines to the road to the right go in to the bus stop, not along the road itself. This obscures the fact that there is a bus stop in the direct sight line for coming out of the driveway. If there is a bus in the stop, there will be no visibility for people coming out of the new shared driveway which may lead to accidents.

The junction now formed at the bottom of the shared driveway will be a 5 way intersection (Tring road both ways, Dudswell Lane, Cricket Club and new driveway). This will be very difficult to navigate for the many children who use the bus stop on either side of the road for school transport, and indeed for all pedestrians seeking to use the paths to the high street.

The bottom of the new shared driveway has a bank on the left-hand side (coming down the drive) which is frequently overgrown with brambles, which reduces the visibility of pedestrians using the pavement, in particular children coming to the bus stop on the same side of the road. There is therefore a concern of an increased number of accidents from the new traffic ? up to 12 cars ? using the driveway.

The parking provided, whilst adequate within the council guidelines, does not take overflow in to account. If there

are visitors to the new properties the natural place for them to park is in Lyme Avenue which is a quiet private road and not available for casual parking.

The area bounded by Tring Road, Lyme Avenue and Birch road forms 1 acre of green space. This area is mostly given over to gardens, flower beds and trees and provides an excellent habitat for many birds, bats, insects and mammals. The proposed development shuts down these essential wildlife corridors and destroys many habitats. The plan to remove a mature pear tree and silver birch will take away a vital territory for many of the neighbourhood's small birds. These trees form an essential conservation habitat for the local bird populations all through the year and so should be preserved, as per BS5387:2012 Trees in relation to design, demolition and construction.

The gardens at the back of the existing properties form a rain sump which prevents a large amount of run off water during rain. Under the proposed scheme this will be replaced with concrete and tarmac, which will either run in to the road or in to the sewers to be dealt with at the council's expense.

The original permission application on this land (4/02327/17/PRE) had objections to balconies ('it appears that the designs include balconies, which is unacceptable), and to the size of the garden that remains attached to 5 Tring Road ('5 Tring Road is a large property and the resultant garden size must be proportionate'). Neither of these original points appear to have been taken in to account now as they are still present as issues in the new design.

5 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Tue 06 Feb 2018

I am writing to object to the proposed development at 5 Tring Road.

PRIVACY

Looking at the plans of the proposed development the houses appear to be extremely close to my boundary and also to the surrounding properties in Lyme Avenue. The proposal clearly states that the houses on this development will be two storeys high, this is clearly not the case as the drawing of the houses show three storeys, the new development will in effect be much higher than the existing established properties with the ability to see into our houses and gardens, there will be a wall adjacent to my property with windows at the top, also the noise from vehicles constantly coming and going and unacceptable noise will have an intrusive and adverse effect on my privacy.

SECURITY

Having lived in Lyme Avenue for over thirty five years and having a back garden that is very secure as it backs onto the garden of 5 Tring Road with a very low risk of any unwanted access to my house and garden, this proposed development goes across the entire width of my property and will be accessible from this development, this will also affect all the other neighbours who are concerned with security if this development goes ahead

SAFETY

The proposed exit from this development onto the Tring Road is opposite Dudswell Lane which is a difficult junction. Getting onto the Tring Road from Lyme Avenue and Birch Road is notoriously difficult with many motorists driving much too fast along the Tring Road, traffic calming measures are largely ignored by many motorists, there have been many accidents over the years along this stretch of the road, with at least two fatalities, so to have potentially twelve more cars exiting and entering this development seems both foolhardy and dangerous and could potentially cause more accidents especially as the driveway to this development will have to be bellshaped (as Lyme Avenue is) to accommodate easy access to and from the Tring Road, this will have an adverse effect on the bus stop as with any vehicle parked in it visibility will be impaired to cars exiting the development.

HEALTH ISSUES

A few years ago I had decking built at the bottom of my garden, it is a great entertainment space for family and friends. If this development goes ahead then I am concerned as to the amount of carbon monoxide fumes from the exhausts of potentially twelve cars parked at the back of my garden. My three young grandchildren enjoy playing in the garden and our enjoyment in the garden, enjoyed for many years could potentially be a health risk.

3 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Tue 06 Feb 2018

I write in reference to the proposed development at the rear of 5 Tring Road to state my objections.

Security

The rear of my property is currently very secure as it backs on to the garden of 5 Tring Road and there is very low risk of intruders gaining access that way. However the proposed development opens up the entire width of my property to the public thereby providing access to the rear of my property and making it easy for intruders to enter my property.

Environmental Concerns

Due to the position of my property I benefit from sunshine throughout the day and into the evening. For this reason I have created an eating and recreational area at the bottom of my garden so my family and I can enjoy being outside to its full potential. The plans show parking spaces for 12 cars, 5 of which are immediately

adjacent to my patio. This will result in exhaust fumes and unacceptable noise from the cars and passengers that would be a huge detrimental effect on our health and safety.

Maintenance of boundaries

On drawing 9717-201 there is a note regarding the 'existing mature boundary hedge and fence to be retained and reinforced as necessary'. The current height of the hedge is such that I am able to maintain it without engaging a third party. I don't know what exactly is meant by 'reinforced' but if the proposal is to increase the height of the hedge then I object to this, as I would have to engage a professional to maintain the hedge. This would be both an inconvenience and a cost I should not be subjected to.

In addition, a higher hedge would also stop the sunlight we currently enjoy on the patio area.

Inappropriateness of the development

I understand the need for more housing and I also appreciate that infill development can be very beneficial, particularly when a disused, eyesore location can be transformed and enhance the environment for the residents in the vicinity. But in this instance I don't believe this development offers any benefits to local residents or Northchurch village.

I note the definition of infill developments and infill properties is the use of vacant or under utilised land and neither of these apply in this instance. The development land has been packaged together from mature gardens of established character homes. It will diminish local residents' environment and lifestyle, not enhance it.

There has been no consideration for the privacy of the existing residents or whether the style of the development fits in with the surrounding properties. I believe this is demonstrated by the fact they are proposing to build 3 storey homes as shown in drawing 9717-204. The title of the proposal is misleading as it describes the development as two storey properties, perhaps to divert attention away from the overall height of the new properties.

The roof levels indicated for 5 and 9 Lyme Avenue on drawing 9717-201 show a reduction in height which can not be possible due to the incline of Lyme Avenue. This leads me to question the accuracy and reliability of sectional drawings showing the imposition of the new properties. I believe all existing properties will be overlooked by the new development thereby impacting our privacy.

Access and Egress road safety

I would also like to raise my concerns regarding the access and egress on to Tring Road. I note on drawing 9717-201 the proposed bellmouth at the end of the drive and the 'sightlines', I assume to demonstrate drivers being able to see clearly when pulling out. However I can't see on this drawing, or any of the plan, the bus stop onto which the driveway will enter or the bus stop on the opposite side of the road. If a bus is stopped at either location visibility will be completely obscured.

I cannot see any dimensions for the proposed bellmouth on any drawing but if you compare the outline width and length of the proposed bellmouth with that for Lyme Avenue, the new bellmouth is considerably narrower and shorter. I believe this will cause an obstruction on Tring Road when a car wants to pull in to the development but another car is coming down the drive. The bellmouth for Lyme Avenue allows a car to pull off Tring Road and wait for a car coming down Lyme Avenue, thereby preventing any obstruction on Tring Road. It appears that the access to the new development would not provide this vital space and would be a serious hazard to road users.

I would welcome anyone from Dacorum Council planning team to visit my property and determine the impact the development would have on our lives as I do not believe the drawings provide sufficient perspective of how close these houses would be and the loss of privacy and the detrimental impact of all aspects of the development.

