



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

THURSDAY 21 FEBRUARY 2019 AT 7.00 PM
DBC 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 Riddick
Councillor Bateman	Councillor Ritchie
Councillor Birnie	Councillor Whitman
Councillor Clark	Councillor C Wyatt-Lowe (Vice-Chairman)
Councillor Conway	Councillor Fisher
Councillor Maddern	Councillor Tindall
Councillor Matthews	

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

AGENDA

1. MINUTES

To confirm the minutes of the previous meeting (these are circulated separately)

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

It is requested that Members declare their interest at the beginning of the relevant agenda item and it will be noted by the Committee Clerk for inclusion in the minutes.

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation.

Time per speaker	Total Time Available	How to let us know	When we need to know by
3 minutes	Where more than 1 person wishes to speak on a planning application, the shared time is increased from 3 minutes to 5 minutes.	In writing or by phone	5pm the day before the meeting.

You need to inform the council in advance if you wish to speak by contacting Member Support on Tel: 01442 228209 or by email: Member.support@dacorum.gov.uk

The Development Management Committee will finish at 10.30pm and any unheard applications will be deferred to the next meeting.

There are limits on how much of each meeting can be taken up with people having their say and how long each person can speak for. The permitted times are specified in the table above and are allocated for each of the following on a 'first come, first served basis':

- Town/Parish Council and Neighbourhood Associations;
- Objectors to an application;
- Supporters of the application.

Every person must, when invited to do so, address their statement or question to the Chairman of the Committee.

Every person must after making a statement or asking a question take their seat to listen to the reply or if they wish join the public for the rest of the meeting or leave the meeting.

The questioner may not ask the same or a similar question within a six month period except for the following circumstances:

- (a) deferred planning applications which have foregone a significant or material change since originally being considered
- (b) resubmitted planning applications which have foregone a significant or material change
- (c) any issues which are resubmitted to Committee in view of further facts or information to be considered.

At a meeting of the Development Management Committee, a person, or their representative, may speak on a particular planning application, provided that it is on the agenda to be considered at the meeting.

Please note: If an application is recommended for approval, only objectors can invoke public speaking and then supporters will have the right to reply. Applicants can only invoke speaking rights where the application recommended for refusal.

5. INDEX TO PLANNING APPLICATIONS

- (a) 4/00834/18/MFA - CONSTRUCTION OF 39 APARTMENTS, ASSOCIATED PARKING, LANDSCAPING, CYCLE STORAGE, REFUSE AND RECYCLING ENCLOSURES. ACCESS VIA EXISTING VEHICULAR ACCESS FROM TWO WATERS ROAD - HEWDEN HIRE LTD, TWO WATERS WAY, HEMEL HEMPSTEAD, HP3 9BX (Pages 5 - 41)
- (b) 4/01812/18/FUL - RETENTION OF AN OAK FRAMED BARN TO REPLACE EXISTING BUILDING - LONG LANE FARM, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NE (Pages 42 - 59)
- (c) 4/03026/18/MFA - DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM SHOOTERSWAY (VIA PHASE 1) AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE - LAND AT JUNCTION OF DURRANTS LANE &, SHOOTERSWAY, BERKHAMSTED (Pages 60 - 105)
- (d) 4/02469/18/FUL - DEMOLITION OF TWO AGRICULTURAL BARNES; REPLACEMENT WITH SINGLE DWELLING AND REINSTATEMENT OF HISTORIC ORCHARD - BARNES AT CHAPEL END LANE, WILSTONE, TRING, HP23 4NY (Pages 106 - 133)
- (e) 4/02993/18/FUL - CHANGE OF USE AND CONVERSION OF EXISTING GROUND FLOOR FROM VETERINARY PRACTICE INTO A TWO-BEDROOM FLAT. ROOF EXTENSION AT FIRST FLOOR TO INCREASE SIZE OF EXISTING FIRST FLOOR FLAT TO A LARGER TWO-BEDROOM FLAT. CONSTRUCTION OF TWO NEW-BUILD TWO-BEDROOM APARTMENTS TO THE REAR FACING ST.JOHNS WELL LANE. PROVISION OF CAR PARKING FOR FIVE VEHICLES, FIVE-BAY CYCLE STORE AND WASTE REFUSE STORE - 320A HIGH STREET, BERKHAMSTED, HP4 1HT (Pages 134 - 192)
- (f) 4/03226/18/FUL - DEMOLITION OF EXISTING RESIDENTIAL DWELLING AND CONSTRUCTION OF 4 X 2-BED FLATS AND ANCILLARY WORKS - LAVENDER COTTAGE, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7BA (Pages 193 - 216)
- (g) 4/00031/19/FUL - DEMOLITION OF EXISTING FIVE GARAGES AND CONSTRUCTION OF 2 TWO BED DWELLINGS WITH OFF STREET PARKING AND SHARED FRONT GARDEN (AMENDED SCHEME) - GARAGES ADJACENT, 8 CUPID GREEN LANE, HEMEL HEMPSTEAD, HP2 7HH (Pages 217 - 233)
- (h) 4/01863/18/FUL - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY EXTENSION AS A SEPARATE DWELLING - 1 AUSTINS MEAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0JX (Pages 234 - 252)

6. APPEALS UPDATE (Pages 253 - 256)

Item 5a 4/00834/18/MFA CONSTRUCTION OF 39 APARTMENTS, ASSOCIATED PARKING, LANDSCAPING, CYCLE STORAGE, REFUSE AND RECYCLING ENCLOSURES. ACCESS VIA EXISTING VEHICULAR ACCESS FROM TWO WATERS ROAD.

HEWDEN HIRE LTD, TWO WATERS WAY, HEMEL HEMPSTEAD, HP3 9BX



PROPOSED WEST ELEVATION



PROPOSED EAST ELEVATION

Rev Description Date

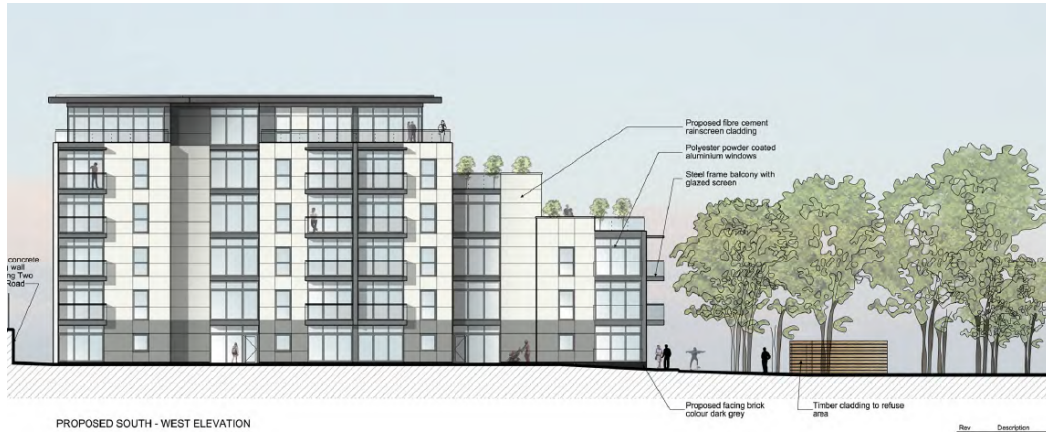


PROPOSED NORTH - EAST ELEVATION

Rev Description Date

Item 5a 4/00834/18/MFA CONSTRUCTION OF 39 APARTMENTS, ASSOCIATED PARKING, LANDSCAPING, CYCLE STORAGE, REFUSE AND RECYCLING ENCLOSURES. ACCESS VIA EXISTING VEHICULAR ACCESS FROM TWO WATERS ROAD.

HEWDEN HIRE LTD, TWO WATERS WAY, HEMEL HEMPSTEAD, HP3 9BX



4/00834/18/MFA	CONSTRUCTION OF 39 APARTMENTS, ASSOCIATED PARKING, LANDSCAPING, CYCLE STORAGE, REFUSE AND RECYCLING ENCLOSURES. ACCESS VIA EXISTING VEHICULAR ACCESS FROM TWO WATERS ROAD.
Site Address	HEWDEN HIRE LTD, TWO WATERS WAY, HEMEL HEMPSTEAD, HP3 9BX
Applicant	Thrive Homes, Building 3
Case Officer	Jason Seed
Referral to Committee	Called in by Councillor Tina Howard on 13/04/2018 on the grounds of density, insufficient parking allowed and the entrance and egress on to London Road at the Two Waters junction.

1. Recommendation

1.1 That the application is delegated to the Group Manager (Development Management and Planning) with a view to approval, subject to the completion of a Section 106 Agreement in respect of securing affordable housing and the provision of fire hydrants.

2. Summary

2.1 The proposals are considered acceptable with regards to the policies contained within the Saved Dacorum Borough Local Plan (DBLP), relevant appendices, the Council's Core Strategy and the National Planning Policy Framework.

3. Site Description

3.1 The application site has an irregular shape which is approximately 0.30ha in area and is situated within the mixed residential and commercial area of Two Waters Road which runs north to south along the site's eastern boundary. The west of the site is bounded by the A414, also called Two Waters Road. The River Bulbourne runs centrally across the site from west to south-east, effectively bisecting the site into two separate and distinct areas. Lines of mature trees are present within the north, east and southern boundaries of the site. The A4251 London Road and further commercial properties are located south of the site.

3.2 The site is subject to the following relevant designations: CIL3, Flood Zone 2 and 3, Open Land, Area of Special Control for Advertisements, Wildlife Site, Former Land Use, Tree Preservation Order, Two Waters Area.

4. Proposal

4.1 The application seeks full planning permission for the construction of 39 apartments, associated parking, landscaping, cycle storage, refuse and recycling enclosures.

4.2 The proposal has been reduced during the consideration of the application from an originally-proposed 52 units.

4.3 The proposed development effectively proposes an additional storey to an extant planning permission (application reference: 4/03552/15/MFA) which would house 3 additional residential units.

5. Relevant Planning History

4/03552/15/MFA CONSTRUCTION OF A BUILDING CONTAINING 36 ONE, TWO AND THREE BEDROOM APARTMENTS WITH CAR PARKING, LANDSCAPING, CYCLE STORAGE, REFUSE AND RECYCLING ENCLOSURES. ACCESS VIA EXISTING VEHICULAR ACCESS FROM

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy –

CS1, CS2, CS4, CS8, CS9, CS11, CS12, CS13, CS17, CS18, CS19, CS27, CS28, CS29, CS31, CS32, CS35.

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 18, 55, 57, 99, 100, 101, 111, 116, 118, 129.

Saved Appendix 3 - Layout and Design of Residential Areas
Saved Appendix 5 - Parking Provision

7. Constraints

- CIL3
- LHR Wind Turbine
- 45.7M AIR DIR LIMIT
- OPEN LAND
- FLOOD ZONE 3
- FLOOD ZONE 2
- AREA OF SPECIAL CONTROL FOR ADVERTS
- Wildlife Sites
- Former Land Use
- TREE PRESERVATION ORDER

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Open Land designation
- Impact on neighbouring amenity

- Impact on trees and landscaping
- Internal environment and amenity space
- Access and highway safety
- Parking and Sustainability
- Cycling and bin storage
- Archaeology
- Affordable Housing
- Ecology
- Flood risk and drainage
- Contaminated land and air quality

Policy and Principle

9.2 Policy CS1 of the Core Strategy states that Hemel Hempstead will be the focus for homes, jobs and strategic services. Policy CS2 encourages development within defined settlements on previously developed land and buildings and areas of high accessibility. Policy CS4 states that in residential areas appropriate residential development is encouraged. In Open Land areas the primary planning purpose is to maintain the generally open character and as such, development proposals will be assessed against relevant Open Land policies.

9.3 The proposal site is allocated (H/5) within the Council's Site Allocations DPD which was Adopted on 12 July 2017 and is identified as having a net capacity of 36 units. The allocation text states as follows (in italics with Case Officer underlining):

9.4 Application to be approved for 36 homes subject to completion of legal agreement. Access from Two Waters Road. The development should be designed and landscaped to safeguard the open land setting of the site. Flats with communal gardens are preferred. Flood risk assessment required. There is potential for the capacity to be exceeded if fully justified against these constraints, and subject to viability considerations and achieving a high quality design that protects the character and setting of the site. Early liaison required with Thames Water to develop a Drainage Strategy to identify any infrastructure upgrades required in order to ensure that sufficient sewage and sewerage treatment capacity is available to support the timely delivery of this site.

9.5 It is noted that the legal agreement referred to above was completed and planning permission was granted on 25/08/2016.

9.6 Since this application was approved, the Two Waters Masterplan (TWMP) Guidance has been adopted (February 2018). The site is identified as being situated within Site 3 (Page 60) within the Masterplan area. The site is designated for residential development up to 4 stories on this site. It is noted that the proposed development exceeds this allocation. Since the TWMP has been adopted, the National Planning Policy Framework (2018) has been published which emphasises that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site

9.7 It is therefore concluded that, on balance, the principle of the development is acceptable for the reasons set out later within this report.

Previous Approval and Proposal Comparison

9.8 The current application originally proposed 52 units across 8 storeys which was considered to be unacceptable due to its height, scale and resultant impacts upon the street scene. The proposals now before Members have evolved following negotiations with the applicant to

substantially reduce the quantum and overall scale of the development.

9.9 An extant consent exists on the site for the construction of 36 one, two and three bedroom apartments with car parking, landscaping, and cycle storage. Refuse and recycling enclosures (planning application reference: 4/03552/15/MFA).

9.10 The development proposed under the current application effectively seeks to add an additional storey to the approved development, this storey to provide 1 x three bedroom unit and 2 x two bedroom units. This storey is proposed to be set-back from the relevant elevations to minimise its visual impact.

9.11 The previously approved proposals included the provision of 36 off-street parking spaces at a ratio of 1 space per unit. The current proposals provide 39 parking spaces for 39 units, replicating this ratio. The three additional spaces have been accommodated within land which is located within the south-east corner of the site which was previously not proposed to be developed. Additional refuse storage is also located within this area. Additional cycle storage is also proposed to be situated to the immediate north of the refuse storage area which is proposed to be located to the north of the access road.

9.12 The previously approved scheme provided predominately market housing, with the exception of 3 shared equity apartments. By comparison, the current proposals will provide 100 percent on a 'rent to buy' basis. Annex 2 of the National Planning Policy Framework (NPPF) confirms that the nature of this tenure qualifies as affordable housing.

9.13 It is considered that this provision, in comparison with the previously approved predominately-market housing proposals, weighs significantly in favour of the proposals.

Impact on Open Land Designation

9.14 Saved Policy 116 of the Dacorum Borough Local Plan states that proposals to develop on other open land in towns and large villages will be assessed on the basis of the local contribution the land makes to leisure facilities, townscape, visual amenity, nature conservation and the general environment. Measures to conserve and improve the attractiveness, variety and usefulness of all open land will be investigated, encouraged and promoted.

9.15 The principle of built / residential development at this site has been accepted through the work undertaken through the aforementioned Site Allocations DPD, the TWMP and the previous planning approval at the site as detailed within the relevant sections of this report. It is therefore necessary to assess how the scale and quantum of the development impacts upon the site's Open Land designation.

9.16 As the proposal plans illustrate, the overall scale of the proposal is minimised by both the site levels and retaining wall along the western boundary (which effectively screens the lower floor from view from the west) and the 'stepping down' of the development from six floors to three as the development extends towards Two Waters Road to the east. The overall footprint of the development is considered to be compact for a development of this scale, and the buffer zone which is provided to the north of the site and the parking which is to be provided to the south and south-east of the site assist in retaining large areas of openness around the site. Whilst it is acknowledged that these will be covered in hard standing, an opportunity exists to secure additional landscaping via planning condition which will reduce the impacts of these areas and will increase vegetative cover at the site.

9.17 Furthermore, the proposal provides an opportunity to secure ecological / biodiversity enhancements around the area of the River Bulbourne which is adjacent to the site, and the proposed amenity area which is to be located to the north of the river to be improved for the benefit of both the residents of the new development and other members of the community.

9.18 It is therefore considered that the proposal will result in overall environmental improvements to the site in relation to its Open Land setting and will conserve and improve the attractiveness, variety and usefulness of Open Land when considered within the context of the extant planning permission and the site's allocated status. As such, the proposal is considered to comply with Policy CS4 of the Core Strategy and Saved Policy 116 of the Dacorum Borough Local Plan.

Impact on Street Scene

9.19 The proposed development will be visible from a number of vantage points including the A414 to the west, the Two Waters Road to the north-east and east and the A4251 to the south. From the A414, the ground floor of the development will be hidden from view due to the retaining wall / road level in relation to that of the site. As such, only the upper 5 floors will be visible, the highest of which is set-back from the western elevation to minimise its visual dominance and impact. Windows and balconies provide a residential appearance to the property which although introducing a new feature into this location, will not adversely impact upon the street scene and would be in keeping with the residential development direction and objectives contained within the TWMP.

9.20 When viewed from the north, the bulk and overall scale of the proposals is minimised by the variety of floor heights and elevation positioning. Similarly, views of the proposal from the east are of varying heights and modest overall build width which lessens the visual impact of the proposal and provides aesthetic interest.

9.21 Overall, it is considered that the proposal will not adversely impact upon the street scene when viewed from the surrounding area and as such, the proposal is considered to comply with Policy CS12 of the Core Strategy.

Impact on Neighbouring Amenity

9.22 Policy CS12 of the Core Strategy states that on each site, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

9.23 The closest residential properties to the proposal site are those situated to the north-east on Two Waters Road. These properties are typically of two storeys in height (excluding a single bungalow, No. 20, which is of 1.5 storeys).

9.24 Paragraph 8.2 of the submitted Design and Access Statement provides two 25 degree tests from the ground floor windows of properties to the east of the site in Two Waters Road. This test is to establish the effect a proposed building will have on existing properties with regards to obstructing daylight to existing windows/rooms. This test is carried out when the proposed building is opposite the existing building.

9.25 The illustrations demonstrate that the 25 degree line will not be breached which indicates that no unacceptable loss of daylight will result. A combination of the separation distance between the application site and these properties and the stepped-down nature of the easternmost element of the block will ensure that no unacceptable loss of daylight will result.

9.26 In terms of privacy and disturbance, the aforementioned separation in conjunction with the orientation of the proposals in relation to surrounding properties is considered sufficient to ensure that no significant impact upon the properties within Two Waters Road will result.

Impact on Trees and Landscaping

9.27 The two parts of the site are markedly different with regards to vegetation coverage. The southern part of the site where the built development is to be cited is currently free from vegetation although mature trees are present adjacent to the site's southern boundary which are covered by a Tree Preservation Order (TPO). Trees within the site are located predominantly in the north-eastern half, either side of and to the north of the river where further TPOs are in place. In this location the trees are particularly dominant close to the road-side boundary, with sycamore being the principal species.

9.28 The Council's Trees and Woodlands Officer has been consulted on the application and no response has been provided. However, in response to the proposals which were approved under planning application reference: 4/03552/15/MFA and which had an almost-identical site layout, it was concluded by the Officer that there was a minimal effect on site trees from proposed development design.

9.29 It is considered that the site's landscaping can be enhanced through the imposition of a condition to secure improvements across both sections of the site.

9.30 The effect of construction on trees will be decided by the proper installation and maintenance of tree protection measures. Protection measures should remain in place throughout the construction phase and only removed once into landscaping operations.

9.31 It is therefore considered that matters in respect of trees and landscaping can be sufficiently managed through planning conditions and as such, do not represent an overriding constraint on the proposed development.

Internal Environment and Amenity Space

9.32 With regards to the size of the units, the proposed floor plans contain a schedule of room sizes which indicates that each unit will benefit from acceptable floor areas which affords a comfortable internal living environment. Habitable rooms are generally well-served in terms of fenestration which provide good levels of natural lighting and outlook.

9.33 The site is located within close proximity to an A-road. As such, the application is accompanied by a Noise Assessment and a noise survey was undertaken to quantify the noise climate at the site.

9.34 The assessment concluded that façade mitigation (i.e. glazing and ventilation) will be required due to road traffic noise although the report considers that such mitigation is achievable.

9.35 External noise levels to communal gardens and balconies were found to be above the aspirational guidance criteria as defined in BS8233:2014; however, the document explains that noise limits need not apply to small balconies and that development should not be prohibited where context allows. As a mitigating factor, in line with Planning Practice Guidance, quieter public amenity spaces are close by to the west of the site.

9.36 It is therefore considered that the proposals are acceptable in respect of noise subject to conditions in respect of detailed mitigation measures.

9.37 With regards to amenity space provision, Saved Appendix 3 of the Dacorum Borough Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Residential development designed for multiple occupancy will be required to provide a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and

increasing with building height.

9.38 All of the proposed units would benefit from amenity space either in the form of a balcony, terrace or communal roof garden. In addition, the northern part of the site encompasses a new landscaped amenity area which is comparable in size with the footprint of the building.

9.39 In addition to the above provisions, the site is well-located in relation to Boxmoor Common which provides opportunities for outdoor recreation.

9.40 It is therefore considered that the amenity areas which will be available to future occupants are acceptable.

Site Access and Impact on Highway Safety

9.41 Policy CS12 of the Core Strategy states that on each site development should provide a safe and satisfactory means of access for all users.

9.42 Policy CS9 of the Core Strategy states that the traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments.

9.43 Furthermore, Saved Policy 51 of the Dacorum Borough Local Plan (DBLP) states that development must be compatible in locational and general highway planning, design and capacity terms with the current and future operation of the defined road hierarchy and road improvement strategy.

9.44 Access to the proposed development is maintained via Two Waters Road, with a pedestrian route to the amenity area accessed from the northern part of the site and vehicular access to the residential block at the southern part of the site. The applicant has provided drawing P282/100 in the Transport Statement (TS) which indicates visibility splays of 2.0m x 26.5m to the south and 2.0m x 35.0m to the north.

9.45 Manual for Streets states that a distance of 2.4m should normally be used but a minimum distance of 2m may be considered in some very lightly-trafficked and slow speed situations. It is noted that the applicant does not propose to alter the existing access, Two Waters Road is a no through road and no collisions have been recorded. As such the Highway Authority have confirmed that in this instance the visibility splays provided are considered acceptable.

9.46 In terms of trip generation, it is noted that within the TS, the increase from the previously-approved 36 dwellings to 39 dwellings is unlikely to have a material impact on the highway network surrounding the site and the Highway Authority have raised no objection in this regards. They have further confirmed that they would not wish to restrict the grant of planning permission subject to conditions and informatives.

Parking and Sustainable Transport

9.47 Policy CS12 states that on each site, development should provide sufficient parking.

9.48 The site is identified within the Council's Accessibility Zones for the Application of Parking Standards SPG as being situated within Zone 4, although is situated adjacent to two Zone 3 areas to the immediate south and a short distance to the north of the site.

Saved Appendix 5 of the Dacorum Borough Local Plan provides the Council's maximum parking standards. The development comprises the following schedule of units:

- 16 x one bed: max standard. 1.25 spaces per dwelling = 20 spaces
- 20 x two beds: max standard. 1.5 spaces per dwelling = 30 spaces
- 3 x three bed units: max standard. 2.25 spaces per dwelling = 6.75 spaces

9.49 Total maximum parking requirement = 56.75 spaces

9.50 Paragraph A5.8 of Appendix 5 states that for residential development, the SPG currently expects all parking demand to be accommodated on site; although reduced provision may be acceptable for high-density residential proposals in appropriate locations. The document further states that these standards are currently under review and the objective of this review is to achieve an average of 1.5 spaces per dwelling across all new housing development. On the basis of 1.5 spaces per unit, the aim in relation to the proposed development would be to achieve 58.5 off-street parking spaces, 19.5 more than are proposed.

9.51 Saved Policy 58 of the DBLP states that car free residential development may be considered in high accessibility locations and parking provision may also be omitted or reduced on the basis of the type and location of the development (e.g. proximity to facilities, services and passenger transport).

9.52 It is considered that the site is situated within a relatively sustainable location. The nearest bus stop is off of Two Waters Road approximately 100 metres from the proposed development. Buses 500 and 501 provide access to the surrounding towns Tring, Aylesbury, Berkhamsted and Watford. The site is located approx. 900 metres south-west of Hemel Hempstead railway station providing access into central London, Clapham Junction, Milton Keynes and interconnecting trains with these larger stations providing UK wide access.

9.53 On the basis of the above, it is considered that given the density of the proposal and the site's sustainable location, the proposed number of spaces are considered to be acceptable in this instance.

Cycling and Bin Storage

9.54 Cycling sheds are provided in three locations across the site which will result in the provision of 40 storage spaces, a ratio of just over 1 space per unit which is considered to comply with the requirements of Saved Appendix 5. Whilst the location of the cycle sheds has been provided, no details of their full dimensions has been submitted. As such, further information in this respect is required to be submitted to and approved by the Local Planning Authority as part of the landscaping condition, prior to the occupation of the development.

9.55 The submitted plans illustrate bin storage areas are to be provided to the east of the site. However, the capacity of the proposed bin store to adequately serve each of the new units that are proposed is not fully understood. As such, it is considered that further information is required in respect of capacity and building type. A condition is recommended to secure the provision of this information.

Archaeology

9.56 Policy CS27 of Core Strategy states that all development will favour the conservation of heritage assets. Features of known or potential archaeological interest will be surveyed, recorded and wherever possible retained.

9.57 The County's Historic Environment Unit (HEU) has not been consulted on this application. However, in response to the consultation on the previously-approved application, the HEU stated as follows (in italics):

9.58 *Evidence from historic mapping and records (in particular the 1650 survey of the Manor of*

Hemel Hempstead) shows the site of a mill within the application areas bounds (HER No. 7112). The mill itself seems to have been in continuous use from at least the 17th century onwards, originally a corn mill it was later a fulling mill, then paper mill. In 1919 the mill was destroyed by an explosion whilst extracting fat from sheep wool.

9.59 *The mill formed part of a large industrial post-medieval landscape in the area, with a Malthouse to its south west (HER No. 7114) and a maltings to its south (HER No. 7113). The Historic Environment listing for the mill also mentions the possible survival of early brick walls lining the culvert that bi-sects the sites' southern wall. In addition, the sites location along the base of the valley of the River Bulbourne lends itself to the potential for paleoenvironmental deposits associated with the river.*

9.60 It was concluded that given the site's topographical position, the known heritage asset within the site bounds and its proximity to other heritage assets, the proposed development site possesses potential for the presence of heritage assets with archaeological interest and it was recommended that 2 conditions be applied to planning consent which would ensure that the proposal complies with Policy CS27 of the Core Strategy.

9.61 It is therefore considered reasonable to apply these conditions to the current proposals.

Affordable Housing

9.62 Core Strategy Policy CS19 sets a requirement for 35% of dwellings to be provided as affordable housing on qualifying sites; with a minimum of 75% of the affordable housing units provided should be for rent.

9.63 The application proposes 39 dwellings at 100 percent affordable housing which are to be 'Rent to Buy'.

9.64 Comments from the Strategic Housing Team will be provided through the addendum.

Ecology

9.65 Boxmoor Common is a Local Wildlife Site (LWS) designated for its grassland interest. The designation covers the entirety of the northern section of the site, whilst the area within which the built development is proposed is not subject to the designation. The area of land to the south of the site is however also covered by the designation.

9.66 At the time of writing, no consultation response has been received from the relevant consultee. However, in response to the consultation on the previously-approved application, no objection was raised to the proposals.

9.67 It is anticipated that a further ecological update will be provided to Members through the report addendum or articulated verbally at Development Management Committee.

River Bulbourne

9.68 The River Bulbourne runs west to east across the site, effectively and dividing it into two.

9.69 As with the previously-approved proposals, an 8 meter buffer zone is incorporated between the river and the development; a flood management requirement of the Environment Agency. The buffer also functions as a natural wild life corridor.

9.70 The Environment Agency has been consulted on the application and has raised no objection in respect of impacts upon the river.

Flood Risk and Drainage

9.71 Policy CS31 of the Core Strategy states that development will be required to avoid Flood Zones 2 and 3 and minimise water runoff.

9.72 As previously detailed, the River Bulbourne runs west to east and splits through the site. As such, small sections of the site are situated within Flood Zone 2 and 3 although the vast majority is situated within Zone 1. It is noted that none of the residential footprint of the development falls within an area identified as being at risk of flooding.

9.73 The Environment Agency have not objected to the proposals on the grounds of flood risk or drainage. Furthermore, the Lead Local Flood Authority have confirmed that following review of the submitted Flood Note and Surface Water Management Strategy carried out by Cannon Consulting (reference P282 dated September 2018), they confirm that they have no objection on flood risk grounds and advise that the proposed development site can be adequately drained and any potential existing surface water flood risk mitigated if carried out in accordance with the overall drainage strategy.