Further comments

I write following the amendment to the development proposal to the rear of 5 Tring Road, Northchurch, HP4 3SF.

Having reviewed the amended proposals, my original objections remain regarding the proximity of vehicles and the introduction of exhaust fumes immediately at the bottom of my garden; the loss of security by opening the area to the rear of our properties; the loss of privacy for so many properties; the volume of traffic proposed to use the single-track drive.

Despite the minor amendments to the proposal, I can not understand how the scale of the development can in anyway be deemed suitable for the location. The density of the development, compared with the surrounding properties, will bring a feeling of being hemmed-in where now there is a feeling space and tranquillity. I think the changes from the pre-application submission of a 6-property development to the current 4-property 2-storey development gives the impression of the development being scaled right back and the developer making large concessions based on your feedback. When, in fact, if the current proposal was to be viewed without consideration of any other proposals, I believe it would be deemed too large for the plot and not in keeping with the surrounding area.

I believe the detrimental and life-changing impact a development of any kind on this plot will have for the existing residents cannot be denied.

Whilst I know it is not fool-proof, I have spent some time reviewing Berkhamsted on Google map-view to see if there are any other areas where properties have been built in the middle of residential gardens, and I have not been able to locate any.

However, I also recognise that refusing planning permission on a development which, on paper and in the artistic representations, looks to comply with all planning conditions would be very difficult. So I would like to think a compromise can be reached so the land is developed but the impact on the existing residents is minimised.

The main concerns of the existing proposal are:

- i. loss of privacy
- ii. noise and fumes from vehicles
- iii. loss of security
- iv. the density of the development for the size of the plot
- v. volume of traffic using the single track drive

If the development was to change to two bungalows the majority of the issues would be minimised.

1. loss of privacy ? a one-storey property, built on the reduced ground level as proposed, would not overlook the surrounding properties
 2. noise and fumes from vehicles ? if the properties are orientated correctly, parking could be provided between the houses on driveways, thereby removing them from the fence lines to our properties
 3. loss of security ? again, if the properties are orientated correctly, fencing to the garden areas could provide security from the roadside access
 4. density of the development ? two bungalows on this plot would be afforded spacious rear gardens maintaining the sense of space we currently enjoy
 5. volume of traffic ? fewer properties will result in fewer vehicles using the shared drive
- I'm not an architect but based on the dimensions on the amended plans, I have been able to sketch out proposals that would ease our concerns and still provide very satisfactory homes.

I understand this development has been in discussion between yourself and the developer for a number of years now, and I can imagine there is some urgency to complete the planning review and come to a conclusion, but the local residents were only officially notified of the proposal in January. I would urge you to allow us more time to work with you so this development can proceed with the best possible outcome for all involved.

I understand you may be visiting Lyme Avenue this week and my invitation to visit my property remains. Comparing the artistic impression of the development to the reality of the development from the end of my garden is quite eye-opening. I would be pleased to discuss this further with you on the phone too at your convenience. My number is below.

1 LYME AVENUE, NORTHCHURCH, BERKHAMSTED, HP4 3SG (Objects)

Comment submitted date: Tue 06 Feb 2018

I write in reference to the proposed development at the rear of 5 Tring Road to state my objections.

Security

The rear of my property, and my next door neighbour's, is currently very secure as it backs on to the garden of 5 Tring Road. However the development changes this and will provide public access to my neighbour's garden, thereby increasing the risk of intruders entering at the rear of her property and being able to access my property.

Environmental Concerns

The plans for the development show 12 parking spaces, 5 of which are at the bottom of my garden. Currently my family and I can enjoy our garden without concerns of noise and pollution from cars, but this proposal will change that. I do not think it is acceptable to detrimentally change our environment in this way.

Inappropriateness of the development

I do not believe the development has been designed with any consideration for the residents in the surrounding properties. The houses are described as two storey when the sectional drawings clearly show they are three storey. This is not in keeping with the area. Nor is it an appropriate proposal for a piece of land that sits at a raised elevation to a number of the surrounding properties.

From the drawings, I believe the height of these new houses means the upper windows will result in the loss of privacy both in the gardens but even more worryingly inside the properties themselves. This cannot be considered appropriate or acceptable.

I would also question the suitability of this piece of land for development. It is, in essence, sections of mature, established gardens that have been packaged together for the sole purpose of development. There are no

benefits to the local residents or Northchurch village from the development.

Access and Egress road safety

I would also like to raise my concerns regarding the access and egress on to Tring Road.

The plan drawings do not appear to show bus stops located immediately at the end of the drive to 5 Tring Road and on the opposite side of the road. If a bus is stopped at either location visibility will be completely obscured. Tring Road is a very busy road and the close proximity of Lyme Avenue, Dudswell Lane and Birch Road make this very precarious.

3A BIRCH ROAD, NORTHCHURCH, BERKHAMSTED, HP4 3SQ (Objects)

Comment submitted date: Mon 05 Feb 2018

Our objections are as follows: The proposed properties would greatly increase light pollution & noise in a dark area of utilised gardens of an established housing sector. This together with the removal of trees and shrubery will have an adverse effect on varied types of birds & endangered hedgehogs.

There is no doubt that the proposed buildings' close proximity to established houses would greatly impact on the existing privacy of these as well as them being overlooked by the 1st and 2nd floors; the application states 2 storey houses but there are 3 floors.

The proposed exit onto Tring Rd is directly opposite Dudswell Lane - a difficult junction, two bus stops, one will affect the line of sight when a bus stops, and an entrance to a weekday Nursery and sports club. An extra 12 cars exiting in the morning next to bus stops being used by children going to school would appear to greatly increase the possibilities of a serious accident on an already dangerous road.

3 BIRCH ROAD, NORTHCHURCH, BERKHAMSTED, HP4 3SQ (Objects)

Comment submitted date: Fri 02 Feb 2018

As a resident of Birch Road, Northchurch, I wish to make an objection to the proposed plans on the following grounds. Firstly, the development is an inappropriate intrusion into what is currently a well-balanced and established housing quarter, introducing an adverse light, noise and visual impact to a peaceful area of back gardens. Secondly the proposed access road to the development from the A4251 Tring Road is at the precise point of the already awkward junction with Dudswell Lane and the entrance to a kindergarten and cricket club. The access is also in the proximity of two bus stops which are used by schoolchildren travelling towards Berkhamsted and Tring.

OVERVIEW

We are a collective of residents directly affected by the proposed development to the rear of number 5 Tring Road, Northchurch. We understand the high demand for housing and the increasing pressure placed on DBC and the planning system.

As it stands the scheme fails to meet DBC standards in so many ways. Overdevelopment/density, Tandem development, highway access/safety, accuracy of the plans, privacy, security and parking.

The report compiled by the planning officer claims that the proposed development meets all policy requirements and is in keeping with the area. We strongly disagree.

Within our group is a mechanical engineer and an architect so we have been able to view the report and plans with a technical appreciation.

In 2014 a pre-application for two bungalows on half of the plot was refused. This application for a much more intrusive development with twice the number of dwellings, now two story, on a piece of land twice the size should therefore carry the same decision.

OVERDEVELOPMENT

We refer you to 'Amended site plan 10-5-2018'

The report opens with side and section elevations of the development. We believe the most telling and important planning drawing has been omitted, and that is the plan view of the development. This shows the true impact of the location and size of the development on the neighbouring properties.