9.74 As such, it is considered that the proposals comply with the requirements of Policy CS31 of the Core Strategy.

Contaminated Land and Air Quality

9.75 Policy CS32 of the Core Strategy states that development will be required to help maintain air quality standards throughout the area and maintain soil quality standards and remediate contaminated land.

9.76 The applicant has provided a Site Investigation Report which confirms that the site does not pose any significant risk to the environment or human health following the various stages of historic remediation which have been undertaken. Following review of the report, the Council's Scientific Officer has confirmed that he is satisfied with this conclusion and no conditions are required. An informative is recommended to be provided to notify the Local Planning Authority in the event that any unexpected contamination is found during construction.

9.77 In respect of impacts upon air, it is noted that the site is not located within any of the Borough's Air Quality Management Areas.

9.78 The applicant has provided an Air Quality Assessment which demonstrates that the proposed development will generate a small amount of additional traffic on the local road network, but the assessment has shown that the additional emissions from this additional traffic will not result in any significant air quality effects at any existing, sensitive receptors.

9.79 During the construction works, a range of best practice mitigation measures will be implemented to reduce dust emissions and the overall effect will be 'not significant'; appropriate measures have been set out in the report, to be included in the Dust Management Plan for the works.

9.80 The Council's Scientific Officer has reviewed the assessment and has raised no objections in respect of impacts upon air quality. A condition is recommended to secure the provision of the aforementioned Dust Management Plan.

Groundwater Source Protection Zone

9.81 Affinity Water have advised that the site is located within the groundwater Source Protection Zone (SPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

9.82 They have further advised that the construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

Sustainability

9.83 Policy CS29 of the Core Strategy states that new development will comply with the highest standards of sustainable design and construction possible.

9.84 The applicant has submitted a Sustainable Development Checklist which provides a substantial level of detail in respect of the sustainability of materials resourcing, minimisation of water consumption during construction, waste minimisation, limiting residential indoor water consumption, minimising energy consumption during construction, minimising carbon dioxide emissions and other relevant matters in respect of the requirements of Policy CS29.

Response to Neighbour comments

9.85 In addition to the matters which are discussed within this report, the following comments have been raised through the consultation process:

- Interruption of views;
- Proposals out of keeping with neighbouring cottages;
- Impact on existing infrastructure.

9.86 In response to these comments, it should be noted that the planning system does not have a responsibility to protect private views, and the loss of such is not a material planning consideration.

9.87 Whilst it is accepted that the proposals do not directly reflect the density and character of the properties immediately adjacent, none of the cottages are Listed Buildings or situated within a Conservation Area, and varying aesthetic relationships such as that which is proposed under this application are not uncommon in built-up residential areas. The density of the proposals are similar to those which have previously been approved at the site and as such, will not result in a material increase with regards to the burden placed upon infrastructure.

S106 and Planning Obligations

9.88 A Section 106 Agreement will be required to secure the affordable housing contribution and the provision of fire hydrants.

10. Conclusions

10.1 It is considered that the proposals will optimise the use of urban land and will deliver 39 units of affordable housing which will allow a significant number of people to enter the housing market. The proposals are considered acceptable with regards to the relevant technical standards and will not adversely impact upon the street scene, neighbouring properties or the highway network.

11. RECOMMENDATION – That the application be delegated to the Group Manager (Development Management and Planning) with a **view to approval**, subject to the completion of a Section 106 Agreement in respect of securing affordable housing and the provision of fire hydrants and subject to the following conditions.

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>060 Rev P2 061 Rev P2 062 Rev P1 063 Rev P1 067 Rev P2 068 Rev P2 069 Rev P2 070 Rev P1 Transport Statement Planning Statement Arboricultural Impact Assessment and Preliminary Arboricultural Method Statement Flood Note and surface Water Management Strategy Air Quality Assessment Noise Assessment Sustainability Statement</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development (excluding groundworks) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.</p>
4	<p>No development (excluding groundworks) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; trees to be retained and measured for their protection during construction works; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) including full details of secure cycle storage provision; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.</p>

	<p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Core Strategy.</p>
5	<p>Prior to occupation of the development hereby approved, the sound remediation measures contained within the Noise Assessment submitted as part of the application shall be implemented in full and the glazing and acoustic ventilation proposed shall be incorporated into the design and construction of the property.</p> <p>Reason: To protect the amenity of occupiers of the units in accordance with Saved Appendix 3 of the Dacorum Borough Local Plan.</p>
6	<p>Prior to the commencement of the development (excluding groundworks) hereby permitted, full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following: • Visibility splays; • Access arrangements, in line with Roads in Hertfordshire Highway Design Guide 3rd Edition; and • Parking provision in accordance with adopted standard.</p> <p>Reason: In the interests of highway safety in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.</p>
7	<p>Prior to the commencement of the development (excluding groundworks) hereby permitted swept path analysis is required to demonstrate that that refuse and servicing vehicles can manoeuvre safely within the internal layout and exit onto the highway in a forward gear.</p> <p>Reason: In the interests of highway safety in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.</p>
8	<p>Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.</p>
9	<p>Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.</p>
10	<p>Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.</p> <p>Reason: To ensure adequate off-street parking during construction in the interests of highway safety CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.</p>

11	<p>At least three months prior to first occupation of the development hereby approved, a Travel Plan Statement shall be submitted in accordance with Hertfordshire's Travel Plan Guidance to be reviewed and approved by the Local Planning Authority.</p> <p>Reason: To promote sustainable transport measures to the development in accordance with Policy CS8 of the Core Strategy.</p>
12	<p>Construction of the development shall not commence (excluding groundworks) until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:</p> <p>a. Construction vehicle numbers and type b. Traffic management requirements; c. Construction and storage compounds (including areas designated for car parking); d. Siting and details of wheel washing facilities; e. Cleaning of site entrances, site tracks and the adjacent public highway; f. Provision of sufficient on-site parking prior to commencement of construction activities; g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy CS8 and CS12 of the Core Strategy and Saved Policy 51 of the Dacorum Borough Local Plan.</p>
13	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Note and Surface Water Management Strategy carried out by Cannon Consulting reference P282 dated September 2018. The surface water drainage scheme should include;</p> <p>1. Limiting the surface water run-off to 0.7l/s with discharge into the River Bulbourne. 2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. 3. Undertake the drainage to include permeable paving and attenuation crates as indicated on drawing P282-300.</p> <p>Reason: To ensure that surface water management is managed effectively in accordance with Policy CS31 of the Core Strategy.</p>
14	<p>No development (excluding groundworks) shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Note and Surface Water Management Strategy carried out by Cannon Consulting reference P282 dated March 2018. The scheme shall also include:</p> <p>1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes. 2. All calculations/modelling and drain down times for all storage features. 3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage. 4. Silt traps for protection for any residual tanked elements. 5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths. 6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event</p>

	Reason: To ensure that surface water management is managed effectively in accordance with Policy CS31 of the Core Strategy.
15	<p>No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:</p> <ol style="list-style-type: none"> 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>Reason: To protect the historic environment in accordance with Policy CS27 of the Core Strategy.</p>
16	<p>Development shall take place in accordance with the Written Scheme of Investigation approved under Condition 15.</p> <p>The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 15 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>Reason: To protect the historic environment in accordance with Policy CS27 of the Core Strategy.</p>
17	<p>No development (excluding groundworks) shall take place until a Site Waste Management Plan (SWMP) has been submitted to and approved by the local planning authority. Following approval, the development shall be carried out in accordance with the SWMP.</p> <p>Reason: To ensure that waste production is minimised and that wastes arising are managed in accordance with Policy CS29 of the Core Strategy.</p>
18	<p>Details of refuse storage will be submitted to and approved by the local planning authority prior to first occupation of the development hereby approved.</p> <p>Reason: To ensure that waste arising is managed satisfactorily in accordance with Policy CS29 of the Core Strategy.</p>
19	<p>Prior to the commencement of the construction work, a dust management plan as alluded in section 7 of the AQ report shall be submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the development. This should include a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance. The scheme shall set out the secure measures, which can, and will, be put in place.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policy CS12 of the Core Strategy.</p>

20	<p>Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%). The CHP must have a discharge stack which is at least 3m above any openable windows or ventilation air inlets within a distance of 5Um. Details to demonstrate compliance with this condition must be submitted to the Local Planning Authority for approval prior to construction of the superstructure.</p> <p>Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013).</p>
21	<p>No occupation of the development hereby approved shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the River Bulbourne shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include: Plans showing the extent and layout of the buffer zone. Details of any proposed planting scheme (must be native species). Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term. Details of any proposed footpaths, fencing, lighting etc.</p> <p>Reason: To protect and preserve local wildlife and biodiversity in accordance with Policies CS31 and CS32 of the Core Strategy.</p>
22	<p>Prior to first occupation of the development hereby approved, a Landscape and Ecological Management (LEMP) to include details of parties responsible for the ongoing implementation and future monitoring and management of the plan as well as the management aims (to preserve and enhance the existing ecological element of the area) and proposed management and maintenance practices shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To protect and preserve local wildlife and biodiversity in accordance with Policies CS31 and CS32 of the Core Strategy.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVES</p> <p>Affinity Water</p> <p>You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>The construction works and operation of the proposed development site should be</p>

done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Scientific Officer

Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

Construction Hours of Working - (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Thames Water

Waste Comments

The application indicates that surface waters will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position. Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer

to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Design Out Crime Officer

Please refer to Secured by Design standards throughout the construction of the approved development.

Highway Authority

Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047.

Storage of materials, site parking and deliveries: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. On-site parking for all contractors, sub-contractors, visitors and delivery shall also be off the highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Approval subject to conditions and the signing of the Section 106 Agreement.

Appendix 1

Consultation responses

THAMES WATER UTILITIES	No Objection
THREE VALLEYS WATER PLC (AFFINITY WATER)	No Objection
HCC - Dacorum Network Area	No Objection
DBC - STRATEGIC PLANNING	No Objection
CRIME PREVENTION/ARCHITECTURAL OFFICER	No Objection
HERTS PROPERTY SERVICES	No Objection
DBC - NOISE POLLUTION & HOUSING	No Objection
REFUSE - CUPID GREEN DEPOT	No Objection
LEAD LOCAL FLOOD AUTHORITY	No Objection

The comments below are those which were received in response to re-consultation which was undertaken on 23/11/2018.

Affinity Water

No objection. Informative recommended.

Scientific Officer

No objection to the proposed development in relation to air quality and land contamination. Conditions and informatives recommended.

Environment Agency

No objection.

Growth and Infrastructure Officer

No objection.

Highway Authority

Notice is given under article 18 of the Town and Country Planning (Development Management

Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions.

Lead Local Flood Authority

Following the review of the Flood Note and Surface Water Management Strategy carried out by Cannon Consulting reference P282 dated September 2018, we can confirm we have no objection on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and any potential existing surface water flood risk mitigated if carried out in accordance with the overall drainage strategy. Conditions recommended.

Strategic Planning

Various comments provided as discussed within this report.

Thames Water

No objection. Informatives provided.

The following comments are those which were received in response to the original consultation and where the consultees failed to respond to the above reconsultation.

Cupid Green

There should be sufficient storage for 10 x 1100ltr Eurobins for residual waste, 10 x 1100ltr Eurobins for recycling and 10 x 140ltr wheeled bins for food waste. There should be no steps between the storage area and the collection vehicle. Consideration should be given to the size and weight of the collection vehicle which is a 26t rigid freighter.

Design Out Crime Officer

No objection. Informatives recommended.

Herts Fire and Rescue

Fire hydrants required.

Minerals and Waste Team

Condition recommended in respect of securing a Site Waste Management Plan.

Strategic Housing

The proposal is acceptable in Affordable Housing Policy terms as its providing 100% affordable housing. We do not have any issues with the proposed units which comply with the Affordable Housing SPD requirement of 75% affordable rent/25% shared ownership.

Boxmoor Trust

No comments received.

Response to Re-Consultation on 23/11/2018

Affinity Water

No objection. Informative recommended.

Scientific Officer

No objection to the proposed development in relation to Air Quality and Land Contamination.

Conditions and informatives recommended.

Environment Agency

Response dated 29/11/2018 referring to comments provided 27/07/2018.

Growth and Infrastructure Officer

Further to our response sent 16/04/2018, the Growth & Infrastructure Unit have no further comments to make. Original comment: Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum CIL Zone 3 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Lead Local Flood Authority

Following the review of the Flood Note and Surface Water Management Strategy carried out by Cannon Consulting reference P282 dated September 2018, we can confirm we have no objection on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and any potential existing surface water flood risk mitigated if carried out in accordance with the overall drainage strategy. Conditions recommended.

Strategic Planning

We do not wish to comment on the application. Please refer to previous comments and policies/guidance in the Local Plan as appropriate.

Thames Water

No objection. Informatives provided.

Appendix 2

Neighbour notification/site notice responses

Response to Original Consultation

25 WINIFRED ROAD, HEMEL HEMPSTEAD, HP3 9DX (Objects)

We object on the grounds that the traffic in London Road and the surrounding area is extremely busy already - how is the area going to cope with more vehicles particularly as there is another development off Durrants Hill Road. The building would be far too tall and would be overbearing - the proposal for 52 flats with 36 car parking spaces does not make sense at all. Most homes today have at least two cars so where are the cars going to park and the pollution levels would increase drastically. The Council needs to be considerate of the residents and the level of pollution particularly as vehicles sit at the traffic lights for about two and a half minutes before they change. With the development in Featherbed Lane there are no places in the primary school for pupils other than those on the Manor Estate so where are the children going to go to school. Even where I live you cannot get a place at the local Primary school. Notice about the application is very difficult to read - why?

1 ORCHARD STREET, HEMEL HEMPSTEAD, HP3 9DT (Objects)

The infrastructure is not in place to support a development of this type. The roads are too busy,

there is not enough parking and access to local schools is being affected negatively.

The views will be interrupted.

Why can green space just be left as green space. You don't have to fill EVERY gap.

The infrastructure in Apsley will not be able to cope with any more residential living spaces, it's bad enough as it is, simply unworkable

3 ORCHARD STREET, HEMEL HEMPSTEAD, HP3 9DT (Objects)

1. Totally out of keeping with existing cottages in Two Waters Road.
2. Will cause huge amounts of congestion at an already dangerous junction with Two Waters Road & London Road.
3. No further schools have been planned, existing schools grossly oversubscribed.
4. No further GP surgeries or hospitals planned.
5. Infrastructure cannot cope with existing traffic.
6. Building is an absolute eyesore and will spoil and blight the Moor and Canal, beautiful natural areas.
7. Pollution will be horrendous.
8. Emergency vehicle access is questionable.
9. Parking will spill over into Two Waters Road, already congested as it is with non-residents vehicles.
10. APSLEY IS FULL AND CANNOT TAKE ANY MORE BUILDINGS OR PEOPLE!!! WHEN WILL DBC REALISE THIS, STOP IT NOW!!!

10 MILLBANK, HEMEL HEMPSTEAD, HP3 9RN (Objects)

8 KING EDWARD STREET, HEMEL HEMPSTEAD, HP3 0AE (Objects)

13 SLEETS END, HEMEL HEMPSTEAD, HP1 3JA (Objects)

47 HIGH RIDGE ROAD, HEMEL HEMPSTEAD, HP3 0AU (Objects)

81 DUNLIN ROAD, HEMEL HEMPSTEAD, HP2 6LX (Objects)

Insufficient parking spaces proposed. Planned building out of character for the location.

6 KENTS AVENUE, HEMEL HEMPSTEAD, HP3 9SW (Objects)

The roads and parking in Apsley can't cope with any more developments so until that changes I don't believe any more dwellings should be built!

11 POND ROAD, HEMEL HEMPSTEAD, HP3 8BA (Objects)

125 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QS (Objects)

Policing is minimal, doctors rooms are bursting at the seams, no traffic control what so ever.

The high street is falling apart. And you want to add hundreds more people and cars.

14 ROUGHDOWN AVENUE, HEMEL HEMPSTEAD, HP3 9BH (Objects)

This apartment block would be out of character for the area, too obtrusive to the cottages already there and the local roads are already grid locked at peak times and often at other times to.

477 LONDON ROAD, HEMEL HEMPSTEAD, HP3 9BE (Objects)

THE COPIARY, 5C CATLIN STREET, HEMEL HEMPSTEAD, HP3 9AU (Objects)

I strongly object to this development on the grounds that it is way too tall and would overpower the canal and surrounding land with its height. It would also impact the privacy of the cottages. It does not reflect the guidance in the two waters regeneration policy for the area and would be detrimental to the visual look of the streetscape. There are also not enough car parking spaces for the number of flats proposed and with the recent changes to parking along the London Road and surrounding streets there would be nowhere for additional parking. Finally the additional traffic that this development would cause on the London Road and two waters junction would be horrendous. The infrastructure of the surrounding roads is inadequate to cope with the existing traffic and you can witness gridlock here every weekend and during rush hour in the week. Until a solution is found to this then the addition of high density housing to the area will make the existing issues far worse.

97 WEYMOUTH STREET, HEMEL HEMPSTEAD, HP3 9SJ (Objects)

As a resident of Apsley, I would like the following comments noted...

I am concerned the building is too high and not in keeping with the cottages behind it, the moor in front or the K2 restaurant next door. It will become yet another eyesore on the skyline. New developments should improve the look of the area.

52 apartments will increase congestion in an already terribly congested part of Hemel. The traffic on the main road puts pressure on the adjacent roads which are already dangerous to drive through. Let's not forget the new approved developments on Durrants Hill and the one in progress by the Papermill - both of which are an unknown entity in terms of impact on traffic.

Another attempt to rip any last snippets of heart and soul out of our community. Who is considering the quality of life of those that already reside here?

83 PULLER ROAD, HEMEL HEMPSTEAD, HP1 1QN (Objects)

I'd like to protest at the proposal as this is totally out of keeping with the Boxmoor/London Road area. Just because there will be an eyesore diagonally opposite along with a storage warehouse and retail unit DOES NOT mean that new properties should be built so high, with so many apartments, very few of which will be 'affordable' and with inadequate parking. Anyone who regularly uses the surrounding infrastructure will be aware that these roads just CANNOT cope with any more traffic. The slightest road problem - A41 closed in KL, Lawn Lane closed, Lawn Lane/Durrants Hill roadworks etc. have all recently caused chaos. Along with the problem of no hospital, A&E, local school spaces, we just can't cope with additional properties with no improved infrastructure. This area regularly floods and will not be helped by additional building.

349 LONDON ROAD, HEMEL HEMPSTEAD, HP3 9AL (Objects)

Why are the planning office intent on turning this area into a concrete jungle! We already now have a derelict building on Whiteleaf Road which will become an eyesore! Now there is consideration being given to "another" tower block, 8 storey is too high. What is the point of the Two Waters consultation recommending no more than 4 storeys and approving 5! Once again no consideration given for the additional traffic that will be generated. London Road at that junction is already at a standstill at the weekend! This proposed building would be completely out of keeping with its surroundings!

15 HEATH PARK HOUSE, COTTERELLS, HEMEL HEMPSTEAD, HP1 1HZ (Objects)

The building is too dense in terms of potential occupation and automotive levels. The areas master plan calls for building to be no more than 4 stories, this application exceeds that and is in an area of low rise housing. Also car park limits are too small given the occupancy levels and access onto busy nearby main roads will be hampered for existing dwellings by this development.

20 CHARLESWORTH CLOSE, HEMEL HEMPSTEAD, HP3 9EW (Objects)

There are local houses that would be completely drowned out by a building such a size. Road access and congestion in that area is incredibly difficult already. There is no school capacity already in that area of town with Apsley predicted to be 43 school places short for reception in a couple of years. Where would any children go to school?

A smaller development such as terraced housing would be more suitable for the area.

97 ST JOHNS ROAD, HEMEL HEMPSTEAD, HP1 1QG (Objects)

I object to this plan as 52 new dwellings on a road that is already heavily congested will have a negative impact on traffic levels and road safety on a road I use frequently. The height of the planned development is not in keeping with the area which should be three storey at most. More than three storey not only affects the local area's visual impact but will have a far reaching affect for people using the moor, commons and woodland walks. The river and canal near this site is important for local wildlife and more traffic and a higher density of population here may adversely affect the area and the enjoyment of walkers and cyclists using the area. The increase in traffic pollution will make the moor opposite have a poorer air quality for the grazing animals.

34 STRATFORD WAY, HEMEL HEMPSTEAD, HP3 9AS (Objects)

This building is too high for the surrounding area and dwarf the local character cottages that have been there for a century. Also the impact of the additional traffic entering the London Road on an already overloaded junction will be catastrophic. Finally the style of the building does not match the surrounding buildings and will look totally out of place.

12 TWO WATERS ROAD, HEMEL HEMPSTEAD, HP3 9BZ (Objects)

Regarding the planning application 4/00834/18/MFA at Two Waters Road. Thrive Homes are not satisfied with a 5 storey eye sore but want to raise this to eight stories. I quote from your TWO WATERS STRATEGIC FRAMEWORK. FINAL REPORT NOV 2015. 'Building heights along the Two Waters Road could be lower than that suggested at the workshop (i.e. 5-6 storeys) as development should not over-shadow the canal and not be too overpowering.' This report talks about an open green environment that should take into consideration the existing buildings. In Two Waters Road and that corner of London Road the buildings are in the main 2 storey flint and brick character cottages. The design, appearance and type of materials to be used on this construction, cement, steel, glass are completely out of character with the surrounding area and the vision of a pleasant green space and entrance to Hemel town.

The Kodak tower has always been an eyesore and a VISUAL INTRUSION at the gateway to Hemel but it is at least in town. An eight storey slab casting a shadow over the Apsley triangle and the Boxmoor Trust open spaces is completely out of character and will certainly be a VISUAL INTRUSION to people trying to live in and enjoy those open spaces. There will also be a considerable loss of light to those areas.

ADEQUACY OF PARKING/TURNING. The residents of Two Waters Road have finally got allocated parking. We are no longer used as a car park for local businesses, railway users and construction works parking up to get into minibuses to go into London. The view that everyone

in the proposed Symbo tower and Thrive home development will only need one parking space because they will walk or use bicycles to get around, and have no friends visiting, is a utopian dream with a poor perception of reality. When this development was proposed I asked how this would effect residents parking. I was given an assurance that the allocated parking was decided on the number of dwellings in the road and the new build would not be allowed to use our parking spaces. How is this going to be enforced? Or is that promise going to be reneged on once the building has residents and they have no where to park their 2nd car or their visitors.

TRAFFIC CONJESTION? TURNING. It is already extremely hazardous trying to turn out of Two Waters Road due to the volume of traffic and the McDonalds/Staples area opposite. The number of impact or near miss incidents in that location is high from those that I have witnessed. Since you have already agreed 36 x 1, 2 & 3 bedroom apartments that means the addition of at least 36 new vehicles in reality probably at least a 100. How can road safety justify that number let alone adding another 3 stories of dwellings.

The full impact of the development up the Manor estate has not been realised yet and we have the enormous Symbo Tower yet to come. The London Road is already at a standstill a lot of the time and the air quality is appalling. What controls are you putting in place to address the adverse health issues being increased by this manic need to overdevelop areas already congested. I was under the impression that government strategy is supposed to be improving air quality by reducing car emissions. How about a quick and simple short term strategy of reducing the amount of congestion.

POLLUTION. You have done studies to address the ground and water pollution issues. These are all based on IF this is done or that is done. Bottom Line. This area has an extremely high water table and is designated at risk of flooding by the environment agency. The area was designated as contaminated ground after Hewden Hire and the water courses were effected by their underground storage tanks that leaked. There has already be considerable damage to the environment in that area. To build on that site there will have to be piledriving to support the building. Large earth works in that area could have an unintentional altering of the underground water courses which could lead to increased risk of flooding and the potential for pollution of the rivers and streams. The area is not called Two Waters for nothing. The higher you go the greater the disturbance.

Your environmental study addresses the impact on wildlife and protected species but only in the areas designated for the new build. There is a considerable diverse wildlife that frequencities the Apsley Triangle which will be disturbed by the build in close proximity. We have had nesting bats there and also kingfishers flying up and down the canal overspill which runs between the cottages and the Hemel Food garden and down into the fishing lakes.

Your plans constantly talk about the supporting concrete retaining wall supporting Two Waters Road which has one level of the new build out of sight. I would like to point out that the retaining wall is supporting Two Waters Way, the houses in Two Waters road are at the same level and two Waters Way runs at the level of our upstairs windows. Whereas at 5 stories with the large mature trees left in situe we will retain most of our privacy with 8 storeys, trees or no trees our privacy will be lost.

I find it difficult to comprehend how there is a justification for 5 storeys but there is NO justification whatsoever for 8 storeys.

I would appreciate your response to these issues.

9 TWO WATERS ROAD, HEMEL HEMPSTEAD, HP3 9BZ (Objects)

With regard to the above planning proposal in Two Waters Road.

I would like my objections and comments noted and put on record.

The Developers have already had a 5 storey building approved which will:

Dwarf existing buildings in the road and is overbearing.

Totally out of keeping with the historic buildings in the road.

Loss of light to buildings opposite.

Add more difficulties to getting out of the road.

Parking will undoubtedly overflow into the limited residents spaces in the road.

In addition to all of the above, the pure and utter greed of Thrive Homes they now want an 8 storey development which will doubly impact on the points above.

18 LOMOND ROAD, HEMEL HEMPSTEAD, HP2 6PA (Objects)

Response to Re-Consultation on 23/11/2018

18 LOMOND ROAD, HEMEL HEMPSTEAD, HP2 6PA (Objects)

This Application has gone from 32 Apartments to 52 Apartments and now down to 39 Apartments, (although the letter I received still states 52 Apartments). When I queried the number of Apartments I was informed the Application is for 39. As 36 Apartments have already been approved, I have no doubt that 39 will also be approved. The Application for 52 Apartments appears to have been withdrawn, although the plans are still listed in the application and there is no guarantee that this will not be resubmitted in the future.

The Transport Statement for the development states that "there is a negligible impact associated with the traffic proposed to be generated by the development". As anybody who uses the London Road knows, this is an absolute nonsense! The Transport Statement also suggests people will walk or cycle instead of using their cars! I believe the development of 36 flats should never have been approved in the first place, this area of Apsley already has approval for a 16 storey building, along with other developments which have already been finished. Hewden Hire's development whether for 36 or 39 Apartments is only going to add to an already overstretched and overburdened infrastructure which can only cause misery for surrounding residents and public road users alike.

Following on from my previous comments. To add 3 additional flats has added a whole floor to the development which will have increased the height of the development by approximately 3 metres. This will now be a 6 storey development as opposed to the 5 storey's which had been approved and will have a detrimental effect on the surroundings.

This is purely to maximise the profits for the developer, without consideration for the local residents and is unbelievable and unacceptable that this is actually even being considered.

24 KINGSLAND ROAD, HEMEL HEMPSTEAD, HP1 1QE (Objects)

This building would not be in keeping with the surrounding area, particularly overlooking the moor. Traffic congestion in the area is already bad, so this would add to the problem. Insufficient parking spaces incorporated into the development would put more pressure on local streets too. Adding more dwellings here could choke businesses in Apsley if customers can't get to them because of congestion.

THE COPIARY, 5C CATLIN STREET, HEMEL HEMPSTEAD, HP3 9AU (Objects)

I strongly object to this development on the grounds that it is too high and does not contribute

positively to the streetscape and does not fit in with the design of nearby buildings. In addition there is not sufficient parking allocated to this number of flats. Finally the impact of the additional traffic caused by this development would be huge. The London road is already badly congested and the cars are often at a standstill in both directions right up to the traffic lights. This causes pollution and would make it very difficult to turn in or out of the access road to and from the location. The infrastructure of the roads does not support a development of this scale in this location.

125 EBBERNS ROAD, HEMEL HEMPSTEAD, HP3 9QS (Objects)

Apsley and the surrounding areas are already gridlocked on a daily basis and this is before the 180-odd apartments that will be built on Frogmore Road. The existing infrastructure around Two Waters Road isn't fit for purpose let alone with additional traffic.

An eight storey building is totally out of character with the area. Also not enough parking - only 70% of flats will have parking which is ludicrous when the majority of the units will be two and three bedrooms and therefore likely to be more than one car per household.