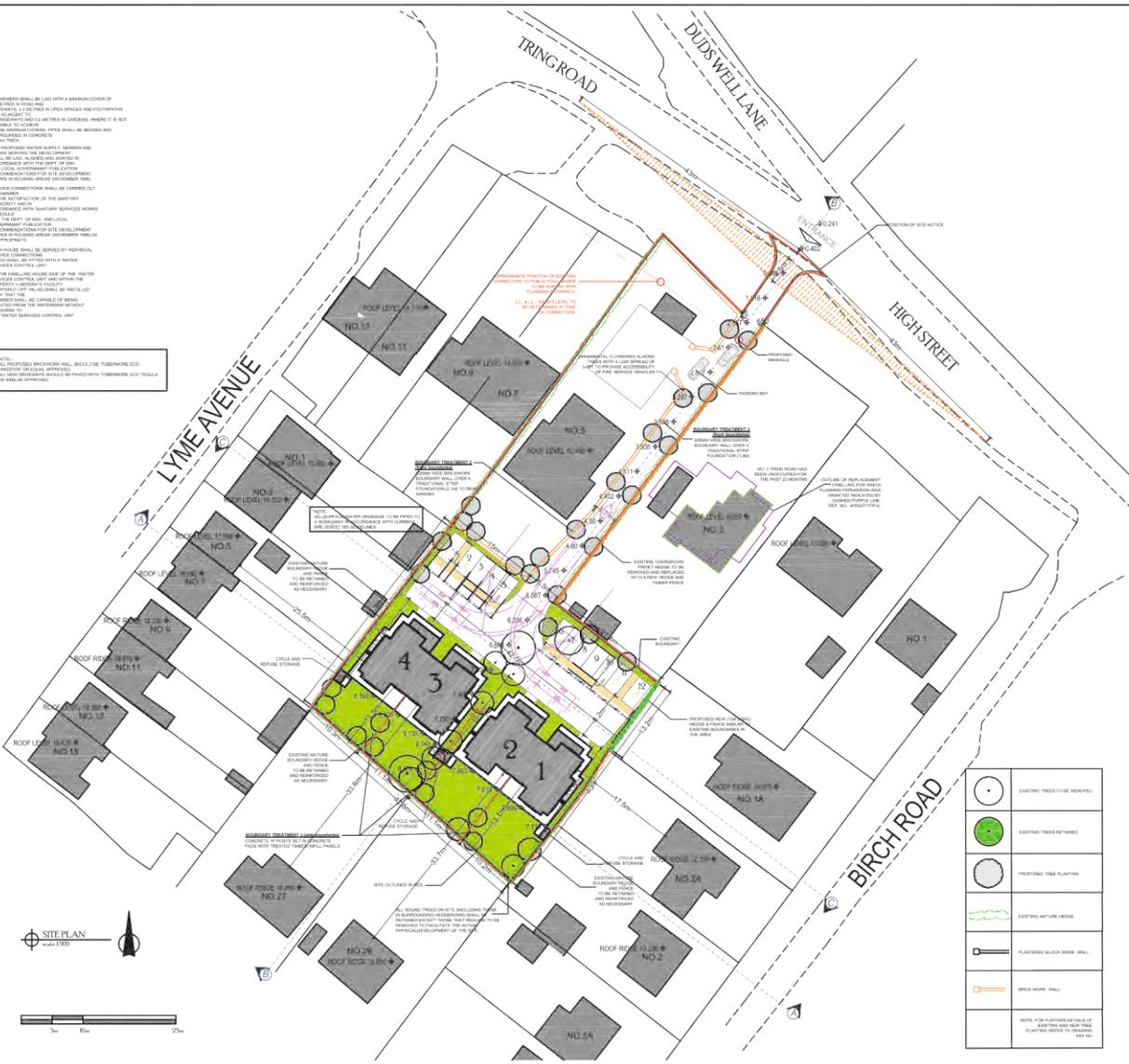
In an email to the applicant on the 22nd February 2018 the planning officer said 'looking at the plan layout, the spread of the properties seem quite out of proportion compared to the semi detached properties on Lyme Avenue. I could imagine councillors viewing this plan at committee and objecting due to "overdevelopment" on the plot'.

Ammended site plan 10-5-2018

A2

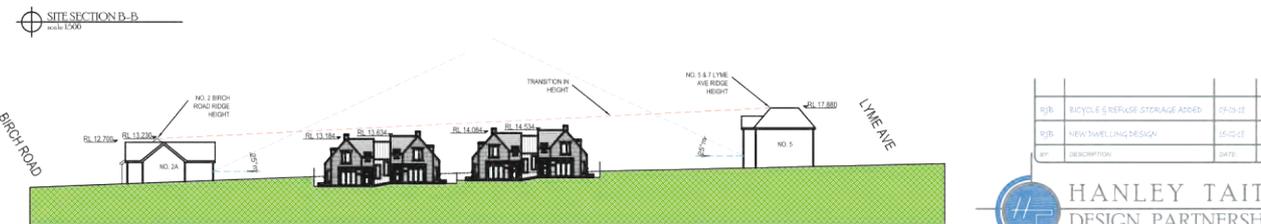
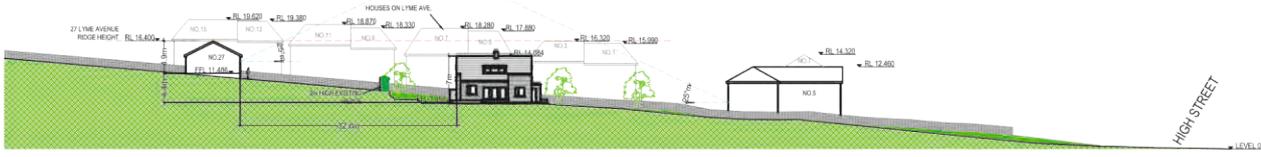
ALL BUILDINGS SHALL BE LIFTED WITH A MINIMUM COVER OF 100MM TO THE FINISH FLOOR LEVEL. THIS SHALL BE VERIFIED BY A STRUCTURAL ENGINEER. THE FINISH FLOOR LEVEL SHALL BE INDICATED ON THE SITE PLAN. THE FINISH FLOOR LEVEL SHALL BE INDICATED ON THE SITE PLAN. THE FINISH FLOOR LEVEL SHALL BE INDICATED ON THE SITE PLAN.

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	EXISTING TREES TO BE RETAINED
	EXISTING TREES TO BE REMOVED
	PROPOSED TREE PLANTING
	EXISTING MATURE HEDGE
	PLANTERED BLOCK WORK WALL
	BRICK WORK WALL

NOTE: FOR FURTHER DETAILS OF PLANTING SEE THE LANDSCAPE REPORT NO. 10-5-2018



RJR	BICYCLE & REFRIG STORAGE ADDED	19-10-18	B
RJR	NEW DWELLING DESIGN	25-10-18	A
BT	DESCRIPTION	DATE	REV

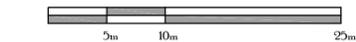
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PLANNING DRAWING ONLY
 Architects & Design Consultants
 Members of The Royal Institute of the Architects of Ireland

CLIENT	BRIAN KELLY
PROJECT	PROPOSED NEW DWELLINGS
LOCATION	TRING RD, NORTHCHURCH, LONDON
DRAWING TITLE	SITE LAYOUT PLAN & SITE SECTIONS
DATE	10-5-2018
SCALE	1:500 @ A2
DESIGNED	GH
DRAWN	TS
DATE	10-5-2018
SCALE	1:500 @ A2
DESIGNED	GH
DRAWN	TS
DATE	10-5-2018
SCALE	1:500 @ A2
DESIGNED	GH
DRAWN	TS

The pink outline shows the mass and bulk of the new properties over the current buildings.

plan with overlay of gardens and new dwellings



The blue area is one of the new gardens overlaid onto the surrounding gardens to show how this fails to correspond with the adjoining properties

Next we refer you to **'Plan with overlay of gardens and new dwellings'**

We have created a drawing using the garden of No 4 and the outline of one pair of the new properties and superimposed them on to the surrounding properties. The blue shape is the garden, the red lines are the houses. This drawing clearly demonstrates how badly proportioned the new development is compared to our properties.

GARDEN DEPTH

The rear gardens of the new properties DO NOT meet the minimum length requirement. The application claims they do because this is interpreted as only ONE POINT of the garden (no matter how small) needs to be 11.5 m. If this were true it would be virtually impossible to control the size of any new gardens.

We believe this cannot be how the standard is intended. In his pre-app response and again in a reinforcing email to the applicant (included). The planning officer quotes DBLP Appendix 3 which states that private gardens should have an AVERAGE minimum depth of 11.5m AND should be of a width, shape and size to ensure the space is functional and compatible with the surrounding area. The AVERAGE depths of the 4 proposed gardens are 9.14m, 9.94m, 10.94m and 11.94m, so only one of them meets the standard. Additionally they are on average 55% shorter than the 23 surrounding properties and even after removing the large plots of 5 Tring road and 1a Birch road from the equation they are still 51% shorter.

DENSITY

Section 9.6.1 of the report discusses density. In the first paragraph, the report says the "proposed density of 21 dwellings/ha is considered marginally above the figure of 15 dwellings/ha as set out in BCA19". The actual percentage increase is 28.6%. Surely that can't be considered as marginal?

The report also refers to other local developments where the density is higher than the recommendation. It highlights no.s 1-13 of Lyme Avenue as properties with a density of 22 dwellings/hectare(it is in fact odd numbers 1-25 which have been used).This has been calculated based on individual plot sizes and doesn't include the private unadopted road they all share and maintain. This density is then being directly compared to the proposed development which claims a lower density of 21.

This is misleading as if the new plot density was calculated in the same way (individual plot sizes only) its density would actually equate to 37.9.

The second comparison made is to Limit Home Park which is a 'mobile home' park and surely cannot be a valid comparison.

The table on page 64 of the report is used to show recent nearby schemes with densities higher than recommended.

(Please see 'combined pics')



New Road pre development



New Road post development

Combined Pics



Covert Road (single dwelling)



Ashby Road
(single Dwelling)



Darrs Lane
(single Dwelling)



Page 90
Grove Road Tring
(Recommended density 30-35)

These schemes are simply not comparable. The Grove Road development has no relevance due to its being in Tring and within TCA13 which has a recommended higher density of 30-35 dwelling/hectare.

Of the remaining examples, three are single properties so would carry no where near the impact of the proposed houses, all of them front directly on to roads with no issue of problematic access, and the New Road development was a brownfield site and has improved the local area. The nearby developments in no way reflect 4, 3 bed room semi-detached houses being built in the middle of numerous beautiful, established gardens

TANDEM DEVELOPMENT

The report identifies the proposal as backland development and states that BCA 19 neither encourages or discourages this. DBC Area Based Policies section 2.6.4 describes Tandem Development (which is what this is) as the positioning of usually one (but sometimes more) new houses behind an existing dwelling and sharing access arrangements.' It also goes on to say it is the most INEFFICIENT, PROBLEMATIC and UNSATISFACTORY form of backland development and says that although area-based policy statements make no reference to tandem development, it is the COUNCIL'S view that this is a generally unsatisfactory form of accommodating new housing.

HIGHWAY ACCESS

The report then states that the proposal has suitable access on to the highway. We are astounded by this viewpoint since within the Pre-App Response it is noted that 'The long single-track lane was viewed as unsatisfactory and unsuitable for the number of vehicles using it. The long single-track lane remains, and there is still provision for the same number of cars so we question why the access is now deemed suitable.

Referring back to 'Plan with overlay of gardens and new dwellings'

This drawing also illustrates the grave concerns we have with the access on to Tring Road. You will note there are issues with the size of the bell-mouth and interaction with other access points in the same location. Cars will not be able to pull off the main road if there is a car already exiting. In Section 3.1, the report states the location of the site is close to the junction of Tring Road and Dudswell Lane. The report omits the access to Lyme Avenue, Birch Road, the repeater station and the cricket club where a pre-school nursery operates during the week. We cannot understand how the Highways determined this additional access that is very narrow, with poor visibility, is not a danger. The danger to the children using the footpath and bus stops is unthinkable and with one child fatality within the last year in Northchurch the residents are keen to avoid any further hazards in the area. You will note from the objections raised on the planning portal that not only

immediate residents have sited their concerns but people from further afield have objected too.

We also believe the minimum width for the shared driveway cannot be met.

N.B. We are in the process of instructing a highways planning consultant. Their investigation will dispel any doubt regarding our findings.

ACCURACY OF THE PLANS

We question the dimensional accuracy of the plans. We have raised this issue with the planning officer on a number of occasions. The architect assured him that the plans were accurate and no further investigations have been made. It is clear to us that designing this scheme has been problematic and the access is simply too restricted in size. Historically the applicant has sought access through buying land from Number 27 Lyme Avenue and through attempting to buy land from number 3 Tring Road. With both acquisitions unsuccessful the last resort is to squeeze the access in along-side his own house.

Somewhat strangely our solicitors letter submitted 18th April 2018 has been omitted from the report, nevertheless we attach for your perusal along with the plan which is crucial to this part of our objection.

In the letter the access road is shown replotted as found on the ground. We also attach photos as evidence of the measurement being taken. The distance between the boundary and number 5's facing wall is 5.8 metres as found on the ground not 6.5 metres as depicted on the plan. This discrepancy is very important as we will expand upon. The space attributed to the access road quite simply isn't wide enough to provide suitable and safe access to the proposed development.