Please please stop cramming in more homes without updating the roads (Durrants Hill is a nightmare) etc

Objections

Address	Comments
12 TWO WATERS ROAD,HEMEL HEMPSTEAD,,HP3 9BZ	<p>Regarding the planning application 4/00834/18/MFA at Two Waters Road. Thrive Homes are not satisfied with a 5 storey eye sore but want to raise this to eight stories. I quote from your TWO WATERS STRATEGIC FRAMEWORK. FINAL REPORT NOV 2015. ' Building heights along the Two Waters Road could be lower than that suggested at the workshop (i.e. 5-6 storeys) as development should not over-shadow the canal and not be too overpowering.' This report talks about an open green environment that should take into consideration the existing buildings. In Two Waters Road and that corner of London Road the buildings are in the main 2 storey flint and brick character cottages. The design, appearance and type of materials to be used on this construction, cement, steel, glass are completely out of character with the surrounding area and the vision of a pleasant green space and entrance to Hemel town.</p> <p>The Kodak tower has always been an eyesore and a VISUAL INTRUSION at the gateway to Hemel but it is at least in town. An eight storey slab casting a shadow over the Apsley triangle and the Boxmoor Trust open spaces is completely out of character and will certainly be a VISUAL INTRUSION to people trying to live in and enjoy those open spaces. There will also be a considerable loss of light to those areas.</p> <p>ADEQUACY OF PARKING/TURNING. The residents of Two Waters Road have finally got allocated parking. We are no longer are used as a car park for local businesses, railway users and construction works parking up to get into minibuses to go into London. The view that everyone in the proposed Symbo tower and Thrive home development will only need one parking space because they will walk or use bicycles to get around, and have no friends visiting, is a utopian dream with a poor perception of reality. When this development was proposed I asked how this would effect residents parking. I</p>

was given an assurance that the allocated parking was decided on the number of dwelling in the road and the new build would not be allowed to use our parking spaces. How is this going to be enforced? Or is that promise going to renege on once the building has residents and they have no ware to park their 2nd car or their visitors.

TRAFFIC CONJESTION?TURNING. It is already extremely hazardous trying to turn out of Two Waters Road due to the volume of traffic and the McDonalds/Staples area opposite. The number of impact or near miss incidents in that location is high from those that I have witnessed. Since you have already agreed 36x 1,2 &3 bedroom apartments that means the addition of at least 36 new vehicles in reality probably at least a 100. How can road safety justify that number let alone adding another 3 stories of dwellings.

The full impact of the development up the Manor estate has not be realised yet and we have the enormous Symbo Tower yet to come. The London Road is already at a standstill a lot of the time and the air quality is appalling. What controls are you putting in place to address the adverse health issues being increased by this manic need to overdevelop areas already congested. I was under the impression that government strategy is supposed to be improving air quality by reducing car emissions. How about a quick and simple short term strategy of reducing the amount of congestion.

POLLUTION. You have done studies to address the ground and water pollution issues. These are all based on IF this is done or that is done. Bottom Line. This area has an extremely high water table and is designated at risk of flooding by the environment agency. The area was designated as contaminated ground after Hewden Hire and the water courses were effected by their underground storage tanks that leaked. There has already be considerable damage to the environment in that area. To build on that site there will have to be piledriving to support the building. Large earth works in that area could have an unintentional altering of the underground water courses which could lead to increased risk of flooding and the potential for pollution of the rivers and streams. The area is not called Two Waters for nothing. The higher you go the greater the disturbance.

Your environmental study addresses the impact on wildlife and protected species but only in the areas designated for the new build. There is a considerable diverse wildlife that frequencies the Apsley Triangle which will be disturbed by the build in close proximity. We have had nesting bats there and also kingfishers flying up and down the canal overspill which runs between the cottages and the Hemel Food garden and down into the fishing lakes.

Your plans constantly talk about the supporting concrete retaining wall supporting Two Waters Road which has one level of the new build out of sight. I would like to point out that the retaining wall is supporting Two Waters Way, the houses in Two Waters road are at the same level and two Waters Way runs at the level of our upstairs windows. Where as at 5 stories with the large mature trees left in situe we will retain most of our privacy with 8 storeys, trees or no trees our

	<p>privacy will be lost.</p> <p>I find it difficult to comprehend how there is a justification for 5 storeys but there is NO justification whatsoever for 8 storeys.</p> <p>I would appreciate your response to these issues.</p>
<p>9 TWO WATERS ROAD,HEMEL HEMPSTEAD,,,HP3 9BZ</p>	<p>With regard to the above planning proposal in Two Waters Road.</p> <p>I would like my objections and comments noted and put on record.</p> <p>The Developers have already had a 5 storey building approved which will: Dwarf existing buildings in the road and is overbearing. Totally out of keeping with the historic buildings in the road. Loss of light to buildings opposite. Add more difficulties to getting out of the road. Parking will undoubtedly overflow into the limited residents spaces in the road.</p> <p>In addition to all of the above, the pure and utter greed of Thrive Homes they now want an 8 storey development which will doubly impact on the points above.</p>
<p>10 ALSTON ROAD,HEMEL HEMPSTEAD,,,HP1 1QU</p>	<p>This new application represents an over-development of the site and does not accord with the constraints set out in the (draft) Two Waters Local Plan. As proposed, the development will dominate its surroundings including the stretch of Moor to the west of the main road to the detriment of the last remnants of a rural aspect to the southern approach to Hemel Hempstead.</p> <p>I would like to the proposed monstrosity of yet another possible eyesore in Hemel Hempstead. This proposal is not in keeping with the area as it is far too high. Traffic problems, already horrendous would be magnified. Please reject the proposal - Dacorum used to be a lovely place to live and still can be if it is not absorbed by tall flat blocks.</p>
<p>18 LOMOND ROAD,HEMEL HEMPSTEAD,,,HP2 6PA</p>	<p>This development has gone from approved 5-storeys 36 flats to excessive, overbearing 8-storeys 52 flats with only parking for 36 vehicles - pure greed of Developer. Most properties have 2 cars, parking will overflow into Two Waters Road causing friction with Residents. Completely dominates and overpower existing properties. Cottages in this road are historic and beautiful-this building is totally out of keeping with the history of Two Waters Road. To quote Prince Charles "what is proposed is like a monstrous carbuncle on the face of a much-loved and elegant friend." . No regard paid to already congested London Road. What traffic measures are proposed? Council totally destroying beautiful town with over development and creating horrendous traffic problems. Infrastructure already under pressure, Hospitals, Doctors overstretched, Schools closing. Already approved 16 storey block of flats next to Aldi that, along with Aldi store and flats built in Apsley, constitutes over development</p>

<p>34 STRATFORD WAY,HEMEL HEMPSTEAD,,HP3 9AS</p>	<p>This building is too high for the surrounding area and dwarf the local character cottages that have been the for a century. Also the impact of the additional traffic entering the London road on an already overloaded junction will be catastrophic. Finally the style of the building does not match the surrounding buildings and will look totally out of place.</p>
<p>THE COPIARY,5C CATLIN STREET,HEMEL HEMPSTEAD,,HP3 9AU</p>	<p>I strongly object to this development on the grounds that it is way too tall and would overpower the canal and surrounding land with its height. It would also impact the privacy of the cottages. It does not reflect the guidance in the two waters regeneration policy for the area and would be detrimental to the visual look of the streetscape. There are also not enough car parking spaces for the number of flats proposed and with the recent changes to parking along the London road and surrounding streets there would be nowhere for additional parking. Finally the additional traffic that this development would cause on the London Road and two waters junction would be horrendous. The infrastructure of the surrounding roads is inadequate to cope with the existing traffic and you can witness gridlock here every weekend and during rush hour in the week. Until a solution is found to this then the addition of high density housing to the area will make the existing issues far worse.</p>
<p>97 WEYMOUTH STREET,HEMEL HEMPSTEAD,,HP3 9SJ</p>	<p>As a resident of Apsley, I would like the following comments noted...</p> <p>I am concerned the building is too high and not in keeping with the cottages behind it, the moor in front or the K2 restaurant next door. It will become yet another eyesore on the skyline. New developments should improve the look of the area.</p> <p>52 apartments will increase congestion in an already terribly congested part of Hemel. The traffic on the main road puts pressure on the adjacent roads which are already dangerous to drive through. Lets not forget the new approved developments on Durrants Hill and the one in progress by the Papermill - both of which are an unknown entity in terms of impact on traffic.</p> <p>Another attempt to rip any last snippets of heart and soul out of our community. Who is considering the quality of life of those that already reside here?</p>
<p>83 PULLER ROAD,HEMEL HEMPSTEAD,,HP1 1QN</p>	<p>I'd like to protest at the proposal as this is totally out of keeping with the Boxmoor/London Road area. Just because there will be an eyesore diagonally opposite along with a storage warehouse and retail unit DOES NOT mean that new properties should be built so high, with so many apartments, very few of which will be 'affordable' and with inadequate parking. Anyone who regularly uses the surrounding infrastructure will be aware that these roads just CANNOT cope with any more traffic. The slightest road problem - A41 closed in KL, Lawn Lane closed, Lawn Lane/Durrants Hill roadworks etc have all recently caused chaos. Along with the problem of no hospital, A&E, local school spaces, we just can't cope with additional properties with no improved infrastructure.</p>

	This area regularly floods and will not be helped by additional building.
349 LONDON ROAD,HEMEL HEMPSTEAD,,,HP3 9AL	Why are the planning office intent on turning this area into a concrete jungle! We already now have a derelict building on Whiteleaf road which will become an eyesore! Now there is consideration being given to "another" tower block, 8 storey is too high. What is the point of the Two Waters consultation recommending no more than 4 storeys and approving 5! Once again no consideration given for the additional traffic that will be generated. London Road at that junction is already at a standstill at the weekend! This proposed building would be completely out of keeping with its surroundings!
15 HEATH PARK HOUSE,COTTERELLS,HEMEL HEMPSTEAD,,HP1 1HZ	The building is too dense in terms of potential occupation and automotive levels. The areas master plan calls for building to be no more than 4 stories, this application exceeds that and is in an area of low rise housing. Also car park limits are too small given the occupancy levels and access onto busy nearby main roads will be hampered for existing dwellings by this development.
20 CHARLESWORTH CLOSE,HEMEL HEMPSTEAD,,,HP3 9EW	There are local houses that would be completely drowned out by a building such a size. Road access and congestion in that area is incredibly difficult already. There is no school capacity already in that area of town with Apsley predicted to be 43 school places short for reception in a couple of years. Where would any children go to school? A smaller development such as terraced housing would be more suitable for the area.
97 ST JOHNS ROAD,HEMEL HEMPSTEAD,,,HP1 1QG	I object to this plan as 52 new dwellings on a road that is already heavily congested will have a negative impact on traffic levels and road safety on a road I use frequently. The height of the planned development is not in keeping with the area which should be three storey at most. More than three storey not only affects the local area's visual impact but will have a far reaching affect for people using the moor, commons and woodland walks. The river and canal near this site is an important for local wildlife and more traffic and a higher density of population here may adversely affect the area and the enjoyment of walkers and cyclists using the area. The increase in traffic pollution will make the moor opposite have a poorer air quality for the grazing animals.
477 LONDON ROAD,HEMEL HEMPSTEAD,,,HP3 9BE	No hospital , GP Surgery's that can not cope , local Schools oversubscribed , Crime on the up , need I say more !! Dacorum Borough Councils consultations complete waste of time. The proposed building is totally out of character. London road is already at a standstill so any added traffic will just make the road more hazardous. Did DBC not learn anything from a fire in a tower block in London that resulted in a loss of life . Nothing more than a developer making huge profit , absolutely no benefit to the local community.
3 ORCHARD STREET,HEMEL HEMPSTEAD,,,HP3 9DT	1. Totally out of keeping with existing cottages in Two Waters Road. 2. Will cause huge amounts of congestion at an already dangerous junction with Two Waters Road & London Road.

	<p>3. No further schools have been planned, existing schools grossly oversubscribed.</p> <p>4. No further GP surgeries or hospitals planned.</p> <p>5. Infrastructure cannot cope with existing traffic.</p> <p>6. Building is an absolute eyesore and will spoil and blight the Moor and Canal, beautiful natural areas.</p> <p>7. Pollution will be horrendous.</p> <p>8. Emergency vehicle access is questionable.</p> <p>9. Parking will spill over into Two Waters Road, already congested as it is with non-residents vehicles.</p> <p>10. APSLEY IS FULL AND CANNOT TAKE ANY MORE BUILDINGS OR PEOPLE!!! WHEN WILL DBC REALISE THIS, STOP IT NOW!!!</p>
10 MILLBANK,HEMEL HEMPSTEAD,,,HP3 9RN	Infrastructure around this area does not have the capacity to absorb any more residential building. Apsley is overcrowded and the roads are becoming impassable
8 KING EDWARD STREET,HEMEL HEMPSTEAD,,,HP3 0AE	Apsley is now over developed . Traffic is at a standstill on weekends and during peak times.in addition there have been little no improvements to the infrastructure in the village to accommodate the rate of development e.g. school , drs etc., the plans place an unnecessary burden on the transport , parking and infrastructure in and are ind the village
13 SLEETS END,HEMEL HEMPSTEAD,,,HP1 3JA	Apsley is already full to capacity and very few reception school child who live in this area revived school places of choice forcing the to travel across town for school therefore adding more traffic. The retail parks are already attracting enough customers to bring the area to a standstill most days. Build schools and a hospital that can cope with demand before building more flats with little outside space for children to play.
47 HIGH RIDGE ROAD,HEMEL HEMPSTEAD,,,HP3 0AU	As a resident of the Manor Estate in Apsley I cannot see how the infrastructure can cope with an increase of people and cars. London Road is always busy and frequently at a standstill. Apsley has become far too congested as it is without added burdens to road and services.
81 DUNLIN ROAD,HEMEL HEMPSTEAD,,,HP2 6LX	Insufficient parking spaces proposed. Planned building out of character for the location.
6 KENTS AVENUE,HEMEL HEMPSTEAD,,,HP3 9SW	The roads and parking in Apsley can't cope with any more developments so until that changes I don't believe any more dwellings should be built!
11 POND ROAD,HEMEL HEMPSTEAD,,,HP3 8BA	I strongly object to ANOTHER building around this area, traffic is at a standstill, how can 52 more flats be built, there are no spaces in schools, doctors, Apsley is full, just because it's near the canal all people think of is money, what about the lives of people who live here!
125 EBBERNS ROAD,HEMEL HEMPSTEAD,,,HP3 9QS	When will DBC realise that we need major investment to improve existing infrastructure. Apsley and surrounding areas are full - traffic is a nightmare and there are already 100s of houses planned for the area
47 STOREY STREET,HEMEL HEMPSTEAD,,,HP3 9SG	The traffic in Apsley is horrific how can you possibly consider 52 more more flats and half the amount of parking provisions? The schools in the area are busting at the seams because the schools cannot take on the volume of children, my son has been given a school that is a completely different village three miles away. We don't have have a local hospital and the stress on the local community with parking is unbelievable.

<p>30 DICKINSON QUAY,HEMEL HEMPSTEAD,,,HP3 9WQ</p>	<p>The area cannot cope with the volume of addition people and vehicles. There is no infrastructure to support it, the station is overly full every morning with not enough space in trains, less buses, Policing is minimal, doctors rooms are bursting at the seams, no traffic control what so ever. The high street is falling apart. And you want to add hundreds more people and cars</p>
<p>14 ROUGHDOWN AVENUE,HEMEL HEMPSTEAD,,,HP3 9BH</p>	<p>This apartment block would be out of character for the area, to obtrusive to the cottages already there anx the local roads arr sreadg grid locked at peak times and often at other times too.</p>
<p>1 ORCHARD STREET,HEMEL HEMPSTEAD,,,HP3 9DT</p>	<p>The infrastructure is not in place to support a development of this type. The roads are too busy, there is not enough parking and access to local schools is being affected negatively. The views will be interrupted. Why can green space just be left as green space. You don't have to fill EVERY gap.</p>
<p>1 ORCHARD STREET,HEMEL HEMPSTEAD,,,HP3 9DT</p>	<p>The infrastructure in Apsley will not be able to cope with any more residential living spaces, it's bad enough as it is, simply unworkable</p>
<p>25 WINIFRED ROAD,HEMEL HEMPSTEAD,,,HP3 9DX</p>	<p>We object on the grounds that the traffic in London Road and the surrounding area is extremely busy already - how is the area going to cope with more vehicles particularly as there is another development off Durrants Hill Road. The building would be far too tall and would be overbearing - the proposal for 52 flats with 36 car parking spaces does not make sense at all. Most homes today have at least two cars so where are the cars going to park and the pollution levels would increase drastically. The Council needs to be considerate of the residents and the level of pollution particularly as vehicles sit at the traffic lights for about two and a half minutes before they change. With the development in Featherbed Lane there are no places in the primary school for pupils other than those on the Manor Estate so where are the children going to go to school. Even where I live you cannot get a place at the local Primary school. Notice about the application is very difficult to read - why?</p>
<p>THE COPIARY,5C CATLIN STREET,HEMEL HEMPSTEAD,,HP3 9AU</p>	<p>I strongly object to this development on the grounds that it is too high and does not contribute positively to the streetscape and does not fit in with the design of nearby buildings. In addition there is not sufficient parking allocated to this number of flats. Finally the impact of the additional traffic caused by this development would be huge. The London road is already badly congested and the cars are often at a standstill in both directions right up to the traffic lights. This causes pollution and would make it very difficult to turn in or out of the access road to and from the location. The infrastructure of the roads does not support a development of this scale in this location.</p>
<p>125 EBBERNS ROAD,HEMEL HEMPSTEAD,,,HP3 9QS</p>	<p>Apsley and the surrounding areas are already gridlocked on a daily basis and this is before the 180-odd apartments that will be built on Frogmore Road. The existing infrastructure around Two Waters Road isn't fit for purpose let alone with additional traffic. An eight storey building is totally out of character with the area. Also not enough parking - only 70% of flats will have</p>

	<p>parking which is ludicrous when the majority of the units will be two and three bedrooms and therefore likely to be more than one car per household.</p> <p>Please please stop cramming in more homes without updating the roads (Durrants Hill is a nightmare) etc</p>
24 KINGSLAND ROAD,HEMEL HEMPSTEAD,,,HP1 1QE	<p>This building would not be in keeping with the surrounding area, particularly overlooking the moor. Traffic congestion in the area is already bad, so this would add to the problem. Insufficient parking spaces incorporated into the development would put more pressure on local streets too. Adding more dwellings here could choke businesses in Apsley if customers can't get to them because of congestion.</p>
18 LOMOND ROAD,HEMEL HEMPSTEAD,,,HP2 6PA	<p>This Application has gone from 32 Apartments to 52 Apartments and now down to 39 Apartments, (although the letter I received still states 52 Apartments). When I queried the number of Apartments I was informed the Application is for 39. As 36 Apartments have already been approved, I have no doubt that 39 will also be approved. The Application for 52 Apartments appears to have been withdrawn, although the plans are still listed in the application and there is no guarantee that this will not be resubmitted in the future. The Transport Statement for the development states that "there is a negligible impact associated with the traffic proposed to be generated by the development". As anybody who uses the London Road knows, this is an absolute nonsense! The Transport Statement also suggests people will walk or cycle instead of using their cars! I believe the development of 36 flats should never have been approved in the first place, this area of Apsley already has approval for a 16 storey building, along with other developments which have already been finished. Hewden Hire's development whether for 36 or 39 Apartments is only going to add to an already overstretched and overburdened infrastructure which can only cause misery for surrounding residents and public road users alike.</p>
18 LOMOND ROAD,HEMEL HEMPSTEAD,,,HP2 6PA	<p>Following on from my previous comments. To add 3 additional flats has added a whole floor to the development which will have increased the height of the development by approximately 3 metres. This will now be a 6 storey development as opposed to the 5 storey's which had been approved and will have a detrimental effect on the surroundings.</p> <p>This is purely to maximise the profits for the developer, without consideration for the local residents and is unbelievable and unacceptable that this is actually even being considered.</p>

Supporting

Address	Comments
---------	----------

Commenting

Address	Comments
---------	----------

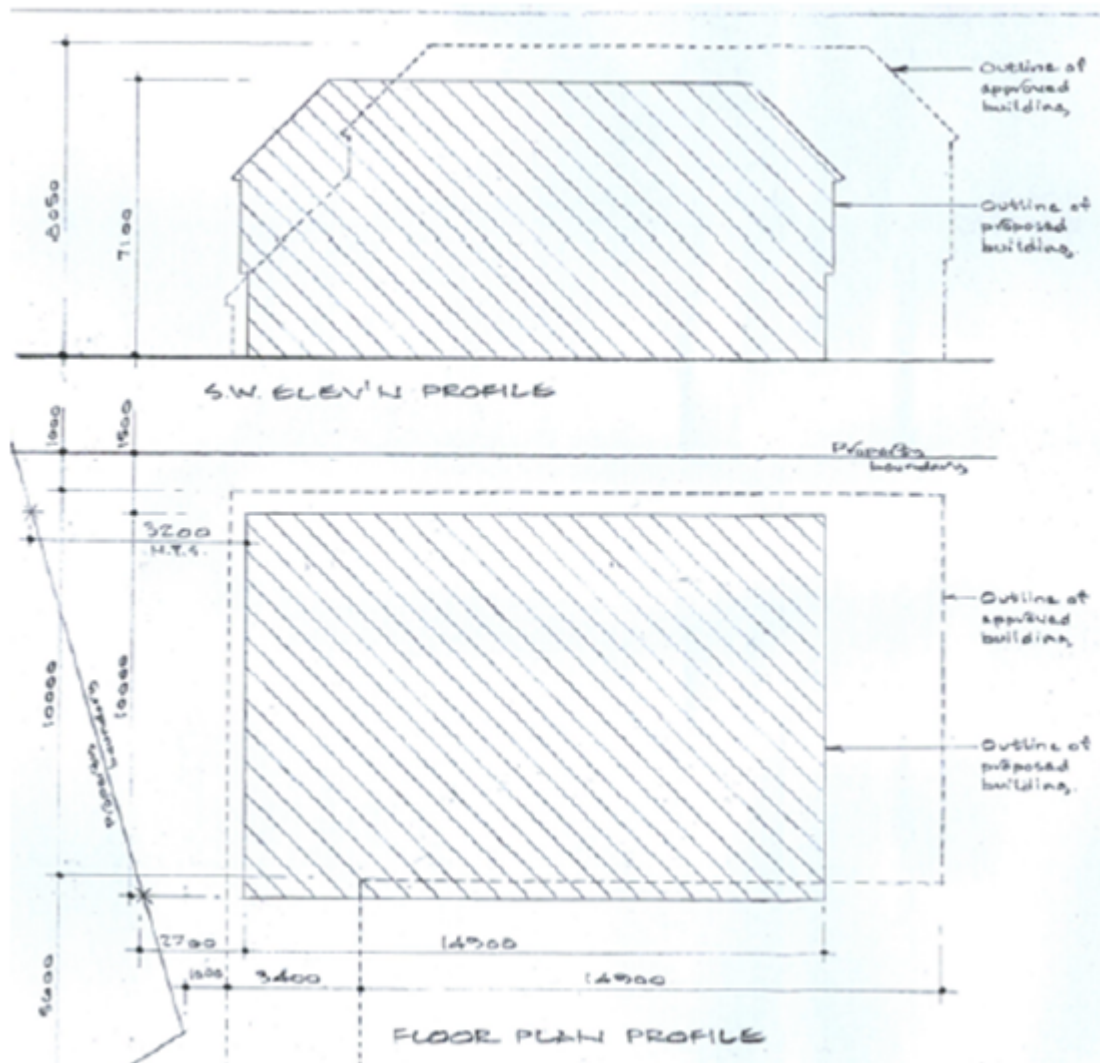
Agenda Item 5b

Item 5b 4/01812/18/FUL RETENTION OF AN OAK FRAMED BARN TO
REPLACE EXISTING BUILDING

LONG LANE FARM, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NE



Item 5b 4/01812/18/FUL RETENTION OF AN OAK FRAMED BARN TO
REPLACE EXISTING BUILDING
LONG LANE FARM, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NE



4/01812/18/FUL	RETENTION OF AN OAK FRAMED BARN TO REPLACE EXISTING BUILDING
Site Address	LONG LANE FARM, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NE
Applicant	Mr & Mrs Hunt
Case Officer	Nigel Gibbs
Referral to Committee	The recommendation is contrary to the response of Bovingdon Parish Council

1. Recommendation

1.1 That planning permission be granted.

2. Summary

2.1 The site is located within the Green Belt and is subject to Planning Permission 4/02911/16/FUL for a barn for specialist equestrian purposes in an area of the site's yard previously featuring longstanding buildings. The current application involves a building of a lesser floor space and lower height than the 2016 approved scheme, with the north western end having greater massing.

2.2 Set against the grant of 4/02911/16/FUL as the fall-back position /starting point the proposed barn is considered to be compatible with the Green Belt and there is no other harm.

2.3 Overall the proposal would accord with the aims of Policies CS1, CS5 , CS9, CS11, CS12, CS29 and CS32 of the Dacorum Core Strategy.

3. Site Description

3.1 Long Lane Farm is located on the south eastern side of Long Lane to the south west of the junction with Water Lane and Bovingdon Green. The site features a long established dwelling closely fronting the road and an elongated access to the farmyard behind featuring a range of old and modern buildings serving the animal livestock agricultural unit.

3.2 There were a cluster of very dilapidated buildings within the northern corner of the farmyard. These adjoined the rear gardens of the farmhouse and nos 1, 3 and 5 Long Lane Cottages to the immediate north west with a dividing hedge.

3.3 Under Planning Permission 4/02911/16/FUL the LPA approved an oak-framed barn to replace existing buildings. There is now a partially completed building at the site. This does not comply with the 2016 permission. Construction work stopped following an enforcement investigation, with the resultant subsequent removal of the building's north western gable end closest to Long Lane Cottages which was wholly unacceptable. The building's north western end elevation has subsequently been temporarily modified with a false timber hipped end supported by scaffolding .This is to demonstrate/ simulate the now proposed north western hipped end/ roof feature.

3.3 The Agent has previously confirmed that the original structures at the site formed a piggery, ceasing in about 1975. Since then the buildings were used as stables but

were becoming increasingly dilapidated until experiencing extreme storm damage in 2013. The 2016 supporting statement confirms 'the resultant debris have been cleared but the remaining buildings have little practical use as the roof areas leak and the walls have become unstable'. The Agent confirmed the structures 'can be accurately described as redundant agricultural buildings'.

3.4 Due to anomalies in the currently submitted application the Agent has submitted revised dimensioned drawings following the case officer's second site meeting which also involved viewing the simulated northwestern barn end from the residential curtilage of no. 5 Long Lane Cottages. These drawings have not been subject to reconsultation.

4. Proposal

4.1 This application has been submitted in response to the enforcement investigation as an alternative to the barn approved under Planning Permission 4/02911/16/ FUL.

4.2 The tiled and timber clad hipped roof rectangular building incorporating a brick base would be 149 sqm in floor area with a height of 7.01m This compares with a 202 sqm floorspace and height of 8.05m for the 2016 approved 'L' shaped building. The Agent confirmed then that there would be 146 sqm of demolished buildings with 41 sqm previously demolished storm damaged buildings.

4.3 The building would accommodate a hay/ carriage store, feed store, a covered carriage store and tack room with a toilet. This is to serve as a store and workshop for horse driven heritage carriages which are the Applicants hobby, providing weatherproof and safe accommodation for the carriages and associated equipment. The size is necessary to accommodate the various specialist equipment, room to work and to provide tack and feedstuff storage. Horses may also occupy part of the new area. The toilet would benefit the farm which lacks this external facility.

4.4 The previous submitted supporting statement confirmed that the barn is not a commercial operation and is designed to appear 'traditional'. The application was supported by letters from the Traditional Gypsy Cob Association and The British Driving Society. These were provided following the withdrawal of the first application, taking into account the building's importance. These supporting letters confirmed the Applicants longstanding family involvement in carriage driving and the very real need for the on-site accommodation for the horse drawn vehicles with an associated special heritage.

5. Relevant Planning History

5.1 In addition to Planning Permission 4/02911/16/FUL:

Site History for DC.AID (including Related)

Address: [LONG LANE FARM, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD, HP3 0NE](#)

4/02911/16/FUL PROPOSED OAK-FRAMED BARN TO REPLACE EXISTING BUILDINGS
(AMENDED SCHEME).
Granted
30/05/2017

4/00482/16/FUL CONSTRUCTION OF AN OAK FRAMED BARN TO REPLACE EXISTING
BUILDING
Withdrawn

	05/04/2016
4/00174/06/FHA	ALTERATIONS TO ROOF TO FORM GABLE END AT REAR Granted 17/03/2006
4/01573/04/FUL	CONSTRUCTION OF BUILDING TO BE USED AS CATTLE SHED AND FEED STORE Granted 19/08/2004
4/00489/04/FUL	CONSTRUCTION OF BUILDING TO BE USED AS CATTLE SHED AND FEED STORE Withdrawn 05/05/2004
4/00442/03/AGD	CONSTRUCTION OF OPEN FRONTED FODDER/MACHINERY STORE Prior approval not required 31/03/2003
4/00705/01/	PITCHED ROOF AND PORCH Granted 19/06/2001
4/00170/00/4	CONSTRUCTION OF BARN Granted 09/05/2000

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

6.2 Dacorum Core Strategy 2013

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 - The Green Belt
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS25 - Landscape Character
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality

6.3 Dacorum Borough Local Plan 1991-2011

Policies 13, 51, 54, 58, 61, 63, 81 and 113

Appendices 3 and 8

6.4 Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Conservation & Sustainable Drainage (June 2005)
Energy Efficiency & Conservation (June 2006)
Landscape Character Assessment (May 2004)

6.5 Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

7. Constraints

Green Belt
Former Land Use
Air Safeguarding Area

8. Representations

Consultation responses

8.1 These are at Appendix A.

Neighbour notification/site notice responses

8.2 These are at Appendix B.

9. Considerations

Main issues

9.1 The main issues to consider are :

- Policy and principle: Green Belt Implications with reference to Equestrian Activities.
- Design.
- Impact on neighbouring properties.