We refer to **'blown up access'**

Blown up access

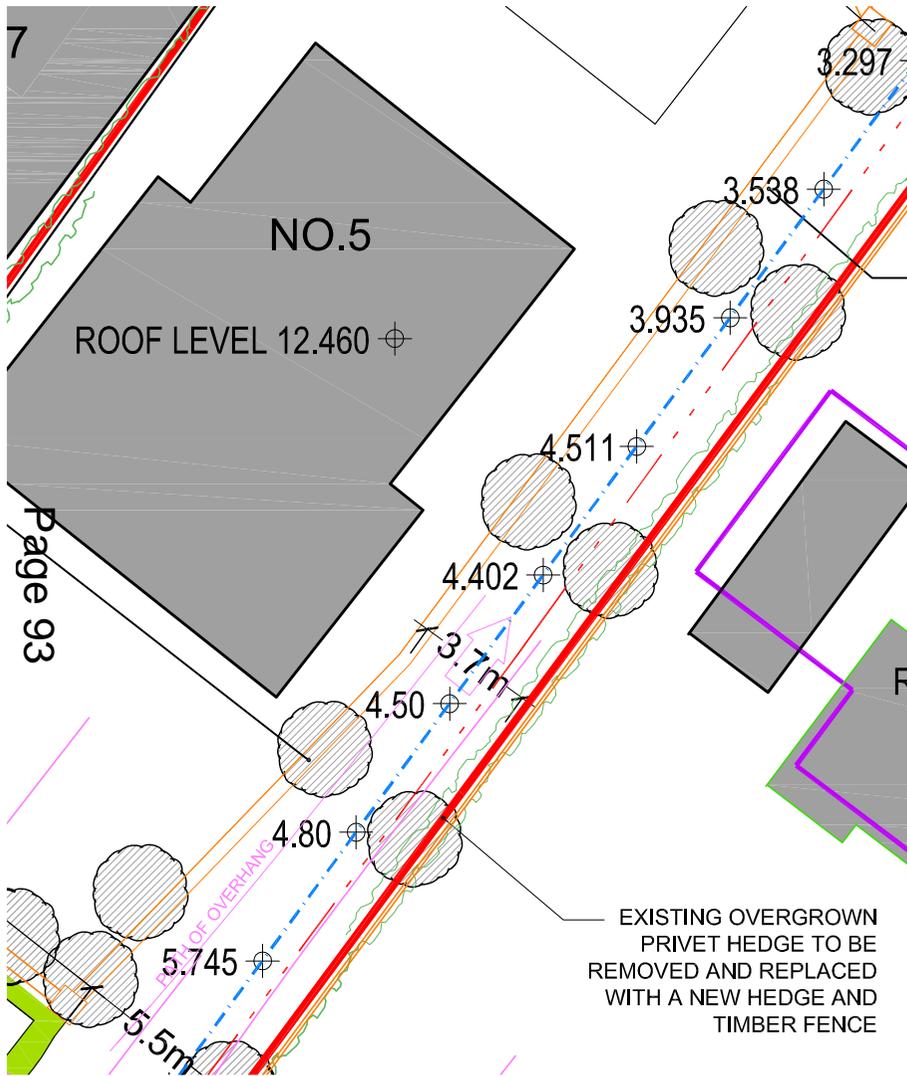


fig a

the access road is in excess of 70metres long with a passing point just 20metres up in the front garden of number 5

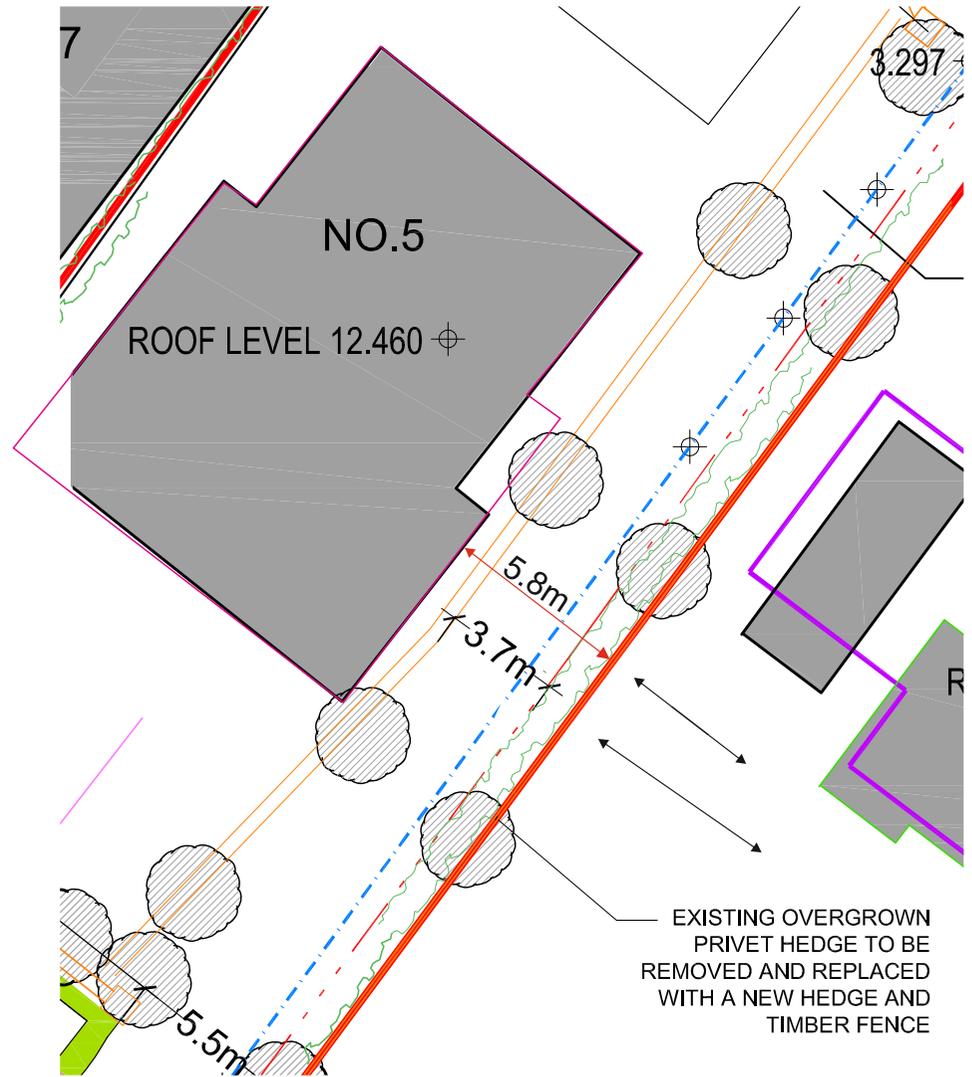


fig b

(5.8metres) This is the measurement as found on the ground. On Fig a which is the plan from the actual submission it is drawn as 6.5metres.

picture of measurement being taken



Measurement from Boundary fence



(Fig A actual drawings as submitted by the applicant)

The plan shows the boundary between no 3 and number 5 within the new fence and hedge. The 3.7 m distance is misdrawn so that the measurement starts within the hedge. At the other side we have a 22.5 cm with foundation. The measurement finishes in the centre of the wall. We then have ornamental trees within the passage which could not be planted over foundations so must encroach even further into the minimum 3.7m distance.

(Fig. B)

This shows the plan redrawn with the correct measurements taken from the correct places. It shows very clearly just how close this access road will be to number 5 and number 3 Tring Road. It is worth mentioning that number 5 has ground and first floor windows on this side as well as the front door. Number 3 has planning permission granted for a larger dwelling which also has windows looking onto this access road. Clearly none of the softening measures as detailed by the architect can be achieved in this space. The area is sold as a 'shared surface street' (presumably because there isn't enough room for footways) but it doesn't meet the Highways Design Guide standards for this either. This states they should make provision for disabled people and be short in length. Here we have a 75m long access road serving 5 properties with no pavements and not even enough room for a fire engine to pass. The statement that 'spaces shall be accessible to all young-old, able bodied to disabled' is unachievable. There isn't enough room for footways and there certainly isn't enough room for a double buggy or a wheelchair to pass a car in this scheme, there isn't enough room for a car on its own if we are to believe that the trees will be planted. We once again implore someone to take the measurement as we did from the boundary so that this matter is addressed, on this basis we also question the credibility of all of the plans given that such a fundamental measurement has been misrepresented. There is no escaping the fact that 5.8metres has been drawn as 6.5metres.

The report claims that the access road satisfies the criterion for a 'shared private drive' as set out in the Highway Design Guide, 2011, it does not.

Section 8.5.4 says 'where a shared private drive connection to a road serving more than 100 dwellings is unavoidable, that access should serve no more than 3 dwellings.'

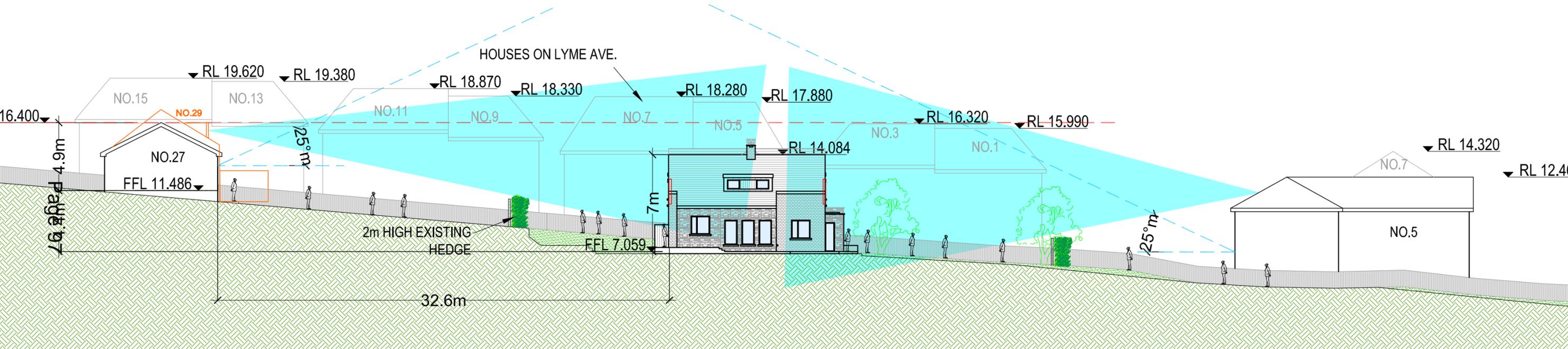
This clearly is a safety requirement and should not be ignored for any reason.

PRIVACY

The loss of privacy has been down-played in the report and the amended drawings by repeating the intention to reduce the ground level and showing the lines across roof ridges which is meant to indicate the properties will not be intrusive. There is also reference in Section 9.3.3 to the first-floor flank windows that serve bathrooms and will be obscured glass.

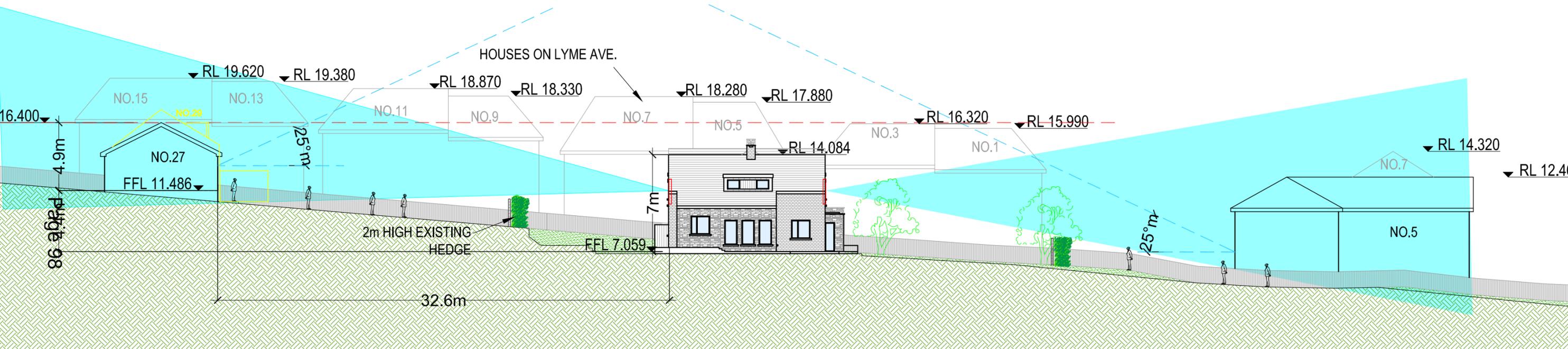
(Refer to '1st floor windows', 'View from windows', 'View from windows from existing houses''View from No.29 bedroom window' 'Lines of sight'.

view from windows from existing houses (privacy)



this shows number 29 with the second floor and the view point from the bedroom window as well as the view point from the upstairs of number 5.

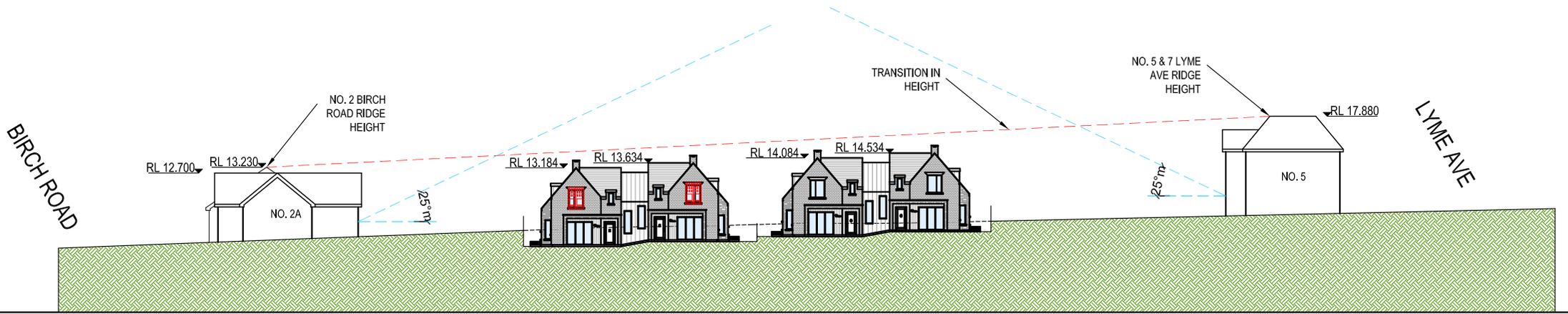
view from windows(privacy)



view from number 29 bedroom window



1st floor windows



Page 100

SITE SECTION C-C
scale 1:500



SITE SECTION A-A
scale 1:500



windows = X2 Front door

What the report doesn't refer to are the large windows on the first floor at the front and rear of the properties. From the drawing these windows are 2m high by 1.5m wide, they are located on the first floor and will look directly in to both the gardens and the houses to the front and rear despite the ground level being lowered by 1metre. How is this not loss of privacy?

We are also concerned that the proposal to reduce the ground level by 1m won't actually happen. The cost to dispose in the region of 650m³ of earth will be very high and the volume would be too much to distribute around such a small site. We understand DBC resources are very stretched so who would oversee this is done? We note that this hasn't been made a condition of the permission and we would like to see this included.

SPACING BETWEEN BUILDINGS

Policy DBLP Adopted 2004, appendix 3

States

' The minimum distances of 23 m between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. This distance may be increased depending on character, level and other factors. Spacing between dwellings should be provided at a distance which is consistent with the surrounding areas, as recommended with the development principles in Supplementary Planning Guidance: Development in Residential Areas.'

The distance from the rear wall of 2a Birch road and the side wall of the new development is just 17.5m. Despite the fact this is a side wall it still includes ground and first floor windows, therefore we believe this standard is relevant and we are aware that this precedent has been set on previous applications.

In his earlier correspondence with the applicant the planning officer advised to increase separation to the adjacent neighbours. They increased the distance by less than a metre which is of little benefit considering the overall mass of the structures.

SECURITY

We have also raised our concerns about the loss of security for 4 properties directly impacted by the car parking area and the increase in accessibility over fences to other properties.

PARKING

Also, because the properties have been squeezed in to the site, the parking has been provided in what can only be described as a car park. The report focuses on the fact that the proposal meets the Council's maximum parking standards but what it doesn't say is that this means there are more parking spaces on this site than outside the shops in Northchurch and that these parking spaces are adjacent to gardens where families spend leisure time.

DBLP Local Adopted Plan A3.3 states that large areas of car parking should be avoided as far as possible. We cannot see how this design, which introduces cars and larger vehicles at the

bottom of our gardens, is acceptable. We are concerned about the fumes and noise we will be subjected to.

ECOLOGY

Approval from Hertfordshire Ecology has been obtained by questionable practice. It may be that consent is given but it should be given based on receipt of all of the facts not just a select few, designed to give the impression of due diligence.