This is set against the use of the site for agriculture and the site's historical association of equestrian uses with the countryside. For clarification unless horses are used for horse drawn ploughing, equestrian uses fall outside the planning definition of agriculture.

Policy and Principle: The Green Belt Implications

9.4 National Planning Policy Framework: Background

Under para 145 a LPA should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; and
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Para 146 confirms that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings provided that the buildings are of permanent construction.

Para 143 confirms that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 141 explains that when considering any planning application, LPAs should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Also Paragraph 141 confirms that once Green Belts have been defined, LPAs should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

9.5 Dacorum Core Strategy Policy CS5 Green Belt

This specifies amongst a range of matters:

The Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements.

Within the Green Belt, small-scale development will be permitted: i.e.

- (a) building for the uses defined as appropriate in national policy;
- (b) the replacement of existing buildings for the same use;
- (c) limited extensions to existing buildings;
- (d) the appropriate reuse of permanent, substantial buildings; and
- (e) the redevelopment of previously developed sites*, including major developed sites which will be defined on the Proposals Map

provided that:

- i. it has no significant impact on the character and appearance of the countryside; and
- ii. it supports the rural economy and maintenance of the wider countryside.

9.6 Dacorum Borough Local Plan Saved Policy 81: Equestrian Activities: Background

This specifies the following , with the policy partially compliant with the NPPF:

New commercial equestrian facilities will not be permitted in the Green Belt unless they can be accommodated in existing buildings and there is no adverse impact on the openness of the Green Belt.

Small scale facilities will normally be permitted in the Green Belt and Rural Area, provided they meet the following criteria:

(a) equestrian facilities should be well located in relation to existing and proposed rights of way for equestrians;

(b) equestrian facilities should be carefully integrated into the rural landscape by siting adjacent to existing buildings or features such as trees, woodlands or hedgerows;

(c) any new buildings should be compatible in scale and design with the countryside setting and ancillary to the overall equestrian use;

(d) the scale of activity should respect the countryside setting and quality of the surrounding area;

(e) opportunities to extend or add links to the bridleway network and improve riders' safety should be taken;

(f) careful attention should be paid to the design, maintenance and management of jumps and other equipment (including the desirability of removing these items when they are not in use); and

(g) availability of sufficient grazing in relation to the number of loose boxes and stable units.

Proposals should not result in subdivision of fields into small paddocks with stables and fencing in each area.

9.7 The Green Belt / Countryside Implications: Overall Assessment

With reference to these policies the proposal is 'Green Belt' compliant in the following ways:

- The equestrian/ outdoor recreational use is appropriate in the Green Belt,
- It replaces previous longstanding buildings at the site used for agricultural/ equestrian purposes, and
- The proposal is non-commercial.

In granting Planning Permission 4/02911/16/FUL the report noted:

'The proposal is 38% over the floor space of the existing buildings and 8% over the existing buildings and those subject to the previous storm damage, being also significantly higher than the existing buildings to be demolished. Therefore as the proposed replacement is materially larger it is contrary to Green Belt policy

representing inappropriate development which is by definition harmful.

Therefore it can only be supported if there are very special circumstances which outweighs the harm and there is no other harm. In exercising a measured consideration of the proposal it is reasonable to take into account the following:

- That whilst the existing buildings could not be re used /refurbished due to its existing very poor condition there would be no objection under Green Belt policy to their replacement with one of the same size. This is a robust case of a need to provide a new building -with some additional floor space - replacing very dilapidated buildings of probably immediate post 1945 construction which have gone beyond their reusable condition.
- The extra floor space is due to the Applicants operational hobby requirements with equestrian recreational uses supported in the Green Belt with the height necessary to facilitate the use of clay tiles. The height is not for operational reasons.
- There is no opportunity to provide the necessary accommodation within the limited residential curtilage of the farmhouse.
- The increased floor space. As clarified the proposal represents an 8% increase over all the original buildings as compared to the 38 % over the existing. At 8% development would not be much larger in terms floor space, notwithstanding the additional height. As a comparison the LPA's historic approach to replacement dwellings/ extensions to dwellings a 30% increase is normally an acceptable/ proportionate enlargement in terms of floor space. In this respect as confirmed, the LPA recently granted permission for 54% increase to the nearby Tamarinda . This included two storey front and side extensions. In this case it was assessed that '...given the residential character of the immediate area the proposals are not considered to detract from the character or openness of the Green Belt'
- The proposal will have limited impact upon openness of this part of the Green Belt. This is due to the development's relationship with the established farm complex, being discreet in relation to public views from Long Lane, consolidating their existing footprint. This takes into account the fall-back position of the size/ footprint of the very longstanding buildings to be replaced. For comparison - whilst each application has to be considered upon its individual merits - it should be observed that again in the case of the development at Tamarinda this is considered to have a much greater impact upon the openness of this part of Green Belt as compared to the proposal. The proposed building's extra height is not an overriding issue in the context of its relationship with established farmyard buildings where there are buildings of similar height. A lower pitched roof incorporating modern tiles would be of lesser design quality and sustainable.
- It has no significant impact on the character and appearance of the countryside upgrading the site. This is due to its location within the historic group of farmyard buildings, consolidating/ reinforcing the long established farmyard layout.
- It supports the rural economy, with the possible future use for agriculture.
- There are no known environmental problems arising from the historical closeness of the farm with the adjoining very long established housing in Long Lane.
- There is no proposed first floor which is subject to an agreed condition.

It is concluded that there are sound very special circumstances which outweigh the harm'.

Set against this background with due regard to overall reduced size of the building as compared with the approved scheme - the fallback position'- there is a case to support the application. This takes into account that the increased massing on the northern side is not considered to be harmful to the openness of the Green Belt.

Compatibility of the Development with the Character and Appearance of the area: Layout and Design

9.8 .The building would be visually compatible with the site's setting in relation to the long established farmyard context and the yard's longstanding relationship with the adjoining residential development in Long Lane.

Impact on neighbouring properties/ Residential Amenity

9.6 This is with reference to the expectations of Dacorum Core Strategy Policies CS12 and CS32, Appendix 3 of the Dacorum Local Plan and the NPPF regarding residential amenity. It takes into account privacy, physical impact, sunlight/ daylight, noise, disturbance.

9.10 In the consideration of the previous application there were no known environmental problems arising from the historical closeness of the farm with the adjoining very long established housing in Long Lane. The Environmental Health Team's Noise & Pollution Unit previously raised no objections and have reinforced this through the current submission. It is understood that the hobby workshop purposes will not involve noise generated activity in the repair / maintenance of the cart equipment. It is unknown whether there will be the shoeing of horses through on site farrier works. However this should be limited.

9.7 In this context with due regard to the 2016 decision as the 'fallback position' , there are no objections in principle to a building in this location or its use. Although closer to the dwellings in Long Lane, in particular no. 5, the effect of the increased massing would not be detrimental to the residential amenity of these dwellings.

Other Issues including Access/Parking /Ecological Implications, Land Contamination, Drainage/ Crime Prevention Security, Lighting

9.13 There are no apparent objections with an EIA not necessary .

10. Conclusions

10.1 Set against the LPA's support for a new building under the 2016 previous planning permission as the fallback position, the proposed alternative is considered to be acceptable within the Green Belt with no objections to its size or its impact upon the adjoining/ nearby dwellinghouses.

10.2 Subject to the imposition of conditions the application is recommended for the grant of permission.

11. RECOMMENDATION

11.1

– That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The building hereby permitted shall only be used for non commercial equestrian or agricultural purposes and therefore excludes any residential use.</p> <p>Reason: To safeguard the Green Belt and the residential amenity of the locality in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy and for the avoidance of doubt.</p>
2	<p>There shall be no additional floor space formed within the building hereby permitted (and therefore no first floor shall be formed) or external alterations to the building hereby permitted.</p> <p>Reason: To safeguard the Green Belt and the local environment in accordance with Policies CS5 , CS12 and CS29 of the Dacorum Core Strategy.</p>
3	<p>The building hereby permitted shall be constructed in the specified materials.</p> <p>Reason: In the interests of the visual amenity in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy.</p>
4	<p>The development hereby permitted shall be served by a sustainable drainage system at all times.</p> <p>Reason: To ensure that the development is subject to an acceptable drainage system in accordance with the aims of Policies CS12 and CS31 of the Dacorum Core Strategy and to protect groundwater to accord with the requirements of Policies CS31 and CS32 of the Dacorum Core Strategy.</p>
5	<p>The building hereby permitted shall at all times feature a bat roost unit (bricks or tubes) integrated within the fabric of the new barn and designed/installed under the guidance of a suitably experienced ecologist.</p> <p>Reason: To ensure biodiversity benefit in accordance with Policy CS29 of Dacorum Core Strategy.</p>
6	<p>Details of all exterior lighting to be installed to serve the building hereby permitted shall be submitted to and approved in writing by the local planning authority. The exterior lighting shall be installed and thereafter retained fully in accordance with the approved details.</p> <p>Reason: To safeguard the local environment in accordance with the requirements of Policies CS5, CS12, CS24 , CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.</p>
7	<p>Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the</p>

following plans:

Location Plan received by local planning authority on 6 December 2018

Part Dimensioned Site Layout Plan received by the local planning authority on 6 December 2018

Dimensioned Layout Plan 1819/2 B received by local planning authority on 6 December 2018

1819/1 Elevations

1819/3A received by local planning authority on 6 December 2018

Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.

NOTE 1: ARTICLE 35 STATEMENT

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the agent during the determination process which led to improvements to the scheme.

The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES

Bats

UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;

Recklessly disturb bats;

Damage, destroy or obstruct access to bat roosts (whether or not bats are present).

Contacts:

English Nature 01206 796666

UK Bat Helpline 0845 1300 228 (www.bats.org.uk)

Herts & Middlesex Bat Group 01992 581442

Bats : Condition 6

The bat feature should be designed/installed under the guidance of a suitably experienced ecologist.

Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

	<p>Construction Hours of Working – (Plant & Machinery) Informative In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.</p> <p>Noise on Construction/Demolition Sites Informative The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the</p>
--	--

Appendix A: Representations

Bovingdon Parish Council

The building should be built in accordance with the original approval given against Planning Application No. 4/02911/16/FUL. This application seeks to rectify the current unsatisfactory situation, where the barn is being built too close to the boundary on the NW elevation. It is too high and over-bearing given its proximity to neighbouring properties.

Scientific Officer

We have no objection to the proposed development in relation to noise, air quality and land contamination.

However, having given adequate consideration to the submitted Phase 1 Environmental Site Assessment Report with reference 20834R1 Issue A prepared by WDE dated July 2018 and the Design and Access Statement, the following planning informative are recommend should planning permission be granted.

1). Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

2). Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

3). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the

Hertfordshire Ecology

It is understood that not only has the existing building been demolished but that a new barn has also been constructed. The possible presence of bats and/or breeding birds would obviously have been a consideration in this case but as demolition has already taken place, this has removed any ecological constraints associated with the original building.

However, apart from avoiding the loss of wildlife, planning policy, for example the National Planning Policy Framework, also encourages development proposals to deliver net gains for biodiversity. Therefore, the need to incorporate biodiversity enhancements appropriate to the site, its surroundings and the scale of development should form part of any consent. The simple installation of a bat roost unit (bricks or tubes) integrated within the fabric of the new barn (and designed/installed under the guidance of a suitably experienced ecologist) would represent suitable enhancement in this case.

Affinity Water

No response.

Thames Water

No response.

Appendix B: Comments received from local residents/ Site Notice

Tamarinda

- First Response

Oak framed barn to replace existing building – this application title is misleading.

The existing buildings were removed prior to the application to build an American Oak Framed Barn (4/02911/16/FUL) and this building has been built too close to the boundary and not as specified in the application.

The part-constructed building requires relocation rather than retention as it significantly impacts the openness of the green belt due to its proximity to the neighbouring houses.

In summary:

- drawings in the new application should reflect the build accurately;
- the wall built nearest the boundary to Long Lane Cottages (NW elevation) should be demolished and relocated to maintain the correct distance to that boundary;
- the wall built nearest the boundary to Long Lane Cottages (NW elevation) should have the roofline angling down at approx 6.3m in height as per the drawings;
- the opposite wall to the wall built nearest the boundary to Long Lane Cottages

(SE elevation) should have the roofline angling down at approx 6.3m in height as per the drawings;

Proposed roof heights at the apex to be clarified and in relation to the surrounding area.

Please see full email submitted separately to clarify the comments raised above.

- Second Response

There appears to have been no attempt to build as per the original application (4/02911/16/FUL) and now the applicant wants to re-submit the application in order to rectify the situation.

The concern here that it is unclear if the new planning proposal submitted recently (4/01812/18/FUL) will adhere to the planning application (dimensions, position, design, etc..) as the drawings submitted appear to be an exact copy of what was submitted previously barring one revised elevation. The new construction should be relocated away from the boundary and overlay the 10m x 14.9m building that was in the original plan (The building height is already at 8 metres in height and noticeably higher than the barn that stands directly behind it which is shown as being at 8.1 metres.

The new build is also a lot closer to the boundary of No.1 to 5 Long Lane Cottages than the average distance specified in the Drawing No. 1539/3. This is due to the build not following the plans and setting back the main wall on the NW elevation to the 5.8 metres (1.5m + 3.4m) specified.

Reading the latest application submitted, 4/01812/18/FUL - while referencing this against the previous application (part-constructed), there appears to be some irregularities.

The already part-constructed building is at 8 metres high already and not at 6 metres high as shown in the drawing (see below).

This implies that the proposed building height will increase to 8 metres although in reality it is already at this height – this needs clarification.

This appears to be the drawing from the previously submitted application (4/02911/16/FUL)

Date of Feb 2016 is also inaccurate as well plan description.

Ref: Drawing No. 1539/1 – Block Plan, this appears to be the previously submitted application also () and does not reflect the newly proposed work.

Date of Feb 2016 is also inaccurate as well plan description.

- Additional Response

Following objections already raised against the new application, I also have further comments as below:

The current building size is 14.8m x 10m (4/01812/18/FUL) and the wall on the NW

elevation is 1.5m from the boundary.

The original plan (4/02911/16/FUL) was to have the NW elevation at 5.9m from the boundary with the lower part of the building only (below first floor level) extending 3.4m out to within 1.5m of the boundary.

The dimensions of the new building have not actually altered materially from the original drawing where it extends to the first floor level - however, at no point would the 18.3m (14.9m + 3.4m from the original plan) have fitted into the size of the plot that was available to build on.

It is understood that each planning application is reviewed on its own merits, however, it would appear that there was never any intention to build as per the original plan, yet the reasons for granting the original application was that it had less impact to neighbouring properties.

With the closer proximity of the NW elevation to the neighbouring boundary and the height of the building, it now has more impact to neighbouring properties.

The height of the new build also appears to exceed the height of the existing barn (shown at 8.1m in Drg No. 1539/3A - SW elevation) although the new build is apparently only supposed to be at 8m in height at the apex. (currently the buildings look the same height and the roof has not been added yet).

Based on the drawings submitted, the new build should not exceed the height of the existing barn and the existing barn should probably be measured to ensure the accuracy of the drawings that have been submitted.

I also note that although the new planning application has not been granted yet, there is still work going on with this build at Long Lane Farm and in the last few days there has been cladding added to the NW elevation. In addition, there pitched roof construction has also started.

This leads me to understand that the either the owners of Long Lane Farm are not awaiting planning permission or will assume that permission will be granted - why can this new build be given permission when clearly there has been no regard given by the owners of Long Lane Farm to the previously granted application which at least took into account impacts to neighbours.

Fortina, 5 Long Lane Cottages

No objection. The barn does not encroach on no. 5 and the building is a great improvement on the building that was previously there. It is hoped that the applicants can now get a speedy conclusion to this problem the building be finished. I am appalled that this has taken so long to be rectified to the Council's satisfaction.

Agenda Item 5c

Item 5c 4/03026/18/MFA DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM SHOOTERSWAY (VIA PHASE 1) AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE

LAND AT JUNCTION OF DURRANTS LANE &, SHOOTERSWAY, BERKHAMSTED



Item 5c 4/03026/18/MFA DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM SHOOTERSWAY (VIA PHASE 1) AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE

LAND AT JUNCTION OF DURRANTS LANE &, SHOOTERSWAY, BERKHAMSTED



4/03026/18/MFA	DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM SHOOTERSWAY (VIA PHASE 1) AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE
Site Address	LAND AT JUNCTION OF DURRANTS LANE &, SHOOTERSWAY, BERKHAMSTED
Applicant	Taylor Wimpey North Thames, C/o Agent
Case Officer	Robert Freeman
Referral to Committee	The application has been referred to Committee in view of the recommendation of Northchurch Parish Council

1. Recommendation

1.1 That planning permission be **DELEGATED** to the Group Manager for Planning, Development and Regeneration **with a VIEW TO APPROVAL** subject to:

- the receipt of no objections from Hertfordshire County Council as highway authority and
- the completion of a legal agreement.

2. Summary

2.1 The proposals would deliver the remaining key planning objectives of the Policies SS1 and MU/6 of the Core Strategy and the Land at Durrants Lane/Shootersway Masterplan including a substantial proportion of housing identified in the housing programme and forming an important element of the Council's housing land supply.

2.2 The scheme is considered to represent a high quality residential scheme in accordance with Policies CS1, CS12 and CS13 of the Core Strategy and Saved Appendix 3 of the Local Plan. The layout and arrangement of residential units, landscaping and amenity space is considered to strike an appropriate balance between the need to make best use of urban land and provide a soft, landscaped and defensible boundary at the edge of the settlement of Berkhamsted. The proposals would provide a reasonable level of residential amenities for future occupants in accordance with Saved Appendix 3 of the Local Plan.

2.3 The proposed access to the site is in accordance with the site Masterplan and would not have any detrimental impact upon matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy. The internal layout of the site reflects highways standards and should allow safe movement both within and through the site for vehicular traffic. Adequate parking is provided for new residents as have pedestrian routes in the interest of sustainable transport. Such an approach reflects national and local planning policy embedded in the National Planning Policy Framework (NPPF) and Core Strategy.

2.4 A high quantum and range of landscaping and amenity spaces (both formal and informal) would be provided within the residential layout reflecting and exceeding the requirements in Policy CS12 and CS26, Saved Policy 76 and Appendices 3 and 6 of the Local Plan. The proposals will also deliver better maintenance and management of the adjacent woodland in the interests of ecology and biodiversity as encouraged under

Policy CS26 of the Core Strategy.

2.5 Appropriate infrastructure works will be secured through planning conditions, a legal agreement and the payment of Community Infrastructure Levy (CIL) in accordance with Policy CS35 of the Core Strategy, the CIL Regulations 2010 (as amended) and the Councils CIL policies

3. Site Description

3.1 The application site is located on the corner of Durrants Lane and Shootersway, Berkhamsted and comprises 3.96 ha of vacated agricultural land and woodland. The site is located on the south-western edge of Berkhamsted and adjacent to Egerton Rothesay School (ERS).

3.2 Beyond the north east boundary of the site is ERS and associated playing fields. A car park and drop off area for the school has been recently constructed on the north eastern boundary of the site. To the south eastern boundary of the site there is a woodland beyond which there are residential properties. The remainder of the site is bounded by Durrants Lane and Shootersway.

4. Proposal

4.1 The application is for the construction of 84 residential units with associated parking, landscaping and drainage works on land on the corner of Durrants Lane and Shootersway. This would provide the following housing mix:

Market Homes (60%)

4 x 2 bedroom houses
12 x 3 bedroom houses
27 x 4 bedroom houses
7 x 5 bedroom houses

Total - 50 houses

Affordable Dwellings (40%)

3 x 1 bedroom flat
16 x 2 bedroom flats
3 x 2 bedroom houses
12 x 3 bedroom houses

Total - 34 dwellings

4.2 The application site would be accessed off Shootersway via the existing junction with Elizabeth II Avenue and to the south of a woodland area between ERS and Shootersway.

4.3 The application incorporates an area of open space around the southern and western boundaries of the site ranging from a minimum of 7.5m to over 25m in width and with a typical width of around 8.5m adjacent Durrants Lane and some 11.5m to Shootersway. The application also provides for green spaces within the layout including a 'village green' with Local Area of Play (LAP), landscaped amenity spaces for flats, attenuation basins and public access improvements within the woodland. The management

company associated with Phase 1 of the development will undertake the long term management and maintenance of these areas.

5. Relevant Planning History

The application site was initially identified as a housing site in the Dacorum Borough Local Plan 1991-2011 (H37) and was phased for delivery between 2006 and 2011. It has subsequently been rolled forward as a housing site in policies in both the Core Strategy (SS1) and Site Allocations DPD (MU/6). The first phase of SS1 has already been implemented and the current proposals seek to bring forward additional land within site allocation MU/6 for residential purposes.

The first phase of residential development secured the provision of new formal leisure space in the form of three sports pitches on the opposite side of Durrants Lane to the application site and to the rear of 'The Lodge' Durrants Lane. This is identified as site L2 in the Site Allocations DPD and is allocated for community recreational use. It also secured the provision of a parking and drop off area for the Egerton Rothsay school with dual use for recreational users outside school hours.

The site was subject to a Development Brief in 2012 and is to be considered in accordance with the advice therein. The Masterplan envisages the site coming forward in phases with the development of land to the rear of Egerton Rothsay School (ERS) forming a second phase of residential development and with the replacement of sports pitches occurring on the corner of Durrants Lane and Shootersway (the application site). Residents subsequently launched an application to register this land at the rear of ERS as a village green. This application for Village Green status for this land was refused in 2015.

Despite the refusal of the Village Green application some time ago, there has been no progress on the delivery of a second phase of the development in accordance with the masterplan and in partnership with Hertfordshire County Council (HCC) as landowners. The delivery of Phase 2 of the development, in accordance with the Brief, is dependent on access being secured through land within Taylor Wimpey's ownership with an associated land swap delivering land for replacement playing pitches. As we understand matters, no agreement can be reached with HCC regards this matter.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS4 - Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design

CS1 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Soil and Water Quality
Proposal SS1
CS35 - Infrastructure and Developer Contributions

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 12, 13, 18, 21, 51, 54, 58, 73, 76, 86, 99, 100, 101, 111, 116 and 129
Appendices 3, 5, 6 and 7

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Affordable Housing (Jan 2013) Environmental Guidelines (May 2004)
- Energy Efficiency & Conservation (June 2006)
- Land at the Durrants Lane/Shootersway Masterplan (2012)
- Planning Obligations (April 2011)
- Water Conservation & Sustainable Drainage (June 2005)

6.5 Advice Notes and Appraisals

- Refuse Storage Guidance Note (February 2015)
- Sustainable Development Advice Note (December 2016)

6.6 Other Policy Documents

- Community Infrastructure Levy - Charging Schedule (2015)
- Community Infrastructure Levy - Regulation 123 List (2015)
- Infrastructure Delivery Plan
- Parking Standards Review (2017)

7. Representations

Consultation responses

7.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B

8. Considerations

Policy and Principle

The Core Strategy

8.1 The site forms part of the mixed use scheme SS1 within the Core Strategy and is fundamental to the delivery of the Berkhamsted Place Strategy within the Framework. The Core Strategy sets a local objective for Berkhamsted to deliver some 1,180 homes between 2006 and 2031. A significant amount of the future housing for the town will be delivered from the strategic housing proposal at Durrants Lane/Shootersway including the provision of some 180 homes (15%), improvements to the school and both replacement playing fields and community playing fields.

Proposals Map

8.2 The proposals maps associated with the Core Strategy were altered at the time of the adoption of the Core Strategy and indicates that the land subject of this application is designated public open space. This reflects the earlier identified need to protect this area as replacement playing fields for ERS as identified in the Masterplan for the site. Open space is protected under Policy CS4 of the Core Strategy and the primary planning purpose is to maintain the open character of such sites.

Site Allocations Development Plan Document (DPD)

8.3 The Site Allocations DPD is an important element of the statutory development plan upon which planning decisions should be based. The site is identified in the Site Allocations DPD as site MU/6. Site MU/6 identifies the land at the junction of Durrants Lane and Shootersway as the location for a mixed use development comprising around 150 new homes, improvements to the existing school, replacement playing pitches and new leisure space. Site MU/6 is connected to proposal L2 for the provision of formal and informal playing pitches on the opposite side of Durrants Lane.

The Masterplan

8.4 The Land at Durrants Lane/Shootersway, Berkhamsted Masterplan was adopted in 2012 and covers a wider area than the application site. The masterplan envisages the delivery of up to 180 homes, the expansion of ERS and the provision of community pitches and replacement school pitches. Figures 5.2, 5.3 and 6.1 of the masterplan illustrate a preferred arrangement of uses for the site. This includes the provision of housing to the rear of ERS with replacement dual use school playing fields to the south of the school and on the corner of Durrants Lane/Shootersway.

8.5 Both Policy SS1 of the Core Strategy and the Masterplans set out in some detail the guiding principles for the development of the site which amongst matters includes the provision of 2/2.5 storey residential development, a requirement to secure 40% affordable housing, provision a soft edge to the development providing informal leisure space, access from Shootersway and securing a drop off area for the school.

Housing Supply and Delivery

8.6 The housing target in Policy CS17 sets a level of housing which the Council expects to achieve and exceed. As members will be aware this target is for the provision of an average of 430 dwellings per annum between 2006 and 2031. This is anticipated to

increase as progress is made on a new Single Local Plan (SLP) and as a result of the governments housing projections. Tables 8 and 9 of the Core Strategy make it clear that the towns and strategic sites have an important role in the delivery of the housing strategy.

8.7 The development of this site was expected to deliver 180 new homes and other uses by 2014/15 as set out in the Masterplan. Some four years later, the provision of 92 homes on the allocated site SS1 represents a significant shortfall against this target and a failure to deliver additional housing clearly undermines the delivery of the Council's housing programme. It is prudent to expedite the delivery of allocated sites in the interests of maintaining a housing land supply and the supply of affordable homes and to address causes of under delivery as required under paragraphs 67, 75 and 76 of the NPPF.

8.8 The Council is not at present able to demonstrate a 5 year supply of deliverable housing sites as required by the NPPF and as a consequence one must consider the proposal against the Frameworks presumption in favour of sustainable development (paragraph 11) The proposals would clearly deliver social and economic benefits in terms of new homes and local employment during the construction process which would outweigh any neutral/negative impact on the local environment.

8.9 Policy NP1 of the Core Strategy requires the Council to take a positive approach to the consideration of development proposals and work pro actively with applicants to find solutions for development proposals that help to improve the economic, social and environmental conditions in Dacorum. This would extend to addressing blockages in the delivery of housing sites such as SS1/ MU/6 where it can be demonstrated that there is unreasonable delay in the delivery of homes or where sites are identified as being unlikely to come forward within a reasonable timescale.

8.10 Officers are of the view that the current impasse with the development of phase 2 of this housing site requires intervention by the Council in order to secure the quantum of development envisaged in the housing programme and other planning benefits associated with the development of the site. The current application has been encouraged through the pre-application process. The resulting proposal has the potential to deliver the broad objectives of the Masterplan albeit not as envisaged therein. The delivery of new homes and affordable homes should weigh heavily in favour of development.

Open Space

8.11 It is important to understand that the open space designation of this site was added to the proposals maps in 2013/14 to safeguard the provision of open space to be provided under the Masterplan for the development of the SS1 site. This need for open space is driven by a requirement in the Masterplan to replace any pitches lost through the development of land at the rear of ERS and does not extend to meeting the needs arising as a result of new development and growth. It is not reasonable for the development to provide for any existing shortfalls in open space provision within the settlement of Berkhamsted nor if development is unlikely to occur at the rear of ERS is it necessary for the scheme to provide dual use sports pitches on this land as set out in the Masterplan.

8.12 Phase 1 of the SS1 development has already secured the provision of three sports pitches on site L2 and opposite the application site together with the provision of car

parking for users of this site. This provision clearly meets and exceeds the requirement for sports pitches as a result of the totality of development on SS1. As a result of this development a contribution towards providing an associated changing facility will be secured.

8.13 In this context, the loss of open space and associated conflicts with policy CS4 of the Local Plan are considered to be outweighed by the benefits arising from the scheme.

8.14 An important element of the proposed layout is the green corridor around the site boundaries with Durrants Lane and Shootersway. This provides a soft edge to the residential scheme and given its width, inclusion of pathways and seating provides an area for informal recreation in accordance with the objectives of the Masterplan. Additional open space is provided for residents in the form of a central green surrounded by residential properties and through improvements in public access to the existing woodland. This would provide a satisfactory level of public open space associated with the development proposals.

Affordable Housing

8.15 The proposed development will deliver the provision of 40% affordable housing on the site fully in accordance with Policy CS19 and SS1 of the Core Strategy and in accordance with the Masterplan. The mix, size and tenure of these affordable housing units has been agreed with the Strategic Housing team and will be secured via a legal agreement.

Access and Parking

8.16 The proposed development would utilise the existing access to site SS1/ MU/6 off Shootersway. This simple 'T' junction connects the development at Elizabeth II Avenue with Shootersway and the surrounding highway network. The proposed development would exit onto the main highway network via this junction at Shootersway and through the existing estate.

8.17 This existing access from Shootersway was always intended to serve a much larger development proposal than phase 1 and has been designed accordingly. In addition the highway network was upgraded as a result of this earlier development through the provision of a signal controlled junction at the intersection of Shootersway/ Kingshill Way and Kings Road and a signalised junction at the end of Durrants Lane at its juncture with the High Street.

8.18 In view of the highway network upgrades and given that the design of the access there should be no fundamental objection to its use to serve an additional 84 residential units. It is anticipated that additional information provided by the applicants will satisfy the highway authorities minor concerns with TRICs data and address such matters. The recommendation to this report is conditional on this being confirmed in the committee addendum.

8.19 Although the highway authority have raised some concerns regards the over provision of parking spaces such matters have been subject to more detailed analysis by the applicants. This analysis reveals that the scheme provides a total of 10 parking spaces above the recommended parking standards arising from the Parking Standards Review (October 2017) Although this is not adopted policy of the Council and at present

can be afforded very little weight in the decision making process it is consistent with the NPPF in terms of a movement away from maximum parking standards and consistent with committee members views on the need to increase residential parking provision. The majority of the over provision results from those five bedroom properties on the scheme being provided with double garages and two on site parking spaces. The result is a net gain of 1 space against the standard of 3 spaces per 4 bed+ property in each case; five in total. The general provision for 3 bedroom units has been rounded from 2.3 spaces to 3 spaces in the submitted scheme and the 1.75 spaces need for a 2 bed property has typically been rounded to 2 spaces per property.

8.20 This analysis has demonstrated that the parking provision on the site would appear to be appropriate and is not considered to be excessive to the detriment of other more sustainable forms of transport. Indeed the provision of pedestrian links through and around the perimeter of the site should encourage local trips by foot or by cycle in accordance with Policies CS8 and CS12 of the Core Strategy.

Layout, Design and Scale

8.21 The proposed development strongly reflects the urban design and layout principles established in Saved Appendix 3 of the Local Plan and the site Masterplan. The site is laid out to provide a range of good quality, private residential units, with a high level of residential amenity, garden space, sunlight and daylight. The units are laid out to provide a series of perimeter blocks that provide a strong frontage to the public realm and attractive street scenes, whilst providing a good level of amenity space and sufficient back to back distances between new properties in the interests of privacy

8.22 The height and massing of the proposed development varies across the site according to the nature of the public realm. The majority of units are two storey in height with occasional 2.5 storey dwellings in key locations to produce attractive and interesting street scenes. Some three storey apartments are added towards the north eastern boundary of the site.

8.23 The layout has three distinct character areas; a central space character, a lower density green fringe area and the northern edge character. The central space character area encompasses the central village green and the primary access route into and through the site from Phase 1. Dwellings are set, in strong uniform building lines around the central village green with larger detached units located along the street 1 reinforcing its importance in the hierarchy of access routes within and through the site.

8.24 A quieter more spacious form of development is provide to the south western and eastern edges of the development as part of the green fringe character area, whilst there is an increase in density to the northern edge of the application site comprising a mix of semi-detached, terraced and apartment blocks. It is upon this northern boundary and against the backdrop of the woodland that the opportunity arises for taller three storey development in the form of apartments. The smaller affordable housing units are located within this area reflecting the need for this type and size of property. The height of these larger units and the apartments is considered appropriate given the backdrop of the woodland and the size and tenure of units provided. A number of alterations have been made to the design of Blocks A and B to improve their appearance and reduce the bulk and mass of the apartments.

8.25 An average net density of some 38 dwellings per hectare is achieved (the

developable area is some 2.19 ha) as the density of development is gradually increase across the site and this would appear to strike an appropriate balance between providing a soft edge to the development that reflects the surrounding edge of settlement housing and the need to optimise the use of the land and provide an appropriate supply of new homes in accordance with Saved Policy 10 of the Local Plan, Policies CS12 and SS1 of the Core Strategy and the objectives for the Masterplan.

8.26 The design of individual units within the site builds upon the phase 1 development and has been carefully considered in accordance with the comments of the case officer and design team. Minor amendments have been requested to elevations including the provision of additional windows, better articulation of some elevations to break up the massing and bulk and the inclusion of design details including chimneys to relieve roof forms. These changes have been agreed with the developer through a design review of the scheme. The recommendation to approve this application is conditional on the receipt of such plans and this will be confirmed in the addendum.

Impact on Trees, Landscaping and Ecology

8.27 The application is accompanied by an Arboricultural Impact Assessment and Tree Survey. This identifies that tree cover within the influence of the application site is typical of the sites locality and former use. The south eastern boundary of the site contains the sites principle tree coverage which comprises the deciduous woodland and a separate group of fir, pine, field maple, Silver Birch and Sycamore trees. The development of the site results in limited tree losses upon and adjacent to the site. The main impact of development is the removal of a single low-quality Sycamore tree and the partial clearance of low quality species at the margins of the woodland in order to form the site access. The loss of this tree is not considered to be significant and will clearly be outweighed by replacement planting both within the site and to the wooded fringe as part of a comprehensive landscaping scheme and woodland management plan.

8.28 The site has also been subject to Ecological Surveys by Aspect Ecology. This assessment indicates that the habitat to be lost as a result of these proposals is dominated by bare and re-colonising ground, together with areas of shrub and amenity planting. These are not considered to form features of ecological importance. The features of ecological importance on the site include mature trees, tree lines and woodland on the perimeter of the site. The proposals would involve some minor loss of woodland associated with works to create the site access but in the long term these losses will be mitigated through the enhancement of the woodland and additional native planting. As such the proposals would be considered in broad accordance with Policy CS26 of the Core Strategy.

8.29 The site generally offers limited opportunities for protected species and no evidence of such species was recorded in survey works. A single inactive outlier badger sett was found in August 2018 and the woodland is likely to provide good foraging habitat for birds, bats and badgers. The woodland habitat should be protected during construction in accordance with the recommendations in the ecological report. Badgers and nesting birds are protected by other legislative frameworks so a number of recommendations including additional survey work and mitigation strategies will be required prior to the commencement of works and in accordance with the ecological report. Such surveys should be secured by condition.

Infrastructure

8.30 In accordance with Policy CS35 of the Core Strategy all new development should provide or contribute to the provision of the on site local and strategic infrastructure required to support the development either directly or through financial contributions.

8.31 The Council has an adopted Community Infrastructure Levy (CIL) under which financial contributions are secured from all new residential development towards on site, local and strategic infrastructure works necessary to support development. The site would be located within Zone 1 (Berkhamsted and Surrounding Areas) wherein a charge of £250 per square metre of new residential development (as increased by indexation) will be levied in accordance with the CIL Charging Schedule. The Council's adopted Regulation 123 list sets out how such sums will be spent on infrastructure.

8.32 The site is an allocated Strategic Site and as such the Council or County Council may also require separate contributions towards social infrastructure (youth facilities, libraries and indoor sport) as set out in our Regulation 123 list and where such sums are justified.

8.33 The need for indoor sports provision has been assessed having regard to the likely population of the new development and in accordance with the standing advice and Sport England Sports Facility Calculator. This has resulted in a request for a contribution of £75,000 towards the provision of indoor sports facilities. Such sums are capable of being secured on Strategic Sites having regard to the exemptions for community facilities in the Council's Regulation 123 list. It is suggested that this contribution be used towards the provision of a changing facility for the associated playing fields at L2 either on site or adjacent to it.

8.34 It is considered that a contribution towards the monitoring of a Green Travel Plan would not meet the tests at Regulations 122-124 of the CIL Regulations and as such could not be secured. Such contributions are not supported by planning policies of the Council and there are several examples of such sums being considered unlawful by the Planning Inspectorate and the Courts (see *Oxfordshire County Council v SOS for Communities and Local Government* - EWHC 186 - January 2015)

8.35 A condition has been suggested to secure the provision of fire hydrants to the site.

Drainage

8.36 The Lead Local Flooding Authority has confirmed that the drainage strategy for the development would be appropriate. The drainage of the site is a Sustainable Urban Drainage system incorporating a number of surface attenuation basins. This is considered appropriate in accordance with Policies CS26 and CS32 of the Core Strategy.

Sustainable Construction

8.37 The Design and Access Statement indicates that a combination of sustainable construction methods will be utilised to provide a sustainable form of development in accordance with Policies CS28, CS29 and CS31 of the Core Strategy. The general approach is to improve the energy efficiency of the development through the siting of properties, choice of construction fabric and materials, control over construction waste and recycling and through improvements in green infrastructure upon the site itself.

Other Matters

8.38 A number of local residents have expressed concerns with regards to the masterplanning of the area; particularly as Hertfordshire County Council issued a press release and consultation relating to the relocation of the ERS to the designated primary education site at Bridle Way and adjacent to Bridgewater school contemporaneous with the submission of this application. This proposal is not identified in the Core Strategy or Site Allocations DPD and does not form part of the initial SS1 proposal or Masterplan. At this stage there is no definitive proposal for the ERS site to be considered by the Council nor would it be appropriate to give any weight to proposals to develop this site.

8.39 The County Council concluded at its Cabinet meeting of the 17th December 2018 that it would be premature to make any decision regards the land at Bridle Way and Durrants Lane pending the Borough Council's review of its local plan. It is not appropriate to delay consideration of the development of this site until such time as the future of ERS has been determined by the County and given the already substantial delay in the provision of housing.

8.40 One resident has expressed concerns regards the impact of development upon its residential amenities (The Lodge) The Lodge is located on the opposite side of Durrants Lane at its junction with Shootersway. Their main amenity concerns are that a number of plots within the development would look over their property to the detriment of privacy. The front windows (first floor and dormer) of plot 29 are located approximately 30m from the flank/front elevation to The Lodge whilst a distance of some 25m has been measured between the front elevation of plot 30 and the garden of The Lodge. Between these properties there is the main road at Durrants Lane and the tree belt adjacent to the site boundary. These distances are far in excess of our privacy standards.

9. Conclusions

9.1 The proposals would deliver the remaining key planning objectives of the Policies SS1 and MU/6 of the Core Strategy and the Land at Durrants Lane/Shootersway Masterplan including a substantial proportion of housing.

9.2 The residential development is considered to be acceptable in terms of its layout and design and would be in general accordance with the Development Plan.

10 RECOMMENDATION – That planning permission be **DELEGATED WITH A VIEW TO APPROVAL** for the reasons referred to above, subject to those matters at paragraph 1.1 and subject to the following conditions and completion of a legal agreement:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>

2	<p>No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.</p>
3	<p>No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <ul style="list-style-type: none"> -hard surfacing materials; -means of enclosure; -soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; -trees to be retained and measures for their protection during construction works; -A landscape management plan setting out how the landscaping of the site will be managed in perpetuity -A woodland management plan setting out how public access will be provided to the woodland and how the woodland will be managed in perpetuity - proposed finished levels or contours - minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); -proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>The landscape management plan and woodland management plan will be implemented fully in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
4	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018 supporting information. The surface water drainage scheme should include;</p> <ol style="list-style-type: none"> 1. Implementing the appropriate drainage strategy based on attenuation and discharge to deep borehole soakaway 2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change

	<p>event for both the northern and southern sites.</p> <p>3. Undertake the drainage to include tanked permeable paving, swales/filter strips and basins as indicated in drawings 9662-D-02.</p> <p>Reason: To ensure that the drainage of surface water does not provide an unacceptable flood risk to the proposed dwellings or adjacent development in accordance with Policy CS31</p>
5	<p>No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018. The scheme shall also include:</p> <ol style="list-style-type: none"> 1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes. 2. All calculations/modelling and drain down times for all storage features. 3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage. 4. Incorporate the use of catch pits, interceptors and additional swale features etc. for highway drainage. 5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event <p>Reason -To prevent the increased risk of flooding, both on and off site in accordance with Policy CS31 of the Core Strategy.</p>
6	<p>Upon completion of the drainage works for each site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;</p> <ol style="list-style-type: none"> 1. Provision of complete set of as built drawings for site drainage. 2. Maintenance and operational activities. 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime. <p>Reason - To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy CS31 of the Core Strategy</p>
7	<p>No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.</p> <p>Thereafter, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:</p> <ol style="list-style-type: none"> a) Construction vehicle numbers, type, routing b) Traffic management requirements

	<p>c) Construction and storage compounds (including areas designated for car parking)</p> <p>d) Siting and details of wheel washing facilities</p> <p>e) Cleaning of site entrances, site tracks and the adjacent public highway</p> <p>f) Timing of construction activities to avoid school pick up/drop off times</p> <p>g) Provision of sufficient on-site parking prior to commencement of construction activities</p> <p>h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.</p> <p>i) Construction or Demolition Hours of Operation</p> <p>j) Dust and Noise control measure</p> <p>k) Asbestos survey and control measure where applicable</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way as well as in the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policies CS8 and CS12 of the Core Strategy.</p>
8	<p>The dwellings, hereby approved, shall not be occupied until a scheme for the control and fighting of fire (the fire scheme) has been submitted to and approved in writing by the local planning authority. This scheme shall incorporate the provision of fire hydrants where necessary.</p> <p>The development shall not be occupied until the fire scheme has been implemented fully in accordance with the approved details</p> <p>Reason: To ensure the provision of appropriate infrastructure in accordance with Policy CS35 of the Core Strategy</p> <p>INFORMATIVE - Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.</p>
9	<p>No development shall take place until a Phase II contamination report has been submitted to and approved in writing by the local planning authority. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition:</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the</p>

	<p>Core Strategy.</p> <p>Un-expected Contaminated Land Informative In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p>
10	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 9 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p> <p>Informative: Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p>
11	<p>No development shall take place until a detailed air quality assessment report assessing the impacts of the proposed development has been submitted to and approved in writing by the Local Planning Authority</p> <p>The air quality assessment shall have regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance and should indicate areas where there are, or likely to be, breaches of an air quality objective. If there are predicted exceedances in exposure to levels above the Air Quality Objectives then a proposal for possible mitigation measures should be included.</p> <p>Any mitigation measures shall be agreed in writing by the local planning authority prior to commencement and shall thereafter be implemented fully in accordance with the agreed mitigation strategy.</p> <p>Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with</p>

	Policies CS8 and CS32 of the Core Strategy (2013).
12	The development hereby permitted shall be carried out in accordance with the following approved plans/documents: [Amended Plan numbers and documents to be listed] Reason: For the avoidance of doubt and in the interests of proper planning.

10.1 That the following matters are secured via a legal agreement

- the provision of 40% affordable housing
- a payment of £75,000 towards the provision of a changing room on land on the opposite side of Durrants Lane (L2) or adjacent to the site.

Appendix A

Northchurch Parish Council:

Northchurch Parish Council object to the access to the site via Phase 1 of the development. This access on to Shootersway is unsuitable as it will probably double the number of traffic movements through that junction, especially at rush hours and school times. Parents whose children attend Northchurch schools, Westfield and St Mary's, will have unnecessary difficulty turning right on to Shootersway. The Parish Council would prefer an exit onto Durrants Lane. There is also a lack of street lighting at the top of Durrants Lane from the school up to Shootersway

Berkhamsted Town Council (adjacent Electoral Ward):

We would object to this proposal.

There would be 100+ extra cars from this development and we would be concerned that this would result in accidents on Shootersway. We request that a second access be considered between Durrants Lane and the existing egress onto Shootersway from Phase 1. It was suggested that a mini roundabout and a 20mph speed limit would reduce traffic speed.

The proposed taller structures would be over dominate and be detrimental to views over the adjoining fields.

The Council's understanding is that where Phase 2 as proposed is designated as playing fields. There is a shortage of public, accessible open space in the town, and the Committee objects strongly to this. It is understood that when SS1 was taken out of greenbelt, the Masterplan that emerged was for 240 houses, then reduced to 150, which should have gone to the site adjoining Egerton Rothesay school.

The proposals are contrary to Policies CS10 and CS12 of the Core Strategy and Saved Appendix 3 (v)

Hertfordshire County Council - Growth and Infrastructure Unit:

Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 1 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Hertfordshire County Council - Highways Section

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

Hertfordshire County Council (HCC) as Highway Authority wishes to object to the proposed application due to the following issues:

- Further details are required regarding the trip generation methodology and justification for the exclusion of sites from the TRICS database is required, per the comments contained herein.
- The trip distribution methodology should be outlined within the Transport Statement.
- Swept path analysis required which demonstrates the safe passage of a car and a refuse vehicle in the internal layout.
- Car parking provision is 32 spaces above the recommended maximum outlined in Dacorum parking standards. An over-provision is not in line with Hertfordshire County Council's Local Transport Plan 4 and does not promote the use of sustainable transport modes (walking, cycling, bus, train) over the private vehicle.

Description of the Proposal

The proposed scheme forms 'Phase 2' of the wider Taylor Wimpey development. The site is located on the western corner of Durrants Lane and Shootersway.

The development proposals include the provision of 84 dwellings and forms part of the residential masterplan development of 176 residential dwellings between 'Phases 1' and '2'.

History

Phase 1 of the Taylor Wimpey development delivered 92 residential units under DC permission (4/0324/14/MFA). Preapplication discussions on the scope of the transport study for the site were held with HCC Highways in August 2018.

Site Description

The site is located west of Berkhamsted and is greenfield. The site is bound to the northeast by Egerton-Rothesay School, to the northwest by Durrants Lane, to the southwest by Shootersway and to the south east by woodland and Phase 1 of the wider development.

Durrants Lane is a local access road subject to a 30mph speed limit. Shootersway is a local distributor road subject to a 30mph speed limit.

Analysis

A Design and Access Statement and Transport Statement have been provided by the applicant in support of the proposed development.

A Design and Access Statement is a requirement of all proposed developments which may have an impact on the highway, in line with the requirements set out in Hertfordshire County Council's Roads in Hertfordshire: Highways Design Guide 3rd Edition. A DAS has been submitted, this is acceptable.

For a proposed development of this size, a Transport Assessment is required per the guidance set out in Hertfordshire County Council's Roads in Hertfordshire: Highways Design Guide 3rd Edition. The document submitted is titled a 'Transport Statement'; however, the content of the document is in line with a Transport Assessment and this is considered acceptable.

A Travel Plan is required for all developments over 80 units; however, this can be conditioned as part of any permitted scheme.

Policy Review

A policy review has been undertaken and the development's compliance with relevant local and national policies summarised in Chapter 4 of the Transport Statement produced by WSP. The following policy documents have been reviewed in the Transport Statement:

- National Planning Policy Framework (NPPF), July 2018;
- Hertfordshire Local Transport Plan 3 (2011 – 2031) - the policy review has not considered the latest Local Transport Plan 4. This is not appropriate as the LTP4 has been available since July 2018 and should have been considered as part of this application submission.
- Dacorum Borough Council (Adopted Core Strategy, 2013)

HCC typically requires that the applicant provide evidence of review of the following documents as well:

- Planning Practice Guidance (PPG);
- Manual for Streets (2007);
- HCC Active Travel Strategy (April 2013);
- HCC Rail and Bus Strategy.

Additionally, in the preapplication advice HCC requested for reference to be made to the Tring, Northchurch and Berkhamsted Urban Travel Plan.

Trip Generation and Distribution

Trip Generation

Trip generation analysis is presented within the Transport Statement.

Proposed Trip Generation

The applicant provides a comparison of the existing turning counts resultant from the

existing 'Phase 1' dwellings (92 units) and the trip rates generated by TRICs. The applicant states that the comparison shows that there is a difference between the TRICS assumed trip generation of a similar site and the trip rates calculated based on the observed flows from Phase 1 of the development. Clarification is required to show which/ how the trip rates were generated for the comparison exercise.

The Transport Statement does not include any methodology on the process used for the TRICs trip rate assessment. Appendix I includes the Full TRICS Reports, which include trip rates for Affordable/ Local Authority Flats, Affordable/ Local Authority Houses, and Houses Privately Owned. However, the document does not state which trip rate was used in the assessment.

The applicant should provide justification regarding why sites have been omitted from the TRICS exercise. For instance, the Affordable Flats and Houses is based on one site, this is not typically considered acceptable, and justification is required for why only one site was selected. Further to this, there is no information detailing the composition of the neighbouring site. Is the composition similar to that of the site which is the subject of this application? Is the ratio of affordable to private and houses to flats the same or similar? This information has not been provided and would be required for HCC consideration of the acceptability of using the calculated trip rates.

Trip Distribution

Appendix J shows the Flow Diagrams Proposed and Future Scenarios which shows the distribution of the proposed traffic. The diagrams show the proposed traffic applied to the following junctions:

- Shootersway/ Elizabeth II Avenue (site access)
- Durrants Lane / Shootersway
- Durrants Lane / School access
- Durrants Lane / Durrants Road / Westfield Road

However, no methodology has been provided explaining how the traffic has been distributed. The applicant is required to provide this information.

Impact on the Highway Network

Junction Assessment

The applicant has modelled the impact of the development traffic on the following junctions:

- Shootersway/ Elizabeth II Avenue (site access)
- Durrants Lane / Shootersway
- Durrants Lane / School access
- Durrants Lane / Durrants Road / Westfield Road

Baseflows were derived from ATCs and MCCs in 2018. TEMPro 7.2 has been used to apply a growth rate to the baseflows from 2018 to 2023. The output files from Junctions 9 have been included in Appendix J. The turning counts and geometry of the junction used in the modelling has been reviewed and considered appropriate.

The results of the junction modelling suggest a very minimal impact upon the operation of the junctions, with the junctions continuing to operate within capacity with the addition of vehicle trips associated with the development. However, before this can be accepted additional information related to the trip generation and trip distribution methodology

should be provided.

Delivery, Servicing and Refuse Vehicles

The Transport Statement states that refuse collection will be undertaken on-street within the internal road network. Bin collection points and storage locations have been strategically situated to ensure they are within 25m from the kerb for bin operatives and from the bin collection point for residents. A swept path analysis is included within Appendix H and illustrates the movement of a 10.2m refuse vehicle within the internal road network. However, additional swept path analysis is required to demonstrate that a car can safely pass the refuse vehicle within the network.

Road Safety

Collision analysis has been provided by the applicant for the past 5 years within 500m of the site. The analysis revealed that four collisions occurred within the five-year period and no collisions were recorded at the site access. Three of the four collisions were slight in severity, one serious and no fatal collisions were recorded during the period. The collisions are not clustered and no collisions occurred at the Durrants Lane/ Shooterway Junction.

The analysis has been based upon data obtained from Crashmap.co.uk; it is preferable that information on road traffic collisions in the vicinity of the site is obtained from HCC. However, as there are no clusters observed and five collisions occurred over the five-year period, it is considered that the proposed development would not likely impact on the safety of the highway.

Highway Layout

Access Arrangements

The proposed access to Phase 2 of the development will be taken from the access road of Phase 1 of the development, Elizabeth II Avenue. Elizabeth II Avenue provides access to Shootersway. Use of the access to the main highway network via the Phase 1 development is considered acceptable.

Swept Path Assessments

Swept path assessments have been provided for a refuse vehicle accessing the proposed development site and using the internal road network and is shown in Appendix H of the Transport Statement. However, additional swept path analysis is required to demonstrate that a car can safely pass a refuse vehicle within the internal network.

Accessibility

Public Transport

Bus - Berkhamsted has two main routes which operate at least hourly - route 500 and 54/354A. Route 500 is the main bus route that links Aylesbury to Watford and all the main towns and villages within the district. This route travels via Apsley, Hemel Hempstead, Berkhamsted and Tring. Routes 354 is a local route operating between Tring and Wigginton, and Chesham and Berkhamsted respectively. The closest bus services to this site run along Tresco Rd/Ridgeway, Westfield Rd/Durrants Rd and the lower part of Durrants Lane. The nearest bus stops are well over the recommended 0.25 miles accessibility criteria. The site is approx. 1.8 miles from Berkhamsted rail station and 1.5 miles from the town centre. The bus stops on Westfield Road lack infrastructure, with no shelter, timetable, or real-time information.

This development is not of a size that would generate developer contributions that would facilitate a bus service diversion, nor patronage to make any such diversion viable in the long term. Parts of Durrants Lane are also not currently suitable for bus operation. This potential for this site to be sustainable appears limited.

Rail- Berkhamsted railway station is located 1.7 miles from the site and provides direct services to London Euston, East Croydon, Milton Keynes, Northampton, Hemel Hempstead and Watford. It is considered that the site is therefore well served by rail services, but access to the station by public transport, walking, and cycling is limited.

Walking and Cycling

The Transport Statement details the pedestrian and cycling infrastructure on Shootersway and Durrants Lane, the main pedestrian access points. Footways are provided on Shootersway intermittently, with only a grass verge in some locations. Durrants Lane has a continuous footway on the eastern side of the carriageway. To promote active travel, and make walking a viable option from the site, developer contributions should be put forward for improvements to the footway provision. This will support Hertfordshire County Council's Transport User Hierarchy which supports greater and safer use of sustainable transport modes.

Within the vicinity of the site, the Chilterns Cycleway (Local Cycle Network) routes on Shootersway and Durrants Lane providing on-road and off-road (along the Grand Union Canal located approximately 0.9 miles to the north of the site) access to nearby locations. The Transport Statement identifies local facilities and services and their distances from the site but omits to mention the local topography which would discourage walking and cycling.

Parking

Car Parking Provision

Dacorum Borough Council set out the following parking standards for C3 residential developments outside of zones 1 and 2:

- 1.25 spaces per one-bedroom dwelling;
- 1.5 spaces per two-bedroom dwelling;
- 2.25 spaces per three-bedroom dwelling; and
- 3 spaces per four-bedroom dwelling.

Based upon the above, a maximum of 196 spaces should be provided. The Transport Statement does not state the number of parking spaces provided. The document only states that parking has been provided in accordance with the Dacorum parking standards and is illustrated on the Architect's layout plans, which include the required visitor parking spaces. However, the Planning Statement available states that 228 parking spaces will be provided on site, this is 32 more spaces than the maximum provision outlined in Dacorum's car parking standards. HCC does not support an over-provision of car parking as it promotes the use of a private vehicle for travelling and is counter to HCC's LTP4 which aims to reduce the reliance of the private vehicle and encourage the uptake and use of sustainable transport.

Dacorum Borough Council Car Parking Standards require that for residential use 1 disabled space is provided for every dwelling built to mobility standard. The TS does not state how many of the spaces at the proposed development would be designated

disabled spaces. It is ultimately the decision of DC to determine the suitability of disabled parking provision.

The TS has not confirmed how many bays would be for electric vehicle spaces at the development. Dacorum parking standards require 20% active and 20% passive electric charging bays for all schemes with sites larger than 10 dwellings.

Car Parking Layout

The majority of allocated parking will be provided on-plot and is generally located to the side of dwellings within an individual parking bay and/or garage set just back from the building line to allow ease of access to dwellings. The applicant states that the proposed garages will be generous in size and therefore large enough to fit a modern family sized car which will allow the driver to get out of the car easily.

Cycle parking provisions

Dacorum Borough Council Car Parking Standards for residential use state that 1 cycle parking space should be provided per unit if there is no garage or shed provided. The Design and Access Statement states that the rear gardens will provide the opportunity for residents to securely store bikes.

Travel Plan

A Travel Plan has not been provided as part of the application. A Travel Plan is required for a residential development of this scale and would be conditioned as part of any permitted scheme. A fee of £6000 will be secured by S106 agreement for the County Council's costs of administering and monitoring the objectives of the Travel Plan and engaging in any Travel Plan review.