The following will have to be removed but were not mentioned in the original submission to Ecology

1. Approximately 60metres of established Hedgerow to be removed. These are currently positioned down the centre line of the two houses. Some of the hedgerow is 2 metres across and two metres high.
2. There are many mature trees to be removed, visible in the pictures enclosed. These include Willow, Pear and Forsythia, plus others.
3. There is a magnificent Eucalyptus tree which will have to be removed
4. There are Hazel trees which it would appear have to go
5. Please view the Google picture, numbered 2.6 on the application. It is all green tree cover.
6. It would appear that only one of the six replacement trees will be indigenous, with Japanese, American, Mediterranean, Turkish and Asian trees featuring heavily.

The Berkhamsted Place Strategy states:

21.7.

The contribution from other smaller open areas (such as the remnants of hedgerows in the low-density residential neighbourhoods) will be protected to provide opportunities for a network of wild space linking the centre to the edge of the town.

The proposal mentions 'minimal' intervention which we highly contest, based not only on the items listed above but also for the hundreds of tons of earth which is to be excavated in order to drop the height of the dwellings.

Closing statement

For so many genuine planning reasons the application is wholly unsuitable. It constitutes overdevelopment it harms the amenities of adjoining occupiers of land and buildings and the plans are misrepresented. Throughout our objections and our response to the report we have demonstrated this backed up with many DBC and HCC guidelines and policies. It is accepted reluctantly by all of us that a smaller less intrusive development could work as was advised by the planning officer, but this is so far from what has been presented.

We are a diverse community group of families, young professionals, children and pensioners who all hold our way of life very dear. We have chosen to live in an area where the density is low and we have a feeling of spaciousness, how can it be ok to ignore the rules and take this away?

Regardless of our personal feelings, the fact remains that planning law and policy will only support a much smaller development and this must not be overlooked.

OBJECTORS

The next plan shows all of the objectors from the surrounding properties. The following pages are the online objections from residents and the greater community.

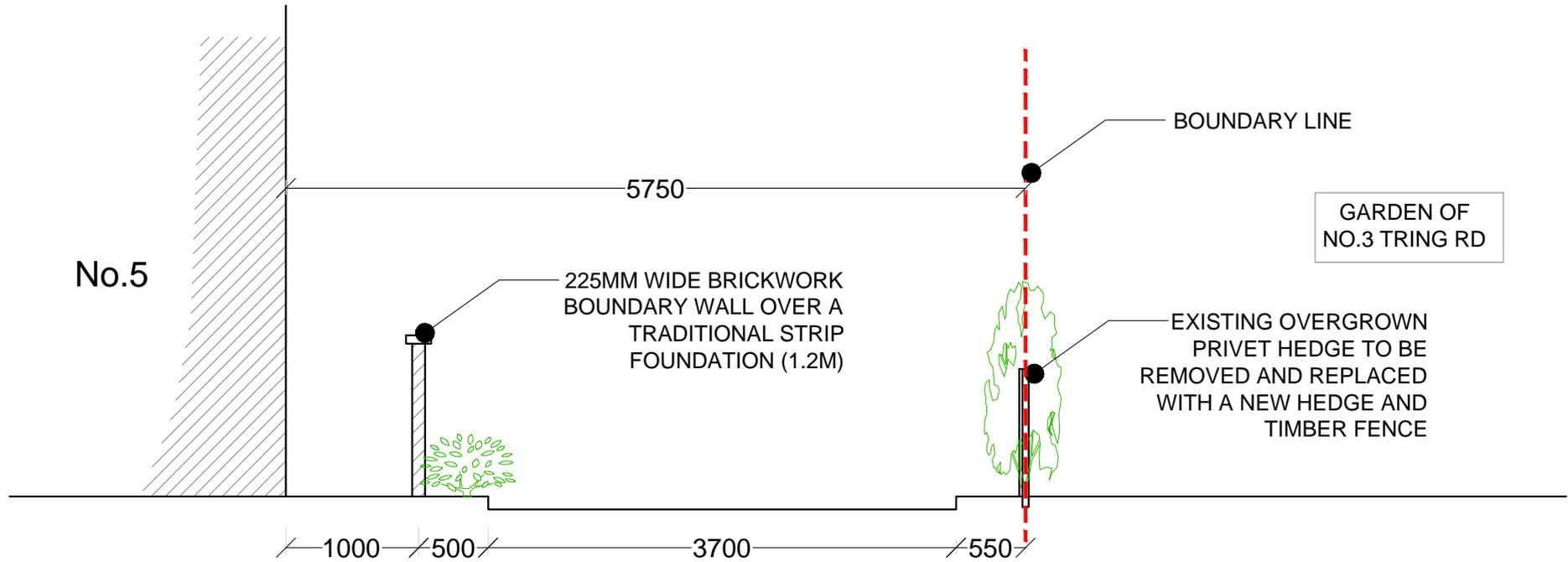
Objects



Hedges and trees to be removed



Only the silver Birch is mentioned to ecology



SECTION
scale 1:50





Mr. Martin Stickley BSc (Hons), MSc,
Planning Officer,
Development Management,
Dacorum Borough Council,

3rd May 2018

Re: Rear of 5 Tring Road

Dear Mr. Stickley,

I hereby write on behalf of my client in relation to the above and outline below our comments on some of the issues raised in the submissions on the planning file for your consideration:

1. Objections

If one was to look purely at the number of comments raised, you might be somewhat concerned. However, of the 31 comments posted on the Dacorum website 15 relate solely to road issues are from places as far removed as Leighton Buzzard, Dunstable and Bovington. Our client advises that the majority of these objections arose following a social media campaign involving the website “Everything Berko” and “Facebook”. On these sites posts were made positively encouraging people to object to this development. In addition, as this scheme was amended during the planning process there has been some 4 months for people to raise their objections which is a significantly longer period than the normal planning process would give for people to object. Also, a number of people have objected to both the original and revised scheme which inflates the figure further.

When taking the above into account I think the level of objection can begin to be put in more context and proportion.

2. Shared Access Road Suitability/Safety

2.1 Access & Egress

We consider that we have clearly demonstrated that all policies in relation to Highway junctions are complied with. The visibility requirement for a “shared access road is 11m (incl’ bonnet allowance). This scheme easily achieves in excess of 43m.

Table 2.9.1.1 of the Hertfordshire Design Guide permits connections between shared drives and roads such as Tring Road.

Furthermore, Birch Road is a single lane access drive that serves greater than 5 dwellings and this has not prohibited additional recent development on this road. The reference to a road serving more than 100 dwellings in the objectors correspondence is somewhat taken out of context in our view and in any case the fact that we are proposing to use as existing entrance from the public highway, together with the extensive visibility achieved mitigates against this.

Finally, even though there has been much comment on this aspect (see “Objections” above) by those objecting to this development, both at Parish Council meetings and on the Dacorum website, “Herts County Council” have now issued two separate reports stating that there is no basis to refuse planning permission based on Highways issues. The Highways reporting officer made the following statement *“I do not find that any of the points raised (by those objecting) indicate that this application should be refused on transport grounds where the residual cumulative impacts of developments are severe”*.

2.2 Road Width

The proposed access road width is 3.7m. Policy states that 3.5m is acceptable. One objector raised the issue of proximity of the access drive to the side ground floor windows and door of No. 5 Tring Road. This house is in the applicant’s ownership and although not required a reconfiguration of this elevation may be considered should the application be successful.

3. Use of Land

It is our contention that the site very much fits with the DBC Adopted Local Plan description of “underused land”. The site is comprised of portions of 2 separate gardens which are abnormally larger than those of the properties around them. The reduction in these garden sizes resulting from the proposed development will see the gardens of No. 5 Tring Road and No. 1(a) Birch Road being more akin to their neighbouring properties and will realise a development of 4 No. much needed residences which constitutes the land being brought into an “appropriate use”. Our view is that to subdivide two garden plots into 4 separate plots with dwellings is certainly a “change of use” under Planning Law and the DBS Local Plan policies.

4. Density

There has been some criticism from people objecting to this development with regards to density. When considering “density” the following statements from the DBC Area Based Policy are very relevant and must be borne in mind:

Extract from Dacorum Area Based Policy

*Density provides an indication of the frequency and extent of dwellings found on a given area of land. **The descriptions given in the character Appraisal are broad indications only and should not be interpreted as mathematical figures to be strictly followed.***

Statements on density ranges have been prepared from a broad assessment of typical dwelling layouts within areas, including areas of highway (whether public or not) to give a fair measure of area as opposed to solely plot density.

If a development proposal falls outside the indicated density in the relevant area policy, there is no “automatic” presumption to refuse planning permission. Numerical density is one factor to be considered and balanced against others set out in area policies.

Within the “Northchurch Character Area” (BCA 19), a figure of 15 dwellings per hectare is quoted. The adopted Core Strategy, Policy CMU states that development should “respect the typical density intended in an area and enhance spaces between buildings and general character”. Given the statement above we believe this figure to be an aspiration rather than cast in stone. To demonstrate this point further please see the attached map setting out densities in the area and the table below which portrays the densities of similar schemes granted permission in recent years. From the schemes in Grove Road and New

Road granted only in the last couple of years it can be seen that their densities far exceed those of this development. In addition, there are other schemes consisting of single or multiple dwellings which similarly fall far outside the aspiration set for this area. Furthermore, if you look at the density of the properties along Lyme Avenue (1 – 13) that border this scheme their density exceeds that of the proposed development.

DENSITY OF BUILDING PER HECTARE				
LOCATION	AREA (HA)	NUMBER OF UNITS	DWELLINGS PER HECTARE	GARDEN LENGTH (m)
NO, 8 NEW RD.	0.1137 HA	6	53 DWELLINGS PER HECTARE	14.5m
NO, 45 COVERT RD.	0.025HA	1	40 DWELLINGS PER HECTARE	6.5m
NO, 4 ASHBY RD.	0.0254 HA	1	39 DWELLINGS PER HECTARE	9m
DARRS LANE (REAR OF COVERT RD)	0.0272 HA	1	37 DWELLINGS PER HECTARE	6.6m
NO, 28 GROVE RD.	0.3027 HA	9	29 DWELLINGS PER HECTARE	11.3m
NO, 7 DELL RD.	0.0889 HA	2	22 DWELLINGS PER HECTARE	14.15m



- Aerial image above portrays the proposed development is consistent with existing densities on neighbouring developments in accordance to “respect the typical density intended in an area and enhance spaces between buildings and general character”

5. Garden Length

Area Based Policies Supplementary Planning Guidance, May 2004, 2.5.6 states that the minimum rear garden depth of 11.5m should normally be applied. This standard is met in the garden sizes of this development.

Policy also goes on to state that for Character Areas (Of which Northchurch is one) where dwelling densities are low and plot sizes are large, rear gardens

may be required to be provided at depths considerably over 11.5m where this is necessary to harmonise with area character.

The key word in the above paragraph is “may” and just as with the density calculation it is not cast in stone that the gardens would have to be much longer. Indeed, the three gardens on Birch Road which border this site have gardens ranging in depth from 13-15m are only marginally longer.

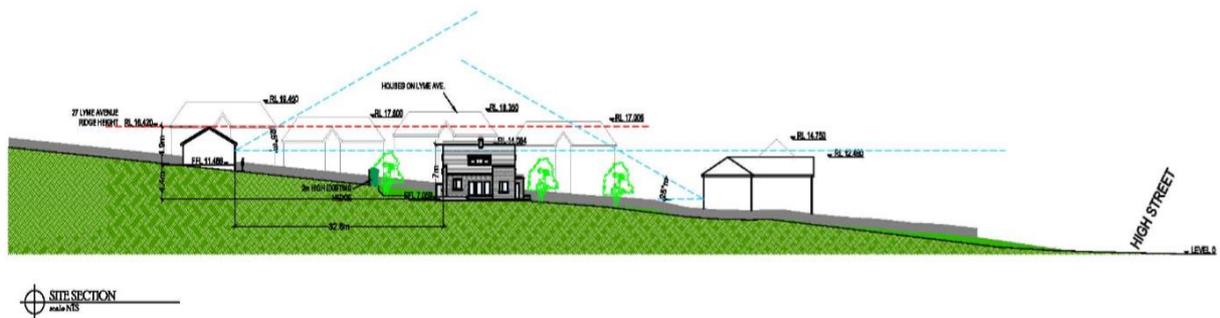
Furthermore, there is again precedent from recent developments that DBC have been satisfied with garden lengths that meet the minimum 11.5 or even less than this despite the size of adjacent gardens.

Examples of this are shown on the attached Table and include the recently granted Grove Road development and also further schemes in New Road, Darrs Lane, Covert Road, Ashby Road and High Street, Northchurch, all of which are a “stone’s throw” from this site.

It is clear from this data that whilst Planning Officers are to be guided by Planning Policy there is also a requirement to look at a development holistically rather than with some form of item by item “tick list”.

6. Safeguarding the area

One objection raises a policy in BCA 19 in relation to views being safeguarded. It is our opinion that safeguarding of views in this policy is with reference to the views being appreciated from public spaces, paths and roadways. Safeguarding a view from a private space is not a valid objection to development. The statement that the “view would be ruined for a number of people” is misleading. The view across the valley will be impacted by the development for those occupants of the two dwellings to the south west of the site and this impact is not significant as the illustrations below indicate. The only obstruction on the view currently enjoyed towards the valley from these dwellings is a small portion of the uppermost part of the rear gables and roofs of the proposed dwellings. There will be no breach of the skyline by the new dwellings.



This is because the current proposal considered the effect that the development might have on these properties and a reduced ridge height, combined with a reduction in ground level on the site is proposed to effectively ensure that the development would be no more invasive visually than if single story bungalows were to be constructed.

The Planning Officer has visited a number of these gardens to see for himself and remains of the view that these properties have been sensitively designed in dealing with this matter.

In terms of security to properties neighbouring the site being compromised the development adheres to the principles of the Hertfordshire Highways Design Guide Chapter 4, Section 4, Design for Security. The access drive can be gated and illuminated, and the existing boundaries will remain and be reinforced. The new dwellings offer passive surveillance of the access drive and should in fact ensure that a more secure environment exists than the current scenario where little passive surveillance exists over the large gardens.

Also, as set out in our landscaping scheme there will be more extensive shrubbery and trees planted than currently exists with provision for corridors for animals, birds and insects.

7. Tandem Development

Whilst this development is a Backland Development arising from the amalgamation of two plots some objectors are attempting classify this scheme as “Tandem Development” such that it might be viewed less favourably in keeping with DBC policy for those types of schemes.

This is patently incorrect and is not the view that has been taken by the Planning Officer for this scheme. Any objections based on this misguided presumption are both disingenuous and totally without merit and should not be given any credence.

8. Conclusion

Overall, we consider that the proposed scheme is a thoughtful development, without detriment to the nature of the area while ensuring a better use for the underused large gardens in providing for new family homes in an area experiencing significant pressure for same.

I trust that you will find the above to be of some use in informing your report however should you require anything further please do not hesitate to contact our office.

Yours sincerely,

**Garvan Hanley, MRIAI, RIBA,
Registered Architect,
Hanley Taite Design Partnership**