Construction

A Construction Traffic Management Plan (CTMP) will be required to ensure that construction vehicles will not have a detrimental impact in the vicinity of the site and a condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to highway safety.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transport schemes would be sought via CIL if appropriate. Hertfordshire County Council would seek for S106 developer contributions to support improvements to pedestrian infrastructure on Shootersway and Durrants Lane. S106 contributions should also be provided for travel plan monitoring.

Summary

HCC as highway authority has reviewed the application submission and wishes to object to the development on the basis of the above matters.

Hertfordshire County Council - Lead Local Flood Authority:

Following our review of the Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018 submitted with this application we can confirm we have no objection in principle on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy.

We note that the development forms Phase 2 of the residential development in this area. The proposed drainage is based upon infiltration with the use of deep-bore soakaways to support the scheme. Shallow infiltration testing has been carried out as part of Phase 1 which identified that shallow infiltration is not feasible. We acknowledge that there are no watercourses or public surface water sewers within the vicinity of the site.

The proposed development drainage arrangement for the site will comprise traditional drainage networks that will direct surface water to two attenuation basins; one in the north and one in the south. The northern basin already exists and has 7no. deep bore soakaways located within and around it. This basin currently takes surface water runoff from the highways within the northern section of Phase 1 to the east of the site. It is proposed that this basin is to remain as is within the proposed scheme. The southern basin is partially existing with the existing part currently having 2no. deep bore soakaways located within and around it. This basin currently takes surface water runoff from the highways within the southern section of Phase 1 to the east of the site. It is proposed that this basin will be increased in size with the depth remaining constant, as well as having 7 new deep bore soakaways being installed for a total of 9.

MicroDrainage modelling has been provided for the whole site and shows the volume of attenuation in each basin. Surface water runoff will be attenuated on-site for events up to and including the critical 1 in 100 year storm rainfall event plus 40% allowance for climate change. To provide additional levels of surface water pre-treatment prior to discharge via infiltration, it is proposed that surface water is to be taken through a swale and filter trench prior to discharging into the northern basin. It is also proposed that the southern basin is to have a sediment forebay installed. Permeable paving areas have been proposed for private car parking areas and footpaths and will be used for the purpose of pre-treatment and sediment removal.

We therefore recommend the following conditions to the LPA should planning permission be granted.

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by WSP reference 70049662 FRA001 dated 23 November 2018 supporting information. The surface water drainage scheme should include;

1. Implementing the appropriate drainage strategy based on attenuation and discharge to deep borehole soakaway
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event for both the northern and southern sites.
3. Undertake the drainage to include tanked permeable paving, swales/filter strips and basins as indicated in drawings 9662-D-02.

Condition 2

No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by

WSP reference 70049662 FRA001 dated 23 November 2018. The scheme shall also include:

1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
2. All calculations/modelling and drain down times for all storage features.
3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.
4. Incorporate the use of catch pits, interceptors and additional swale features etc. for highway drainage.
5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event

Reason -To prevent the increased risk of flooding, both on and off site.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Condition 3

Upon completion of the drainage works for each site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include;

1. Provision of complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason - To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Hertfordshire County Council - Property Services:

The County Council would request that the applicant enter into a Section 106 agreement towards the provision of fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

We would seek the provision of fire hydrant(s) in accordance with Hertfordshire County Council's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

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

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

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

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

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

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

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision

Environmental Health - Noise, Pollution and Contamination:

We have no objection to the proposed development in relation to Air Quality and Land Contamination.

However, having given adequate consideration to the submitted planning statement, Design and Access Statement, Sustainability Statement and Desk Study and Phase 1 Ground Investigation Report with reference J18037 prepared by Wilson Bailey Geotechnical & Environmental Ltd dated 20 November, 2018; the following planning conditions and informative are recommended should planning permission be granted.

1a). Contaminated Land Condition

Whilst we take note of the applicant submission in section 7, 8 and 9 of the submitted Phase 1 Ground Investigation Report however, with the proposed further testing on top soils, further ground investigation work in the vicinity of the relic well and with no information on the duration of ground gas measurements and number of monitoring results; further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- Ø A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- Ø A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2018).

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). Construction Management Plan Condition

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.

Therefore, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:

- a) Construction vehicle numbers, type, routing
- b) Traffic management requirements
- c) Construction and storage compounds (including areas designated for car parking)
- d) Siting and details of wheel washing facilities
- e) Cleaning of site entrances, site tracks and the adjacent public highway
- f) Timing of construction activities to avoid school pick up/drop off times
- g) Provision of sufficient on-site parking prior to commencement of construction activities
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- i) Construction or Demolition Hours of Operation
- j) Dust and Noise control measure
- k) Asbestos survey and control measure where applicable

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way as well as in the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Core Strategy (2013) Policy CS8.

3). Air Quality Assessment condition

With the proposed development within 1.0 of one of the council AQMA, the number of proposed residential unit and car parking spaces, a detailed air quality assessment report assessing the impacts of the proposed development will need to be submitted to the Local Planning Authority having regard to the Environment Act 1995, Air Quality Regulations and subsequent guidance.

The report should indicate areas where there are, or likely to be, breaches of an air

quality objective. If there are predicted exceedances in exposure to levels above the Air Quality Objectives then a proposal for possible mitigation measures should be included.

The impact of the construction vehicles and machinery to the proposed development must also be considered in the air quality assessment report to be submitted. The post construction impact of the development to the existing development will also need to be considered in the report to be submitted whilst the applicant must also consider the installation of some electric vehicle charging point as part of the measure to mitigate the impact of any poor air quality having taken note of the applicant's intention to install solar PV as the major source of energy to the development in the submitted sustainability statement.

Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013).

4). Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

Berkhamsted Citizens Association (BCA):

The BCA expressed concern over the density of housing proposed and the inclusion of 3 storey development. We are also concerned that infrastructure provision is not adequately addressed. The access from/to Shootersway, via Phase I, was inevitable, as the alternative from/to Durrants Lane would be unacceptable in terms of traffic volume and vision splays.

Sport England:

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:
www.sportengland.org/planningapplications

If the proposal involves the **loss of any sports facility** then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a **new sports facility**, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in

accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional **housing** (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

Supplementary Comments

Sport England was consulted on this application recently but we just sent a standard response as we do not usually provide full responses to developments of less than 300 dwellings where we are a non-statutory consultee.

If we had provided a full response to the consultation, we would have used the Sports Facility Calculator to estimate the demand for indoor sports facilities and artificial grass pitches and the associated cost of meeting this demand derived from the calculator which we would advocate be used as a basis for developer contributions. I would broadly support the approach that you have taken as I would also of assumed 2.4 persons per dwelling as a basis for calculating the estimated population unless there was alternative data provided which was more robust.

If you are just seeking a contribution towards swimming pools and sports halls, then a contribution of around £75,929 would be justified.

Further Discussion

As you may know it was originally proposed that new changing facilities to support the playing fields could be provided as part of the previously proposed relocation of the Egerton Rothesay School's playing fields to the area that is now the subject of the phase 2 planning application. I understand that this is not going ahead now that the land swap between TW and HCC is not progressing. In the original planning permission for the new playing field, condition 5 was imposed to require details of ancillary playing field facilities (i.e. pavilion) to be submitted and approved but this condition was removed

following the appeal Inspector's advice that the condition was defective. We were always concerned that this would result in no supporting changing facility provision being provided to support the use of the pitches.

I would totally agree that providing changing facilities to support the pitches is a priority but as a matter of principle we would not consider that this should be funded by the football club because changing facilities are an essential ancillary facility to support the use of any playing field and should be provided by those that are delivering the playing field especially where the playing field is being provided to help meet the additional demand generated by residential development i.e. the phase 1 and phase 2 developments of the Bearroc Park development. The cost of a conventional changing facility would be much more than the potential developer contribution so other funding sources would need to be explored.

Thames Water:

Waste Comments

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company.

Appendix B

Neighbour notification/site notice responses

Objections

Local Residents/Neighbours/Publicity:

22 Cecily Close

I am a resident of the existing Bearroc Park development and would like to register an objection to the proposals made for the second phase of construction.

The proposed access point via Elizabeth II Avenue is of greatest concern, particularly during construction due to the noise, dust, safety and pollution. Long term this would also increase the pressure already in place on Shootersway due to increased traffic volumes which are already an issue. The turning into the existing development is on a partially blind corner which is a huge safety risk/concern as it stands and this would only increase.

Providing access to phase 2 via Durrants Lane would make far more sense and minimise disruption to existing residents, also providing a safer alternative long term to what will be a far larger community.

My other concern is that the proposed plans are not in keeping with the existing

properties on Bearroc park phase 1 or Shootersway, where there are solely detached properties and no flats or terraced houses. The area is regarded as a popular and exclusive one for this reason and I feel that the proposals for phase 2 if granted would undermine this considerably. Phase 1 is made up solely of detached houses and I feel that phase 2 should mirror this in order for development to be considered.

3 Chalet Close

The current proposal is not in accordance with the core strategy or SS1 Framework Masterplan.

Should you feel that the proposal can be approved please make it a condition that an equipped playground is included. A playground was requested by as part of Phase 1 but those of us requested it, were unaware that we needed to specify "equipped" and a token area of grassland was provided. An estate of more than 170 family houses with no play area for children is not acceptable. There is no easy access to other playgrounds in the town without driving, and the nearest one by the Sports Centre is not suitable for small children.

The Lodge, Durrants Lane

The proposals go against the planning guidance for the Egerton Rothsay site and adjoining TW land produced in 2009/10. Although an erroneous document in some details it did at least attempt to respect the impact of development on the Greenbelt boundary by keeping the current proposal site as open space. This new application completely goes against that principle.

In view of that breach of planning guidance for this site and the prospect of the ERS site becoming available at some time in the near future, the application should be refused and a proper site development brief drawn up by all interested parties including the school, the County Council, Dacorum and neighbouring landowners, which can then be put out to public consultation.

The development will completely undermine the quality of the Greenbelt the boundary of which runs down Durrants Lane.

The types of home proposed for the corner of Durrants Lane/ Shootersway will undermine the privacy of my home and the quality of the environment at this location. The house types used at the Durrants Lane corner are described as 5 storey 5 bed although the street elevations show plot 30 has a 3 storey home. Whether they have the appearance of 3 story or 5 storey, a pair homes of the size and scale shown on plot 30 on the Durrants Lane elevation plan at this prominent position is completely inappropriate, and they will overlook my home and my garden. It is likely that even a first storey window in one of these houses will be at a higher level than my own and it will be easy for someone to look into my home thereby damaging the privacy of my home. These houses should be deleted from the proposals together with the houses on plots 31 and 28 and the space used to provide an improved junction - away from my home which is now threatened by the traffic using it thanks largely to the "improvement" carried out as part of Phase 1 of the development.

The result of the road widening of Durrants Lane carried out earlier this year by TW contractors has resulted in significantly higher traffic speeds of the traffic turning into

Durrants Lane from Shootersway, as well as increased traffic volumes. One result of which is that a car came through my fence on the Durrants Lane boundary recently, only missing the walls of my home by less than a metre. This is the first time this has ever happened. In addition the postman now refuses to use the letterbox on my front door because parking (as he had done for many years) on Durrants Lane is no longer safe for him. I pointed out to the council in the past that my property is still serviced from the Durrants Lane boundary but no notice has been taken of this. Dacorum should take more time to respect and ensure the safety and security of its existing residents than it has done thus far. My life, my freedom to enjoy my home and its garden, the safety and wellbeing of visitors to my home and those delivering to it have all been substantially put at risk by the poorly thought through attempt to improve traffic flow. However, this development could offer the opportunity to provide a much improved junction by moving it away from my home and into the development site, thereby also offering the opportunity to add traffic calming measures.

Alternatively Durrants Lane could be diverted through the development site along the line of Street 3, Street 2 and Lane 1. This would eliminate the risk of my home being demolished by an out of control car/ HGV/Bus, and support the principle of softening the impact of traffic noise and the visual impact of the dangerous road widening and density of development on the Greenbelt.

The development as proposed will add the pressure to provide street lighting along Shootersway and at the junction of Durrants Lane and Shootersway. This will damage the quality of the environment within my home (and my garden) during the hours of darkness and will not be acceptable to me under any circumstances, and it will greatly reduce the rural quality of the adjoining Greenbelt land

If permission is granted then access to the development site must be carefully controlled, the use of the field access on the Durrants Lane corner caused a huge amount of entirely unnecessary traffic disruption and was extremely unpleasant in terms of noise and disturbance to my enjoyment of my home. It must not be used for this new development.

The opportunity to extend mains drainage services and mains gas to all adjoining properties, mine included, should be expected from TW as part of S52 requirements.

Lambert Smith Hampton on behalf of HCC as Adjacent Landowner (ERS grounds)

The proposed development conflicts with adopted Local Plan Policy in the Core Strategy. It prejudices comprehensive development of the area, including of the playing fields associated with Egerton Rothesay School. The proposals would harm designated 'Open Land', and prevent development coming forward as envisaged in the agreed Framework Master Plan (2012) for the overall site (which Taylor Wimpey, Egerton Rothesay School, and HCC jointly prepared), and which was agreed by Dacorum BC as setting the appropriate masterplan framework for the site envisaged in the Local Plan allocation.

The Local Plan proposals map designated the site now being proposed for housing, which is located prominently on the edge of Berkhamsted with frontages to both Durrants Lane and Shootersway as 'Open Land', and this is protected through the adopted Core Strategy (2013) Policy CS4, which states:

"... In open land areas the primary planning purpose is to maintain the generally open character. Development proposals will be assessed against relevant open land policies.

...”

The existing masterplan clearly anticipated the site blending in to the countryside beyond the site through this portion of the site being retained in open use to better achieve a transition between urban land and the countryside beyond. Housing development does not meet the requirement to maintain designated ‘Open Land’ *“generally open character”*, and should be refused planning permission in accordance with the policy requirements of the adopted Core Strategy (2013).

The applicant states in their Planning Statement that the reason for the ‘Open Land’ designation is to safeguard land for the relocation of the Egerton Rothesay School playing fields, and argues that:

“... however, as the proposals do not involve the development of the existing playing pitches, the designation of the site as open land is not required”.

The applicant does not assess the alternative of development on the Egerton Rothesay playing fields (as planned through the agreed Masterplan Framework 2012), which in our view would have substantially less impact in landscape terms, as it is hemmed in by existing school buildings to the east, and existing housing on all other sides. It’s development represented a logical rounding off of the existing urban area with housing located no further west than the urban boundary represented by the westernmost parts of neighbouring existing housing in Marlin Close, Tresco Road/Ridgeway and those parts of the allocation already developed at Elizabeth Avenue and Cecily Close.

The application site would, under the original Framework Masterplan (2012) and ‘Open Land’ designation on the Proposals Map, have been used for playing fields for Egerton Rothesay School, to be shared with the community, and would have created a soft edge to the development as envisaged, respectful of the surrounding area. The application site has a frontage to both Shootersway and Durrants Lane, being particularly visible and conspicuous from the latter by comparison with the intentions of the Local Planning Authority in the originally agreed masterplan. The development as proposed would have an adverse impact on the area making it appear far more urban in character, and creating a hard edge to development in this part of Berkhamsted.

The proposed development does not meet with the requirements set out in the adopted Core Strategy (2013) through ‘Strategic Site 1 - Land at Durrants Lane/Shootersway, Berkhamsted (Egerton Rothesay School)’. This requires among other criteria (emphasis by LSH):

- *“The layout, design, density and landscaping must safeguard the amenities of nearby housing and create a soft edge with the proposed leisure space and adjoining countryside”*

The application proposals would create a hard edge to development on the junction of Durrants Lane with Shooters way, rather than playing fields as originally envisaged.

- *“A comprehensive planning framework is needed to link the three main land uses and their timing i.e. housing, school with playing fields and new leisure space.”*

The proposed development does not follow the existing Framework Masterplan (2012), and does not provide for comprehensive development of the overall site.

- *“The priority is to deliver the school playing fields, i.e. before the refurbishment of the school. Housing will be phased to allow the playing fields to be relocated first”.*

The proposed application would fail to achieve this.

- *“A master plan will provide a detailed planning framework, sufficient to take the scheme forward to a planning application”.*

No revised master plan has been agreed between the various landowners who control the overall allocation in advance of the application.

1 Elizabeth II Avenue

We are not opposed to the principle of housing development on the site and are conscious that as a local area we need to do more to increase housing numbers to provide for the local community.

However, as currently proposed, we object to the plans because of the increased traffic disruption, increased noise and exposure to pollution including airborne chemicals that the construction would cause to our young and expanding family.

The current proposals would see the new development's primary access at the junction of Shootersway and our home at No1 Elizabeth II Avenue. We moved into this home this year (2018) primarily to ensure that our children and future child and future children could benefit from a lifestyle away from London, surrounded by greenery and without a high number of motor vehicles passing by our front door throughout the day and night. Cars already enter from Shootersway at a fast speed and an expected doubling of current traffic volumes would not maintain a safe environment for the number of children currently living in the current development. Furthermore there seems to have been a lot of roadworks near to the Elizabeth II Avenue entrance this year since we moved in due to the waterways along Shootersway. If this is a regular maintenance requirement and double the amount of vehicles including work vehicles during a likely two year construction phase are using the current entrance to the development this will inevitable cause traffic congestion and high pollution levels.

These entrance proposals of bringing a significant increase in the number of cars past our home at peak times will disrupting our family's life and the reasons that we moved from London to Berkhamsted.

As far as I can see, the only legitimate reason to have access to the new development off Shootersway and onto Elizabeth II Avenue past our home is because of who owns which parcel of land nearby; Taylor Wimpey. To save them costs. However, given the plans to bring forward an adjacent development on the Egerton-Rothesay school site we believe that it would make more practical and considerate sense to current residents sense to masterplan these two sites together and ensure any new road access proposed would provide for both developments? We believe that Taylor Wimpey should work with the Highways Agency to work up a new access off Durrants Lane to serve this purpose.

An access from Durrants Lane would seem to make the most sense and minimise construction noise, dirt and pollution disruption to the already established communities and families in the Bearroc Park development and the local area beyond. This would make it a self contained site and be much safer for the general public especially during

the likely two year construction phase.

We are supportive of new housing and want to see the Berkhamsted community thrive, however we can only give our support to this proposed development if it comes forward without the perfectly avoidable disruption to our local community through a change in the proposed access from off Shootersway to off Durrants Lane.

4 Elizabeth II Avenue

I believe that the access to phase 2, (which is in Northchurch) should be via Shootersway, at the point that it adjoins Durrants Lane.

Access via the establish housing estate is inappropriate, as during the construction period there will be an significant safety risk to children and adults from the construction vehicles and from the building staff and suppliers vehicles.

There will also be insufficient room for construction traffic to pass safely between parked resident and visitors vehicles.

Additionally I believe that once phase 2 has been compiled the established access from Shooters Way to Elizabeth II Avenue will not cope safely with the increased volume of traffic egressing into Elizabeth II Avenue and onto Shootersway, coupled with the passing traffic along Shootersway.

Whilst assessing the volume of traffic on Shootersway it is essential to factor in the increased amount of traffic that is ongoingly using Shootersway (particularly during peak commuting periods and school runs) and also to factor in the proposal to build a further housing estate opposite the entrance to Elizabeth II Avenue.

5 Elizabeth II Avenue

Firstly, we are not opposed to the building of new homes, it's a wonderful place to live as a young family.

We are however very concerned and object the plans as they stand due to the new development using the same access as Bearroc Park phase 1. We live very close to the entrance and the traffic is already causing concerns due to the insufficient width of the road and speed of cars. Young children will be at risk and there is concern regarding access to emergency services and council waste collection. Bin men already struggle to pass parked cars on the road and this will only be worsened by adding traffic.

Furthermore, the junction of Elizabeth II Avenue and Shootersway is already proving to be hazardous with its blind bend near the junction. It would be recklessly unsafe for any developer to allow any more traffic to use this junction.

It would make perfect sense to build a separate access road further down Shootersway or on Durrants lane.

6 Elizabeth II Avenue

As a resident of Bearroc Park phase 1, I am writing to outline my concerns and to provide detail regarding the objection I have recorded regarding the phase 2

development proposal.

1. Noise and disturbance resulting from use

We are not opposed to the principle of housing development on the site and are conscious that as a local area we need to do more to increase housing numbers to provide for the local community.

However, as currently proposed, we object to the plans because of the disturbance, increased noise and exposure to pollution that they would cause to our young family and of course, to all residents on phase 1.

The current proposals would see the new development's primary access be off Elizabeth II Avenue, which is a small, narrow road, with a number of blind bends - one at the exact proposed point of access. The road is adjacent to our home. We have witnessed a number of near misses in the year that we have lived here even with the current traffic volumes and are very concerned that the risk to the public's and our children's safety will only increase further due to disruption and disturbance brought about by higher volumes of traffic using the road. Furthermore, the turning onto Elizabeth II Avenue to/ from Shootersway is also very dangerous it's a blind turning and extremely busy at peak times. Additional traffic volumes will exacerbate these safety issues further and cause significant disturbance for existing residents and to my young family, not to mention traffic noise.

Furthermore, should Elizabeth II Avenue be the access point for works vehicles during the build of Phase 2, this would of course cause significant disturbance, noise and safety concerns for those (principally pedestrians and young children using Elizabeth II Avenue to access their homes) living on the Phase 1 development.

There are a number of clear and obvious alternatives which would mitigate all the above should planning on the area - which I understand is technically designated open space - be granted, such as building a new entrance for the phase 2 development further along Shootersway (before the junction with Durrants Lane) or on Durrants Lane itself. As far as I can see, the only legitimate reason to have access to the new development adjacent to our home is because of who owns which parcel of land nearby. Given the plans to bring forward an adjacent development on the Egerton-Rothesay school site it would surely make sense to masterplan these two sites together and ensure any new road access proposed would provide for both developments. An access from Durrants Lane would seem to make the most sense and minimise noise and disruption to the already established communities and families in the local area.

2. Adequacy of parking and turning

As stated above, Elizabeth II Avenue is already a narrow road. With limited parking on the existing state for the current residents, many residents have to park on the road.

Additionally, workman, delivery drivers etc also regularly park in the road, meaning that very often there is only one lane available for traffic. As an example, the dustbin men are often forced to drive over the grass outside our houses because they cannot manoeuvre their vehicles. This is already a concern for us as it makes turning in the road both difficult and dangerous.

With further traffic and more parked cars, this will make turning in the road even more difficult and dangerous; we're also conscious of how difficult it would be for the emergency services to access houses with additional parked cars and moving vehicles on the road.

Finally, and I appreciate this is a matter for the town planners to discuss, but we understand that the land adjacent was designated open space, which of course is in short supply in Berkhamsted. Again, I would urge you to masterplan the entire site in order to address not just the impact of the proposed access point but also to ensure that the protection of designated open space is considered.

We are supportive of new housing and want to see this community succeed. But we can only give our support to this proposed development if it comes forward without the perfectly avoidable disturbance, including safety, to our local community and a more considered approach to the entire plot of land surrounding Phase 1.

7 Elizabeth II Avenue

Whilst I do not object to the development of more homes on this site, but I do object to the access road for this development coming through the phase I site. Cars already speed round the Shooterway corner approaching Elizabeth II Avenue, with many near misses when turning in both directions, this junction cannot support an additional circa. 150 cars from the proposed 84 new properties, therefore we object to the plans going ahead with the current proposed access road.

The road leading to the proposed entrance is not wide enough to support these additional cars and vehicles already speed round this corner of Elizabeth II Avenue. A new entrance either directly onto Shootersway or onto Durrants Lane via the Edgerton Rothsays new entrance would be a safer route to carry this traffic.

Blocks of flats are not in keeping with the original development or that of any other properties on the developments leading off Shootersway, this should be reconsidered before planning being approved.

8 Elizabeth II Avenue

I would like to comment as a residents of the Phase I development. Whilst were always aware that building of a Phase II was likely, this was (as indicated in your leaflet) to be at the North end of the site and no additional building or entrance was ever mentioned to us at the corner of the avenue near to our property. This land was I believe designated Open space. Planning information shared at time of purchase by Taylor Wimpey re Phase II related to land behind current phase I development not the adjacent land.

My primary objection to the proposed development is therefore change of location to original plan and the resultant additional volume of traffic through the current estate combined with lack of car parking spaces in the proposal.

Most houses in phase I are either 4 or 5 bedroom and, as a result, there are often more than two cars per house with no guest or visitor parking. Whilst the design of the road is obviously different for Phase II, there will be a similar problem unless more parking capacity is taken into consideration. What is already happening is that cars are being parked on the main access road through the estate due to the lack of parking spaces

outside owners homes. The design of the some of the current drives (long but single width) is such that, in order to move cars, it is necessary to reverse onto what would become then the main access road for phase I and II and this will create further hazards and risk given the blind corner at the west point where access is proposed. I have witnessed several near misses because of people driving too fast around this junction and both my wife and I have been involved in minor collisions outside our house which is next to the proposed junction.

The main estate entrance onto Shootersway is already a dangerous place to exit as traffic moving along Shootersway towards A41 often travels well in excess of the 30mph limit. It is also on a partial blind bend from the perspective of vehicles coming from the west, which means anyone not pulling out quickly can cause cars to break sharply to avoid an accident.

Finally, a quick and non-scientific observation of existing traffic created by Phase I shows a significant percentage of traffic is turning right on exiting the estate and travelling to the west on Shootersway and/or down Durrants Lane. Durrants Lane between Shootersway junction and the school is so narrow that there are regular hold ups, made worse by continued parking by parents at the school despite the new car park. This will also only get worse once traffic develops to access the new football pitches.

Should you wish approve this proposal or a Phase II at the rear of the current development then I would also ask that the following be considered to mitigate my concerns :

1. Improvements to Durrants Lane so it can absorb more traffic between the Shootersway junction and Egerton Rothsay school, such as widening it allow proper dual lane traffic and double yellow lines to avoid parking.
2. Provide a second entrance for Phase II from Durrants Lane which could be same one as the current one to the new car park for the school.
3. School car park to be made available to residents after 5pm on weekdays and all day in holiday periods and weekends. (its always empty then) . If necessary, this could be permit based driving revenue for the school. It would also relieve car parking issues, especially in relation to the density of housing proposed.
4. Consider guest parking at the back of new development in lieu of some of the houses proposed there.
5. Rethink the Durrants Lane and Shootersway junction and replace with a mini roundabout. As well as directing traffic flow more efficiently it would slow down Shootersway traffic in such a way as to make it easier/safer to access the enlarged estate. It could also, if big enough, include an alternative access point for Phase II if it went ahead on the land currently designated Open space.
6. Introduce traffic calming measures on the current estate e.g installing sleeping policemen on main access road .
7. Consider a regular bus route (at least one per hour) that would provide a round route going up Durrants Lane and down Kings road to the centre of town including the rail station. TW could be asked to sponsor this route as part of its 'community benefits'. and it would also would provide an ecological perspective and reduce pollution.

11 Elizabeth II Avenue

I was fully aware when buying a property at Bearroc Park that further developments were planned. However, I strongly oppose to using Elizabeth II Avenue as access for

building work and ultimately full access for residents once building is complete. Another option for access and consideration could be Durrants Lane

12 Elizabeth II Avenue

I am a resident on Bearroc park and my main objections are associated with the

1. Amount of housing and loss of open spaces particularly the impact on the owls and wildlife in that area now [that the woodland] which is owned by Taylor Wimpey and been left to neglect - trees fallen and died and not replaced
2. The proposed access point via E2A avenue is of greatest concern

I object to the plans because of the disruption, increased noise and exposure to pollution that they would cause to the estate, families and pets.

The current proposals would see the new development's primary access adjacent to our home.

This is an extremely narrow and busy entrance and would mean one way in and out for over 170 houses which is completely unnecessary and dangerous. As you exit on to shooters from E2A the cars speed around the corner and it is a blind spot.

As far as I can see, the only legitimate reason to have access to the new development adjacent to our home is because of who owns which parcel of land nearby. However, given the plans to bring forward an adjacent development on the Egerton-Rothesay school site it would surely make sense to masterplan these two sites together and ensure any new road access proposed would provide for both developments?

An access from Durrants Lane or Durrants lane side of shooters would seem to make the most sense and minimise disruption to the already established communities and families in the local area and spread the risk in terms of traffic, noise and mitigate the chance of an accident. It would help slow down traffic and open up more access points for the two estates.

If the estate is built I would like to see TW held to account on the woodland area, ensuring it is built back up, with trees and allowing the wildlife to thrive again. It would also reduce noise pollution on the estate.

14 Elizabeth II Avenue

I wish to object to the proposed plans on the grounds that access to the development is via Elizabeth II Avenue, a narrow road, unsuitable for the increased level of traffic that another 84 dwellings would create. I do not object to the development itself, as there is a need for more housing stock in Berkhamsted, but more careful planning around the access point is needed. Presumably reusing the road is more economical for Taylor Wimpey, but a small margin of profit should not be the deciding factor when the day to day lives of existing residents, many of whom, including myself, have young children, and who chose to live on the Bearroc Park development because of its low traffic, local community feel.

Secondly, there is some uncertainty around the future planning for the land around

Egerton Rothsay. It would make sense to have a master plan for the proposed use of the land so we as residents are not responding to proposals every few years for different plans.

15 Elizabeth II Avenue

As residents of the Phase 1 development, next but one house to the proposed access to phase II, we wish to object to the planning application in its current form. Whilst we realise that additional housing is needed for the local community, we believe the proposed access to Phase II would significantly increase traffic noise, pollution & safety issues for existing residents of Phase I.

It would seem sensible to consider the proposed development together with the adjacent development of the Egerton-Rothesay school site to produce a joint plan including a shared access from Durrants Lane (possibly using the junction to the school's recently constructed car park).

This joint plan could include the widening of the approach to the Durrants Lane/Shootersway junction, allowing for installation of a roundabout. This would have the benefit of slowing the traffic at this increasingly busy junction, avoiding the many 'near misses' due to the narrow approach from Durrants Lane, speeding traffic on Shootersway, and the lack of lighting at this very dark junction. It would also facilitate safer access from Elizabeth II Avenue to Shootersway, and potentially improve pedestrian safety on the narrow, overgrown, poorly maintained pavements with poor drainage which currently encourages pedestrians (including many school children), into the road.

Key suggestions:

1. Develop a joint plan for Phase II to include the Egerton-Rothesay school site, with access from Durrants Lane (not from Elizabeth II Avenue);
2. Fully consider a scheme to widen the Shootersway end of Durrants Lane and install a roundabout (with lighting), at this junction, for improved safety and traffic flow;
3. Install traffic calming measures on Shootersway to alleviate the speeding traffic in both directions for the safety of motorists and pedestrians;
4. Improve pavements and drainage on Shootersway for pedestrian, and in turn, vehicle safety;
5. Provide a regular bus service from Shootersway to the High Street & Train Station to reduce the number of car journeys.

In conclusion we confirm that whilst we are not against the idea of the proposed development we cannot support the proposal to access phase II from Elizabeth II Avenue.

16 Elizabeth II Avenue

My primary objection is based upon the access road to the site making use of the existing road onto Bearroc Park (PHASE 1).

The proposal in its current form would significantly increase the amount of traffic using Elizabeth II Avenue; this in turn would result in increased noise and pollution in a residential area. The section of road in Durrants Lane and Shootersway from where an independent access road could be created does not have any existing dwellings and thus would be far more appropriate.

I strongly object to the proposal in its current form on the following grounds:-

-The proposed access via Elizabeth II Avenue would significantly increase traffic noise, disruption and pollution in an established residential area.

-I see no valid reason why an independent access road cannot be created to directly access this new development from Shootersway or Durrants Lane.

-It is evident that the only reason Taylor Wimpey is proposing to access the new development from Elizabeth II Avenue is cost savings. It is my opinion that developer cost savings should not be at the expense of disruption to existing residents in the form of traffic noise and pollution.

For the aforementioned reasons I cannot support this development unless the proposal is amended to show an independent access road directly from Shootersway or Durrants Lane, and that the current access proposal should be removed from the planning application.

I am not opposed to the principle of development but I am strongly opposed to using Elizabeth II Avenue as an access road.

17 Elizabeth II Avenue

As a resident of Elizabeth II Ave. we strongly object on highway safety grounds access through this road to access the applicants development due to the following reason.

Having lived on the estate for the last two years there have been numerous near misses and occasionally an accident of vehicles when leaving the estate to turn right. This is due to the bend approaching the access when driving South on Shootersway. No road access should be allowed to connect both phase 1 and phase 2 developments at Bearroc Park, but phase 2 should have it's own dedicated access off Durrants Lane.

By allowing this access as proposed would be an inappropriate over development for Berkhamsted as the two schemes would be combined, however by refusing the application will ensure that there is a continued substantial tree buffer separating the two developments and far more appropriate for new development in the town.

Should the committee give consent to the residential development I would respectfully ask that access is conditioned on the straight section of road on Durrants Lane which would be much safer.

18 Elizabeth II Avenue

As a "Phase 1" resident living at 18 Elizabeth Avenue HP4 3BF my objection is that the current proposals intend that the access to Phase 2 will be by funnelling all its traffic

through the existing entrance to Phase 1. This will double traffic density on Elizabeth II Avenue and cause irreversible loss of amenity to the existing residents of Phase 1. The amenity loss would increase over the years as the developments mature.

The Elizabeth II Avenue estate road is not wide enough to safely accommodate a doubling of vehicle flow; both Shooters Way and Durrants Lane would also need to be improved to accommodate the new traffic flows generated by 84 new homes.

Therefore I would suggest that your traffic engineers look at the whole picture traffic implications of this planning proposal. They can advise on necessary improvements at the junction of Shooters Way and Durrants Lane that could incorporate an access to the proposed Phase 2 development of 84 homes off Durrants Lane.

This would relieve all existing Phase 1 residents and future Phase 2 residents of a tiresome, polluting and avoidable bottleneck at the junction of Shooters Way and Elizabeth II Avenue.

19 Elizabeth II Avenue

The access route for the proposed development will be via the existing junction off of Shootersway. This junction experiences high levels of traffic due to all houses on the Bearroc Park estate having an average of two vehicles per house. With over 80 additional houses being built this will add more cars, and thus a greater level of traffic, noise, air pollution and safety risk to children in the current development.

The current road design on Elizabeth II Avenue is extremely narrow, and does not allow for large plant/commercial vehicles to drive through with residents cars parked on the road. As a result access for the proposed new development via Elizabeth II Avenue does not offer a suitable route for site access for a new development. Potential risks include, but are not limited to:

- Damage to residents cars and front gardens.
- Additional congestion to road blocks when vehicles cannot pass

There are two existing access routes to the proposed development site - why are these not being considered to avoid additional congestion, safety concerns and disruption? - Egerton Rothesay overflow car park

-Shootersway way access point when a metal barrow is located adjacent to the field proposed for new houses.

The revised master framework for land on Durrants Lane and Shootersways

(https://www.dacorum.gov.uk/docs/default-source/planning-development/spar-11.11.10-durrantslane_frameworkmasterplandocument-lowres.pdf?Status=Master&sfvrsn=0), confirmed that the following adopted:

- "Impact of the scheme on the local road network will need to be mitigated through promoting sustainable transport options, reinforcing pedestrian/cycle links through the site and funding improvement to the Shootersway/Kingshill Way and Durrants Lane/High Street junctions (as necessary)." The new planning application does not mitigate against the above, as existing infrastructure will be used, creating a greater burden and danger to cyclists and pedestrians.
- "Main access to be taken from Shootersway and this could include a secondary access from Durrants Lane". If a secondary access exists on Durrants lane, why is an additional

access route required through Elizabeth II Avenue?

- "On-street car parking should be catered for within the design of the new streets". On-street parking will be disrupted by commercial vehicles who will want constant site access.

Further developments are also being proposed by Crest Nicholson adjacent to Blegberry Gardens off of Shootersway. With this in mind it would be unreasonable to have additional traffic flow via Elizabeth II Avenue.

The current footpath from Elizabeth II Avenue to Durrants lane will be demolished if the proposed plans are approved. This goes against the original planning appeal to improve sustainable transport routes, especially as Shootersway Way is increasingly more dangerous to walk along with high levels of traffic.

The Woodland area adjacent to Elizabeth II Avenue will be partially removed to create this new access road, and could create a risk to the existing habitat.

56 Elizabeth II Avenue

I would like to register my objection to aspects of this application.

Across via the current Bearroc development raises the following concerns;

Safety for current residents that include a large number of young children.

Ongoing congestion once the new houses are built through the existing development and onto shooters way which already has been impacted by the Bearroc site.

Damage to the road of heavy vehicles during building.

I do not believe any new development should join the two developments as this with crest a large estate type development which is both inappropriate to Berkhamsted and will result in all the above issues.

I believed the corner plot was designated for green space which is in increasingly short supply in Berkhamsted.

I do support the need for additional housing in the area however I believe the concerns could be resolved by retaining the separation of the two sites using access from Durrants lane. If this encouraged a more joined up approach of the redevelopment of the Egerton Rothesay school site there are already excellent access routes for building and the new residents. It would also reduce the impact of the additional traffic on the bottleneck along shootersway and encourage walking by the new residents down Durrants Lane.

One final objection is that the Bearroc development was built with many very narrow roads and a lack of parking / the new plans seem to have the same issue.

34 Elizabeth II Avenue

What we are objecting to is planned access to the proposed Site via Elizabeth II Avenue.

The disruption increased noise and exposure to pollution that it would cause to everyone

on the development.

Currently young children cycle and skate around very safely. Also mums and elderly walk around the development for their daily exercise. This would all have to stop.

We moved to this house in 2017 primarily to ensure we could benefit from a lifestyle away from London surrounded by greenery and without motor vehicles passing our front door throughout the day.

It was the opportunities for this lifestyle that attracted us to this area.

An access from Durrants Lane would seem to make more sense and minimise disruption to the already established communities and families in the local area.

We are supportive of new housing and want to see this community succeed. But we can only give our support to this proposed development if it comes forward without the perfectly avoidable disruption to our community.

59 Elizabeth II Avenue

We are alarmed at the plans showing the proposed development will share the existing entrance. We have no objections at all to the extended site, but cannot envisage how the existing entrance/exit will cope short term with the construction vehicles and site traffic, and longer term with the weight of traffic from the additional residents.

Please can a second entrance/exit be added to accommodate the new development? We can only envisage years of noisy lorries using pneumatic brakes outside our home, tyre mud, road sweepers, noise from additional cars, traffic queuing to turn into Shootersway, and additional cars speeding round.

18 Merling Croft, Northchurch

I wish to object to this planning application made by Taylor Wimpey for the building of 84 houses on Bearroc Phase 2 with the exit through Elizabeth II Avenue on Bearroc Phase 1.

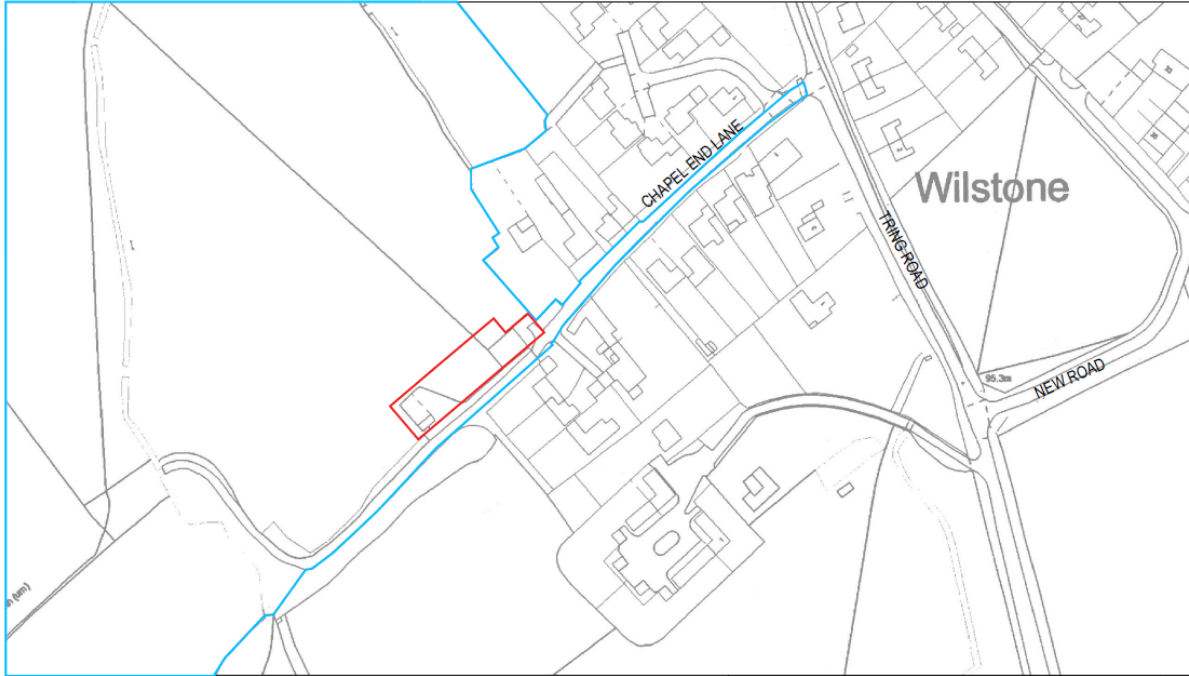
There will be considerable difficulty in directing Phase 2 traffic through Phase 1. There is a circular road around the houses in Phase 1, both ends of which meet a short distance from the exit on to Shootersway. To add a considerable number of vehicles from Phase 2 to exit through this one junction will undoubtedly become a problem. At rush hours and school times there will be frustrated drivers trying to get on to Shootersway. Parents from Phase 2 with children at Westfield School or St Mary's School will be endeavouring to turn right to go down Durrants Lane which will be difficult.

The solution would be to exit Phase 2 on to Durrants Lane where there is a wide verge and footpath on a level and straight road with good visibility. I trust the Development Management Committee will see this as a sensible option.

Agenda Item 5d

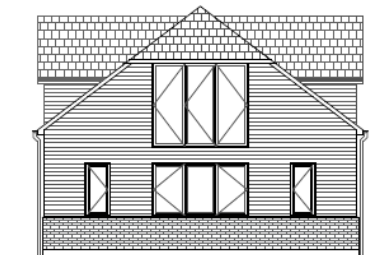
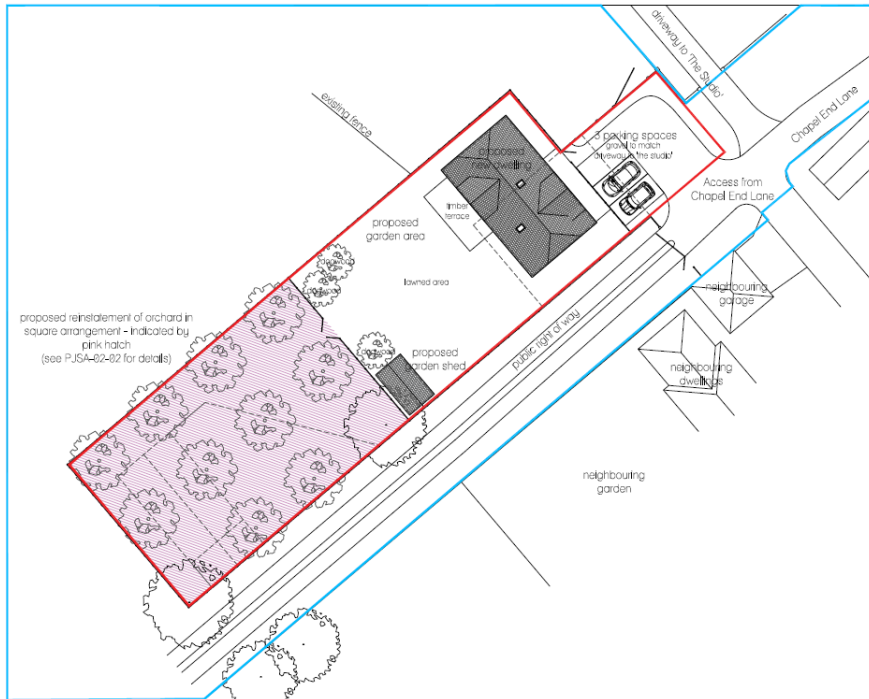
Item 5d 4/02469/18/FUL DEMOLITION OF TWO AGRICULTURAL BARNs;
REPLACEMENT WITH SINGLE DWELLING AND REINSTATEMENT OF HISTORIC
ORCHARD

BARNs AT CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

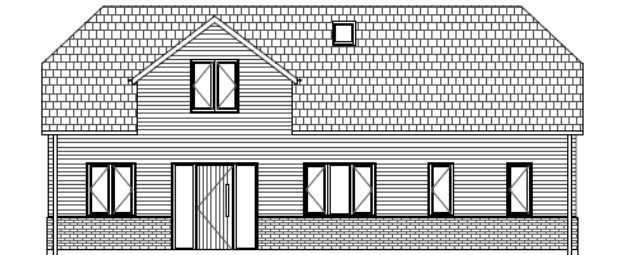


**Item 5d 4/02469/18/FUL DEMOLITION OF TWO AGRICULTURAL BARNES;
REPLACEMENT WITH SINGLE DWELLING AND REINSTATEMENT OF HISTORIC
ORCHARD**

BARNES AT CHAPEL END LANE, WILSTONE, TRING, HP23 4NY



NORTH WEST ELEVATION



NORTH EAST ELEVATION

4/02469/18/FUL	Demolition of two agricultural barns; replacement with single dwelling and reinstatement of historic orchard
Site Address	Barns at Chapel End Lane, Wilstone, Tring, HP23 4NY
Applicant	Mrs Johnson, Chivery Hall Farm
Case Officer	Martin Stickley
Referral to Committee	Call-In from Councillor Olive Conway

1. Recommendation

1.1. That planning permission be **GRANTED**.

2. Summary

2.1. The proposal to provide a new property would represent appropriate development. The proposed scheme in its context and would not compromise the characteristics of the countryside, Conservation Area or surrounding listed buildings. There would be no significant highway safety concerns. The proposed car parking arrangements are sufficient. There would be no serious impacts on visual or residential amenity. As such, the development is considered acceptable with regard to the policies listed in Section 6 (Policies).

3. Site Description

3.1. Chapel End would appear on the historic maps to be a cluster of farm buildings and associated workers housing just outside the village of Wilstone. It comprises of a number of historic cottages and converted barns. There is also a listed farm house. Materials tend to be brick, weatherboarding and tile with some slate roofs.

3.2. The application site in the 19th century appears to have had smaller agricultural buildings and also contained an orchard. This seems to have been removed in the second half of the 20th century. The barns on this site appear to have some slightly unusual features with some showing very shallow pitches and also half or full hips which are not found in all barns within the area.

4. Proposal

4.1. Planning permission is sought for the replacement of two dilapidated agricultural barns with a 4-bed residential dwelling. The proposed dwelling has low eaves, hipped roof and black stain timber boarding on a brick plinth. The fencing around the curtilage is post and rail.

4.2. The proposal also comprises the reinstatement of a historic orchard. The orchard would contain apple and prune species.

5. Planning History

5.1. No relevant planning history.

6. Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

Policies NP1, CS1, CS7, CS8, CS11, CS12, CS17, CS25, CS27, CS29, CS31, CS32, CS35

Saved Policies of the Dacorum Borough Local Plan

Saved Policies 10, 13, 18, 21, 51, 57, 58, 99, 100, 101, 111, 120
Saved Appendices 3 and 5

7. Constraints

- Area of Archaeological Importance
- Adj. Small Village Boundary
- Conservation Area
- Rural Area
- CIL Zone 2

8. Representations

Consultation responses

8.1. These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2. These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1. There are several key issues. First, the effect of the development on the character and appearance of the area; second, the effect on the setting of the Conservation Area and neighbouring listed buildings; third, the impact of the proposal on residential amenity; and fourth, the overall balance and whether the appeal proposal constitutes sustainable development in the countryside.

10. Principle of Development

10.1. Paragraph 55 of National Planning Policy Framework (henceforth referred to as the 'Framework') states, "to promote sustainable development in rural areas, housing

should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.”

10.2. The corresponding guidance in paragraph 50-001-20160519 of the Planning Practice Guidance ("the PPG") states:

10.3. “How should local authorities support sustainable rural communities?”

10.4. It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.

10.5. A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.”

10.6. The site falls just outside the defined ‘small village’ of Wilstone. It is Grade 3/4 Agricultural Land (low-medium quality). Dacorum’s Core Strategy (Policy CS7 – Rural Area) lists a number of uses that are acceptable within the defined ‘Rural Area’. Residential does not fall within this list. However, it does state that “small-scale development for housing...will be permitted at Wilstone, provided that it complies with Policy CS1: Distribution of Development and Policy CS2 Selection of Sites.”

10.7. The application site is situated on the edge (outside) of the settlement boundary (see Policies Map) and within the Rural Area. Numerous appeal decisions have revealed that the village envelope is not determinative in terms of judging the village boundary. It is therefore reasonable to consider the facts on the ground in coming to a planning judgement. The proposed dwelling is situated at the end of Chapel End Lane and would not require a new access. The positioning of the building would follow the building line of the neighbouring properties (Poppy Cottage, Jackdew Barn, etc.). Overall, it is considered that the proposed property would form a functional part of Wilstone village.

10.8. Policy CS1 states that development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Rural Area will be supported.

10.9. There are several benefits that would stem from the proposed development. These include a reduction in built development (floor space, footprint, bulk and volume), improved design, amenity/biodiversity gains to the countryside and enhancements to the Wilstone Conservation Area through the reinstatement of a historic orchard. In light of the above, the principle of development is considered acceptable.

The Tilted Balance

10.10. The Dacorum Borough Core Strategy was adopted on 25th September 2013 and is now more than five years old. The Council must now revert to the Government’s standard housing methodology to determine its housing supply position and calculate

housing land supply on that basis.

10.11. If the Council is unable to demonstrate a five-year supply of deliverable housing sites using the standard housing methodology (using an appropriate buffer), then it should take the 'tilted balance' in favour of granting planning permission (Paragraph 11 of the Framework) will apply.

10.12. Given the local housing need arising from the standard methodology and previous levels of supply, Dacorum Borough Council will not be able to demonstrate in full a five-year supply.

10.13. General policies not related to housing supply will continue to have the full weight of S38(6) of the Planning and Compulsory Purchase Act 2004, and planning decisions are to be made "in accordance with the plan, unless material considerations indicate otherwise".

10.14. Relevant policies for the supply of housing should not be considered up-to-date in accordance with Paragraph 11 (d) in the Framework. It no longer matters what policies are "out-of-date", the tilted balance requires that any applications are determined against the Framework. The balance is consequently tilted in favour of the presumption in favour of sustainable development except where:

- The application of policies in the Framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed (see Framework, footnote 6); or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as a whole.

10.15. The identification and weighing of material planning considerations in assessing applications will therefore need to be considered against the policies of the updated Framework including the tilted balance in favour of sustainable development. The application of the tilted balance is a matter for the decision-maker.

10.16. Dacorum Borough Council acknowledges that it is unable to demonstrate a 5-year supply of deliverable housing sites as required by the Framework. As a consequence the development shall be considered against the Framework's presumption in favour of sustainable development (Paragraph 11). In the absence of relevant up to date development plan policies, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are 'significantly and demonstrably' outweighed by the adverse impacts or where specific policies in the Framework indicate otherwise.

Design

Aesthetics

11.1. The design has evolved considerably following the withdrawal of the previous application (see 4/01232/18/FUL). With advice from Dacorum's Design Team, the scheme has progressed from that of a suburban appearance to more of a rural barn conversion.

11.1.1. The finalised design is felt to be in keeping with the general character of the area.

It uses suitable materials, with boarding, brickwork, slate style roofing and timber windows and doors. Dacorum's Conservation Department believe that it would "sit comfortably within the conservation area."

11.1.2. Overall, it is felt that the proposed dwelling would have a neutral impact on the character of the conservation area. The landscaping would enhance the area. As such, the proposal is felt to comply with saved Policy 120 and Policy CS27.

Volume

11.1.3. In terms of volume, the existing barns total 1061m³ (756m³ for the larger barn and 305m³ for the smaller). The proposed design totals 583m³ (the house is 542m³ and the shed is 40m³), which leads to a 45% total reduction in volume. This will benefit the overall openness in the Rural Area and is considered as an improvement to the countryside.

Height

11.1.4. The proposed dwelling has a ridge height of 6.36m and an eaves level of 3.1m. The design differs from the withdrawn scheme with the ridge height sitting 0.7m lower and the eaves 1.5m lower than the neighbouring dwellings. This can be seen on drawing PJSA-03-03, which demonstrates the levels.

Layout

11.1.5. The proposed dwelling has been located over the existing position of the larger barn to minimise disturbance to undeveloped land. The overall proposed curtilage is 1111m², with a proposed floor area approximately 73m² (30%) less than the existing barns. The overall footprint would be reduced by 45%.

11.1.6. The area allocated for the residential garden area is shown to the south-west of the building. The length of the garden is matches that of the neighbouring garden. However, the plot extends further to accommodate for the proposed orchard. The orchard will be 28m long and 18.5m wide.

11.1.7. Dacorum's Conservation and Design Department have welcomed the proposed orchard, stating that "it would re-establish a lost feature of the conservation area." A total of 10 new apple and prune trees have been proposed (see drawing PJSA- 02-02).

11.1.8. The applicant's Design and Access statement highlights that "the orchard would form part of the residential curtilage as it will need to be managed by the inhabitants of the dwelling as it is not intended to be a commercial operation." To ensure the longevity and maintenance of the proposed orchard, several conditions would need to be placed on the application if approved. The conditions would guarantee that no buildings could be constructed in the orchard area. They would also require a maintenance plan.

11.1.9. The proposed curtilage of the property uses existing fence lines to justify its extent. There is a 1.5m wide access down the north-east and north-west sides of the house, and a 2.4m route to the south-east side. The garden is 18.3m long. The garden depth and size would be acceptable for proposed dwellings, noting they would exceed the minimum 11.5m standard set out under saved Appendix 3.

Density

11.1.10. In density terms, the proposal is considered acceptable. The numerical density for the proposal would equate to approximately nine dwellings per hectare (DpH). This density figure may seem on the low end of the scale. However, it is commensurate with surrounding properties and following the pattern of development of the area in terms of site coverage and amount of building. It is not felt that the proposal would result in an overdevelopment of the site.

Summary

11.1.11. It follows the proposal would not raise any concerns with respect to aesthetics, volume, height layout and density when considered in its context, and would therefore accord with saved Policy 120, Policies CS11, CS12 and CS27 of the Core Strategy and Section 12 (Achieving Well-Designed Places) of the National Planning Policy Framework.

Impact on Access, Parking and Highway Safety

Access

11.2. The site would benefit from the existing vehicle access off Chapel End Lane. The leads right up to the application site – no additional road is proposed. Access into the neighbouring fields would be retained along with the gates leading to the right of way, which runs down the east side of the building. As part of the proposal, these gates will be replaced and made good to help enhance the appearance of the area (see drawing PJSA-03-03).

11.2.1. A number of neighbouring residents have raised concerns over the loss of the turning area fronting the proposed dwelling (north-east section of curtilage – see PJSA-01-01). It should be noted that this area, although used by residents and delivery vehicles, is within the applicant's ownership. Technically, this area should not be for public use. However, the applicant agreed to move the dwelling further back into the plot to retain a larger turning area.

Parking

11.2.2. Policy CS12 of the Core Strategy requires the provision of sufficient parking for new development. The proposed dwelling has four bedrooms. Saved Appendix 5 requires a maximum of three parking spaces for a property of this size in this location. The scheme provides three spaces on the north side of the house with direct access from the existing road. There is a six metre distance to the back of these spaces to allow for manoeuvring space.

Highway Safety

11.2.3. The highway authority has raised no objection with respect to highway safety in terms of the access, traffic generated by the proposed development, and proposed parking provision.

Summary

11.2.4. In light of the above, the addition of one new dwelling is not considered to result in adverse levels of parking stress and highway safety above existing conditions. The proposed access is deemed sufficient and there would be no conflict with the adjacent right of way. Therefore, the proposal would accord with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Impact on Heritage Assets

11.3. Policies relating to the protection of heritage assets are relevant on the application site, as it lies within a Conservation Area. There are also a number of listed buildings within proximate distance (Church Farm House, The Studio, Chapel End Farm House, 8 Chapel End Lane and 9 Chapel End). It would therefore be reasonable to apply the objectives of saved Policy 120 and Policy CS27 when assessing the proposal.

11.3.1. Based on the comments from Conservation and Design, the proposals would represent a sympathetic addition to the Conservation Area. The comments suggest that the proposed building would have neutral impact on the area, whilst the proposed landscaping i.e. re-instatement of the orchard, would have a positive impact. There would be no adverse impact on the settings of the listed buildings. The proposals are felt to have a limited impact on the surrounding heritage assets. Overall, the proposal would enhance the character and appearance of the Conservation Area as per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on Visual Amenity

11.4. Based on the assessment above, the proposal is considered to represent an appropriate addition within the street scene of Chapel End Lane and surrounding public vantage points. It is important to note that the proposed dwelling would correspond with the surrounding area in terms of form and design detail, achieving a suitable level of integration with the street scene and surrounding area. As such, the proposal would accord with Policies CS11 and CS12 with respect to its impact on the street scene.

Impact on Residential Amenity

11.5. There is only one property, 'The Studio', with a curtilage that directly adjoins the site. Poppy Cottage is the nearest neighbour in terms of the physical building, which lies approximately 11m to the south-east, on the other side of the right of way. The new positioning of the dwelling is around 2.5m further away than the withdrawn scheme and 0.6m than the existing barn.

Daylight/Sunlight

11.5.1. The daylight and sunlight tests normally used by Local Planning Authorities are set out in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011)'. The BRE guide gives two helpful rules of thumb (25° or 45° tests) which determine whether or not further detailed daylight and sunlight tests are required. Following these principles, it is not considered that there would be any significant loss of daylight or sunlight to the neighbouring properties.

Overlooking/Privacy

11.5.2. The proposed development is situated some distance from the closest neighbours fronting the site (The Studio and Church Farm House). There are two proposed windows at first-floor level that face these properties. One of which is obscure glazed and serves a bathroom, and one high-level roof light that serves a staircase. Considering this, it is not felt that the proposal would have any adverse impact on the privacy of these neighbours. The separation distances of 33m (The Studio) and 39m (Church Farm House) reinforce this.

11.5.3. Poppy Cottage is situated 11m away from the proposed dwelling. There are no flank windows on this neighbour that would be overlooked. The proposal may allow obelie views into the garden, however, this would be extremely similar to the existing relationship between Poppy Cottage and Jackdew Barn.

11.5.4. With regards to overlooking/loss of privacy, there would be no direct views into any of the neighbouring properties. It is therefore felt that any impacts with regards to loss of privacy and overlooking are insignificant.

Visual Intrusion

11.5.4. The proposed scale and siting of the development would not result in significant additional visual bulk above existing conditions. Therefore, the development is not felt to be unacceptably harmful in this regard.

Summary

11.5.5. As discussed above, there is sufficient separation and visual relief to address matters relating to overlooking, visual intrusion and loss of light. Therefore, the proposed buildings would not give rise to any unacceptable issues relating the residential amenity, complying with Policy CS12.

11.5.6. If planning permission is granted in the interests of safeguarding the residential amenity of the locality it would be reasonable to remove permitted development rights relating to Classes A and B for extensions and roof extensions, respectively.

Sustainable Development

11.6. Accessibility to services, facilities and employment from the site other than by car would be poor. The development would make a modest contribution to meeting housing need. A minor economic benefit would arise from developing the site and the economic activity of those occupying the dwelling. There would not be material harm to the character and appearance of the surrounding area or to the setting of listed buildings. Overall, the proposal would amount to sustainable development. Permission should be granted in accordance with the Framework's presumption in favour of sustainable development.

Impact on Ecology

11.7. A number of the neighbouring residents have raised concerns with the potential for bats and owls to be roosting in the barns. During the Case Officer's site visit, it was apparent that there were a number of birds nest within the larger barn structure.

11.7.1. Following this, additional surveys were requested from the applicant and

Hertfordshire Ecology were re-consulted. They responded as follows:

11.7.2. "The buildings have been adequately surveyed for bats and birds. They have been found to have negligible potential for bats, consistent with our previous views that they appeared suboptimal due to their construction and condition. However, given the local reports of bats, this issue should have been adequately assessed. Consequently it is reasonable for the LPA to consider that bats are unlikely to be present and so it can determine the application accordingly, having taken bats sufficiently into consideration.

11.7.3. Bats can still be present in unexpected locations, so as a safeguard I advise that an Informative should be attached to any permission to the effect that:

If during works bats or evidence of bats is discovered, all work should stop and advice sought from a professional consultant or Natural England.

11.7.4. The provision of bat boxes within the local area would also be beneficial for bats, although I acknowledge the new orchard provision will provide the principle ecological enhancement associated with any permission.

11.7.5. A bird's nest was found associated with ivy in Barn 2. Advice is provided to ensure birds are not harmed as a result of demolition works affecting either barn:

Vegetation clearance and demolition works should be undertaken outside of the bird nesting season (April – August inclusive depending on weather conditions). If this is not practicable then the barn will need to be first checked for nesting birds and, if any nests are found, works that would disturb the nest must be postponed until all young have fledged the nest and it is no longer in use.

11.7.6. This advice follows best practice and should be attached to any approval as an Informative.

11.7.7. The pond was assessed for Great crested newts and a Habitat suitability Index has been provided. This indicates the seasonal pond feature to be poor for GCN. It is therefore highly unlikely that this species is present locally and so is unlikely to be affected by the proposals.

11.7.8. On the basis of the above, I consider all potential protected species issues have been satisfactorily dealt with and so the LPA can determine the application accordingly having taken these species into account."

11.7.9. The advice above will be taken into account. If the application is approved, the suggested informatives added would be added to the permission.

Response to Neighbour comments

11.8. There have been nine objections from neighbouring properties. All of the issues raised have been addressed within this report.

Community Infrastructure Levy (CIL)

11.9. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. Policy CS35 requires all developments to

make appropriate contributions towards infrastructure required to support development. The application is CIL liable if it were to be approved and implemented.

11.9.1. The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre is applicable to this development. The CIL is calculated on the basis of the net increase in internal floor area. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

12. Conclusions

12.1. The development site forms a part of Wilstone. The proposal would help to support the vitality of the rural community. The principle of development is therefore considered acceptable in accordance with Policy CS1 of the Dacorum Borough Core Strategy and Paragraph 55 of the Framework.

12.2. The proposed scheme in its context would result in an overall improvement to visual amenity and the appearance of the conservation area. The characteristics of the countryside, Conservation Area and surrounding listed buildings would not be compromised. There would be no significant highway safety concerns. The proposed car parking arrangements are sufficient. There would be no serious impacts on residential amenity. As such, the development is considered acceptable with the policies listed within this report.

13. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The approved orchard shall be planted prior to the first occupation of the development hereby permitted. Any tree that forms part of the approved orchard which within a period of ten years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree of a species, size and maturity.</p> <p>Reason: To ensure that the reinstated historic orchard is planted and retained in accordance with saved Policy 120 of the Dacorum Borough Local Plan (2004) and Policy CS27 of the Dacorum Borough Core Strategy (2013).</p> <p>Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 of the Dacorum Borough Core Strategy (2013).</p>
3	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting</p>

	<p>that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:</p> <p>Schedule 2, Part 1, Classes A and B.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding visual and residential amenity, and the character of the locality in accordance with Policies CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2018).</p>
4	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) (Order) 2015 as amended (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Class E shall take place within the proposed orchard area, as shown as hatched in pink on drawing PJSA-02-01-A.</p> <p>Reason: The orchard is one of the key benefits of the proposed development. The above condition will ensure that the proposed orchard is not destroyed or removed under the provisions of Schedule 2, Part 1, Class E permitted development rights. The local planning authority can therefore retain control over development in the orchard area the interests of safeguarding the character of the area, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).</p>
5	<p>The proposed fencing, terrace and driveway shall be constructed in accordance with the submitted Design and Access Statement (Page 11) unless otherwise agreed by the Local Planning Authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the character and appearance of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Section 12 of the National Planning Policy Framework (2018).</p>
6	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>PJSA-02-01-A PJSA-02-02 PJSA-03-01 PJSA-03-02-A PJSA-03-03-P3</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning</p>

Appendix A

Consultation Responses

Conservation and Design

The existing site is on the edge of the village but still within the conservation area. It consists of two large modern barns, an area of overgrown land and a field.

From our study of historic mapping this area was included within the conservation area due to it being part of a historic orchard. This seems to have been removed in the 1980s or thereabouts.

The proposal is for a replacement dwelling. Given that the barns could in theory be converted which would be detrimental to the character of the conservation area officer time was spent with the applicant agreeing a design. We believe that the design arrived at would be in keeping with the general character of the area. It uses suitable materials, with boarding, brickwork, slate style roofing and timber windows and doors. The scale mass and form are also in keeping. Therefore we believe that it would sit comfortably within the conservation area.

In addition we believe that the proposed landscaping would enhance the conservation area. The reinstatement of the orchard would be most welcome and it would re-establish a lost feature of the conservation area. The other areas of landscaping within the site would be appropriate in that they are of suitable local materials.

Therefore overall we believe that the proposed new dwelling would have a neutral impact on the character of the conservation area and the landscaping would enhance the area. As such we would welcome the proposals and recommend approval.

Recommendation: We would support the proposals. External materials, roof lights, rainwater goods, joinery details and finishes subject to approval. Landscaping materials subject to approval. It would be recommended that the trees within the orchard are subject to condition of a long term management plan for their maintenance.

Hertfordshire Fire and Rescue

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

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

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

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

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

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the

developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

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

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.

I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit

Hertfordshire Highways

Proposal

Demolition of two agricultural barns. Replacement with single-family dwelling and reinstatement of an orchard.

Decision

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

If the planning authority resolves to grant permission the highway authority recommend inclusion of the following advisory note to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980 AN1. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works. Prior to commencement of the construction of any development the applicant should submit a construction management plan for LPA's approval in consultation with the highway authority.

Description of the Proposal

The proposals are for demolition of existing two agricultural barns and construct a single family dwelling including reinstatement of orchard. Policy Review As part of the Design and Access statement, the application should take account of the following policy documents; • National Planning Policy Framework (July 2018); • Hertfordshire County Council's (HCC) Local Transport Plan-4 [2018-2031, May 2018] Site Description: The proposed development is sited at the top end of Chapel End Lane which is a Cal De Sac and classified as an Unclassified Road "U". The proposed site can be accessed via an existing. Highway Layout: Vehicle Access: The proposed development site benefits from an existing access from Chapel End Lane and according to the submitted application,

there is no proposal for alteration of access arrangement.

Highway Safety – Visibility The existing vehicle to vehicle and pedestrian - visibility would not be affected by the proposed development. **Servicing the Development: Refuse Collection** The refuse collection is an existing arrangement for the applicant site. **Parking** According to the submitted application, there is a provision of 3 car parking spaces. However, Hertfordshire County Council as the highway authority, is very keen for sustainable development, therefore it is a great opportunity to review the provision of providing of electric charging points at the proposed development site. Such as siting, type, the energy sources and the strategy/management plan of supplying and maintaining of the electric charging points **Conclusion:** Hertfordshire County Council as Highway Authority has considered that the proposal would not have a reasonable impact on the safety and operation of the adjoining highways and consequently has no objections to the proposal.

Hertfordshire Ecology

Thank you for consulting Hertfordshire Ecology on this application. I apologise for the delay with this reply.

I note we have previously commented on proposals at this site, mainly in relation to orchard / fruit trees planting. I have the following comments to make on this application: The Design & Access Statement shows the two barns to be open sided, which would generally be considered sub-optimal for bats to use for roosting, as the temperature and weather conditions within the barn would be variable, which bats do not like. However, due to the rural location, and the presence of dense vegetation covering part of the barns, bats are likely to be in the area; and there may, in fact, be suitable features within the structures for roosting.

Bats are protected under European and national legislation and in general terms, it is an offence to disturb or harm a bat, or damage or obstruct access to a roost. They will roost in buildings (often underneath loose tiles or lifted weatherboarding, or in gaps/cracks in the fabric of a building), as well as in trees, if suitable features and conditions are available.

There is a report of bats using the barns and consequently this should be investigated further to avoid a potential offence being committed. In addition, I understand that birds' nests have been seen in one of the barns, and owls have been reported from the vicinity. All wild birds, their nests, eggs and young are protected under the Wildlife and Countryside Act (1981) from killing, injuring, damaging or taking. This includes owls, and Barn owls are on Schedule 1 of the Act, which gives extra protection against *disturbance* when nesting.

Bat and bird assessment

I believe it is reasonable to advise a daytime Preliminary Roost Assessment (PRA) is undertaken by an appropriately qualified and experienced ecologist to evaluate whether bats, or evidence of them, are present and will be affected by the proposals. Such surveys can be undertaken at any time of year but should follow established best practice as described in the Bat Conservation Trust Good Practice Guidelines, 3rd edition, 2016.

In the event that evidence, or potential for bats, is found, further nocturnal surveys (dusk emergence / dawn re-entry surveys) may be required which can only be carried out when bats are active in the summer months between May and August, or September if the weather remains warm. The results of any follow-up surveys should provide mitigation measure to safeguard bats if they are to be affected by the proposals.

As bats are European Protected Species (EPS), this information is required to be submitted to the LPA *prior to determination* - so the LPA can fully consider the impact of the proposals on bats and discharge its legal obligations under the Habitat Regs.

It should be noted that if bats are found to be roosting within the property and will be affected by the proposals, appropriate mitigation measures will need to be carried out under the legal constraints of a European Protected Species (EPS) development licence. Natural England may require a number of activity surveys for a licence to be issued, consequently these need to be factored in to any development timescale.

Any building clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

The roost assessment should also look for signs of nesting birds and active nests, and provide appropriate mitigation and/or compensation accordingly.

Biodiversity enhancements

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. In this instance, the development should aim to enhance the site for bats and birds, which could include the provision of roosting opportunities through the installation of bat boxes on the new buildings or suitable trees; installation of bird boxes for possibly owls, swifts, swallows and martins, etc.; and the creation of foraging areas by planting species which attract night flying insects.

Comments on additional information

Thank you for consulting Hertfordshire Ecology on the further information above, for which I have the following comments:

1. The buildings have been adequately surveyed for bats and birds. They have been found to have negligible potential for bats, consistent with our previous views that they appeared suboptimal due to their construction and condition. However, given the local reports of bats, this issue should have been adequately assessed.

Consequently it is reasonable for the LPA to consider that bats are unlikely to be present and so it can determine the application accordingly, having taken bats sufficiently into consideration.

Bats can still be present in unexpected locations, so as a safeguard I advise that an Informative should be attached to any permission to the effect that:

If during works bats or evidence of bats is discovered, all work should stop and advice sought from a professional consultant or Natural England.

The provision of bat boxes within the local area would also be beneficial for bats, although I acknowledge the new orchard provision will provide the principle ecological enhancement associated with any permission.

2. A bird's nest was found associated with ivy in Barn 2. Advice is provided to ensure birds are not harmed as a result of demolition works affecting either barn:

Vegetation clearance and demolition works should be undertaken outside of the bird nesting season (April – August inclusive depending on weather conditions). If this is not practicable then the barn will need to be first checked for nesting birds and, if any nests are found, works that would disturb the nest must be postponed until all young have fledged the nest and it is no longer in use.

This advice follows best practice and should be attached to any approval as an Informative.

3. The pond was assessed for Great crested newts and a Habitat suitability Index has been provided. This indicates the seasonal pond feature to be poor for GCN. It is therefore highly unlikely that this species is present locally and so is unlikely to be affected by the proposals.

4. On the basis of the above, I consider all potential protected species issues have been satisfactorily dealt with and so the LPA can determine the application accordingly having taken these species into account.

Appendix B

Neighbour Notification/Site Notice Responses

CHAPEL END FARMHOUSE, 6 CHAPEL END LANE, WILSTONE, TRING HP23 4NY

I have received the application for this via our next door neighbour who have kindly informed us of the above application. We have not received any notification of the planning application and I am glad that they have informed me of the application as I object to the application for a number of reasons:

We live in a conversation area and therefore this was a strong reason for buying our house as we felt that the area would be protected from development.

The proposed application is at the end of a road that leads into a foot path and is a right of way to all walkers.

The proposed development location floods on a regular basis and seems to be a natural resting place for the water from the stream that runs next door to the proposed development therefore if the development happens what will happen to the water when the area floods.

The development looks down the road onto neighbouring properties.

It will create extra traffic.

If the development is allowed it could create further development in a conversation area.

the development does not appear to be in the existing site of the barn.

The barn is constantly used by the farmer.

A number of development projects have gone ahead in the village already with Wilstone Quay, Dixons Wharf, and a development in the village of 3 houses.

The development is not affordable housing and therefore is not required.

This is the third application they have made in a short period of time and therefore the reasons for not accepting the application on previous occasions have not changed and should be turned down on the same basis.

I do not wish to stand in the way of development however on this occasion the development does not appear to benefit anyone within the village and is not required. I trust that you find my comments reasonable and valid.

JACARANDA, 5 CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

I object to this plan on the following grounds:

- increased traffic along a single track lane.
- development of what is currently agricultural land
- loss of turning area currently used by delivery vehicles and occupiers of other houses in the lane
- the lane is not suitable for large building lorries
- disturbance and noise during building works

Further comments

On reading the application I am wondering if this is some sort of planning fraud as the person saying they are the owner does not live at the address given and as far as I know does not live in the village. This was pointed out by other people and the actual owners of the address given but the council has still allowed this application to go ahead. Should this not be stopped now on the grounds of attempted fraud?

1 CHAPEL FIELDS, WILSTONE, TRING, HP23 4SL

My objection is the same as previously. 7/7/18

Nothing has changed re access as the lane is only single carriageway.

The proposed parking area is used by large vehicles, such as delivery lorries, service and emergency vehicles for turning.

The photographs shown in the original application regarding parking were "staged".

The sewerage system in the village is already overstretched.

The barn is home to protected bats and owls.

I am advised that the land flooded several years ago.

It adjoins a public footpath.

The proposer does not live adjacent to the property in no.7 Chapel End Lane as reported on the application.

There will be considerable disruption to the residents of Chapel End Lane during construction with the traffic in the narrow lane.

8 CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

I am writing to strongly object to the above planning application to turn an agricultural barn into a house. I have lived in Chapel End Lane all my life and am appalled by the number of new houses that have been built in the last few years. I estimate that in the last ten years there have been 33 houses built in Wilstone. Wilstone has no industrial facilities and all these extra houses just increase the traffic issues.

My objections are as follows

The development is outside the village envelope and is in the Conservation Area and Green Belt. Setting a precedent of allowing developments in a Conservation Area should not be allowed.

The area is very tranquil and peaceful and the barns are in keeping with an agriculture setting. There are bats and owls roosting in the barns.

Chapel End Lane is a single lane with 14 dwellings and we already have a traffic and parking problem. Visitors, deliveries (of which there are numerous every day), partially disabled dog walkers and ramblers use the turning circle to park in. This will not be possible with the new plan as they would be blocking off the three new car spaces, for the new house, and they will therefore park in the lane causing even more traffic issues. Larger delivery and service vehicles will not be able to access the lane and will cause traffic issues on Tring Road.

Emergency vehicles will have a problem gaining access to the end of the lane where there are several elderly and retired residents.

ALL 14 residences in Chapel End Lane are against the development.

The barn and the lane are prone to flooding and have been flooded many times over the years. Only two years ago when Wilstone and Long Marston experienced bad flooding, the barn and the lane was totally flooded and the farmer had to abandon its use. The house will be liable to flooding and permission to build on a known flood risk should not be granted.

10 GRANGE ROAD, WILSTONE, HP23 4PG

I am writing to make an objection to the above planning application.

I have lived in Wilstone for over 30 years and walk my dogs in the surrounding countryside.

I feel the local wildlife must be protected - bats and owls dwell in the barns and the disruption due to the demolition would be immense.

Please consider that my objections and the other villagers are making.

CHURCH FARM HOUSE, 7 CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

I am writing to strongly object to the above planning application.

The application should be determined in accordance with the relevant policies in the Development Plan, as expressed in Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise. In this case the proposal does not accord with the relevant policies in the Development Plan and the harm to policy that would be caused by granting planning permission for this unsustainable form of development (particularly in Wilstone which recently has had 33 new houses built including 21 houses in Dixons Wharf, 8 houses in Wilstone Wharf and 3 houses opposite the village pub) should be avoided.

My objections are as follows

1) The application is unacceptable in principle. It is outside the village envelope and is in the Conservation Area and Green Belt where Core Strategy policy CS7 applies. In the Rural Area this policy only allows for the replacement of existing buildings for the same use, not for change to residential use, it does not fall within the definition of previously developed land in Annex 2 to the National Planning Policy Framework (NPPF), which specifically excludes "land that is or has been occupied by agriculture or forestry buildings." Setting a precedent of breaking the Core Strategy policy re change of use and allowing developments in a Conservation Area should not be allowed.

2) There are bats and owls roosting in the barns. The light pollution from a new dwelling will impact on these and other wildlife currently using the field and the dew pond, adjacent to the barn, including little egrets, heron, ducks and geese. A Bat Survey must be carried out. The domestication of the site resulting from the replacement of the existing barns with a dwelling with the associated activity and light pollution in what is currently a tranquil location will not enhance biodiversity or enhance the conservation area, as suggested in the Design and Access Statement and will actually have the opposite effect.

3) Church Farm House, The Studio, Chapel End Farm House, 8 Chapel End Lane and 9 Chapel End Lane are all listed buildings and create an old world agricultural feeling. The area is very tranquil and the barns are in keeping with an agriculture setting. Changing from a rural/agricultural building to a residential dwelling is a Visual Intrusion to the listed buildings of Church Farm House and The Studio. Moving the new building outside the existing footprint of the barn has even greater impact on these listed buildings regarding loss of privacy and being overlooked. The existing barn is appropriate to its rural location.

4) Chapel End Lane is a single lane with 14 dwellings and we already have traffic and inadequate parking problems. Increased traffic created by another house will make the situation even worse. Visitors, service vehicles, deliveries (of which there are numerous every day), dog walkers and ramblers all use the area in front of the barn to park in. This will not be possible with the new plan as they would be blocking off the three new car

spaces, for the new house. They will therefore be forced to park in the lane thereby causing even more traffic issues. Larger delivery and service vehicles, such as oil tankers, will not be able to access the end of the lane easily. Emergency vehicles will have a problem gaining access to the end of the lane where there are several elderly and retired residents. ALL 14 residences in Chapel End Lane are against the development.

5) The barn and the lane are prone to flooding and have been flooded many times over the years. Only two years ago when Wilstone and Long Marston experienced bad flooding, the barn and the lane was totally flooded and the farmer had to abandon its use. The house will be liable to flooding and permission to build on a known flood risk should not be granted. The Environment Agency's map identifying Risk of Flooding from Surface Water identifies that the site is at a High risk of flooding. There is no doubt that a Flood Risk Assessment is required in order to demonstrate that the proposal will not increase flood risk to the development site or the surrounding area. The Local Lead Flood Authority should be consulted on the application and should require demonstration of a viable method of surface water disposal to be provided at planning stage.

6) The Application Form is inaccurate and misleading. The applicant has, yet again, provided false information by claiming to live in Church Farm House. This is misleading and has caused confusion and this alone should be sufficient for it to be rejected.

I trust that reasons of failure in Principle by changing an agricultural building into a domestic dwelling in a Conservation area, Visual Intrusion, Loss of Privacy, being Overlooked, the presence of Bats and Owls, Flood Risk, increased Traffic and Inadequate Parking issues in the lane and an erroneous application are enough reasons for permission to be withheld.

POPPY COTTAGE, CHAPEL END LANE, WILSTONE, TRING, HP23 4NY

As the owner of a property which adjoins the application site I wish to object to this planning application.

The application should be determined in accordance with the relevant policies in the Development Plan, as expressed in Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise. In this case the proposal does not accord with the relevant policies in the Development Plan and the harm to policy that would be caused by granting planning permission for this unsustainable form of development would not be outweighed by any material planning considerations for the following reasons:

- The site is not within the defined settlement of Wilstone and is in the Rural Area where Core Strategy policy CS7 applies. In the Rural Area this policy only allows for the replacement of existing buildings for the same use, not for change to residential use. Although it also allows for the redevelopment of previously developed sites, as the site is in agricultural use it does not fall within the definition of previously developed land in Annex 2 to the National Planning Policy Framework (Framework), which specifically excludes "land that is or has been occupied by agriculture or forestry buildings".

Therefore, the development is unacceptable in principle and with the harm that it will cause and the absence of special circumstances to justify the proposal it should not be entertained.

- The site is prone to flooding and is not suitable for residential use. In the spring of 2014, when Long Marston and Wilstone experienced flooding, water was running across the access track and into the existing barn. The site has critical drainage problems and is not accompanied by a Flood Risk Assessment. The Environment Agency's map identifying Risk of Flooding from Surface Water identifies that the site is at a High risk of flooding. There is no doubt that a Flood Risk Assessment is required in order to demonstrate that the proposal will not increase flood risk to the development site or the surrounding area. The Design and Access Statement submitted in support of the application states that water harvesting technologies will be used to reduce water run off to help mitigate flooding in the area, but no details of what is proposed and how it would achieve this objective are provided. The applicant has not demonstrated that the surface water runoff generated by the site can drain sustainably without increasing flood risk to the site or elsewhere, to comply with paragraph 164 of the Framework. Surface water drainage should inform the site layout, allowing for a gravity fed system and ensuring adequate space for above ground SuDS components. The Local Lead Flood Authority should be consulted on the application and should require demonstration of a viable method of surface water disposal to be provided at planning stage.

- While the proposal will result in a reduction in footprint and volume of development, which would benefit openness, the domestication of the site resulting from the replacement of the existing barns with a dwelling with the associated activity and light pollution in what is currently a tranquil location will not enhance biodiversity or enhance the conservation area, as suggested in the Design and Access Statement. The simple form of the existing barn is appropriate to its rural location. Although it is clad in corrugated fibre cement sheeting, this is a material often used on rural buildings and in any event could be replaced with black stained weatherboarding and achieve the improvements in appearance outlined in the Statement without the need to introduce an additional dwelling in this inappropriate and unsustainable location.

- The existing buildings are frequented by bats and by Barn and Little Owls. Therefore, their removal would harm biodiversity and is unacceptable, as it would result in the loss of habitat for these species, which are protected by law. No surveys have been submitted with the application to allow the local planning authority to assess the impacts of the development on protected wildlife and while the Design and Access Statement suggests that log piles, bat and bird boxes and log piles would be provided in the garden, no details are provided of these on the submitted plans. The benefits of the proposal do not amount to special circumstances that outweigh the significant harm of this proposal to biodiversity, despite the unsubstantiated claims to the contrary.

- The submitted Design and Access Statement asserts that the existing barns are unsightly and have a negative impact on the conservation area. It also asserts that their replacement with a dwelling with an "Essex barn" aesthetic will enhance the area. However, the removal of the barns, which are rural in character and appropriate to their location, with a replacement building of insufficiently high quality together with the

domestication of the site will harm the character and appearance of Wilstone Conservation Area and its significance as a designated heritage asset, contrary to the statutory test, local plan policy and national guidance.

- Although the Statement claims an "Essex barn" aesthetic it is clear that the design of the dwelling attempts to achieve the aesthetic of a traditional threshing barn, which often had tall gabled porches to the front and rear each side of the threshing floor. However, the design is an illiterate interpretation of a threshing barn as the porches are staggered and are clearly included for the sole purpose of introducing windows and first floor level. Also, the pitch of the roof is inappropriately low and the use of slate instead of plain tiles further demonstrates the lack of understanding of traditional barns in Hertfordshire, as does the inclusion of half-hips, which are a rare feature on Hertfordshire threshing barns. While the adjacent barns have similarly pitched fully hipped roofs, they are of a simpler form without porches and belong to a more recent period of history than the threshing barns the design attempts to emulate.

- The proposed replacement building is not of sufficiently good design for the sensitive location in the Conservation Area and in the setting of Church Farm House, a grade II listed building. The application form states that roof will be of "slate effect tiles", further demonstrating a lack of appreciation of the quality needed for this sensitive context and no information is provided of what material the permeable parking spaces will be paved in. The domestic appearance of the building, due to the distribution of windows and glazed doors is not appropriate to this sensitive location and in our view would cause less than substantial harm to Wilstone Conservation Area and the setting of Church Farm House, without any public benefits being identified or existing that could outweigh the harm, contrary to the requirements of paragraph 197 of the Framework. This is also contrary to the requirements of paragraph 124 of the Framework, which identifies that good design is a key aspect of sustainable development.

- The design includes windows and glazed doors serving bedrooms which overlook my own property, Poppy Cottage as well as, the gardens of Church Farm House, The Studio, this will affect the privacy and enjoyment of all our private amenity spaces. In particular the proposed glazed doors at first floor level to the south-east elevation will directly overlook the private rear garden of our property, Poppy Cottage from one of the bedrooms. This would cause unacceptable harm to our living conditions.

- The site includes part of a public footpath and will significantly harm the rural character of the area enjoyed from this footpath both due to the inappropriate design of the building and the domestic use of the garden. The footpath forms part of the Black Popular Trail.

- Although the existing buildings are of no architectural or historic interest they are rural in character and are appropriate to their location. Their appearance could be improved without their replacement with a new dwelling and if they were to be lost that would benefit the openness and appearance of the countryside.

- The unmade track that serves the site is also a public footpath and there would be potential conflict between pedestrians and users of the footpath.

- Once AGAIN the application form states that the applicant, Mrs Anne Johnson, resides at Church Farm House, whereas it is owned and occupied by my neighbours John and Catherine Tod. There is no justification for this misleading error.

For the reasons given I consider the proposal does not accord with the Development Plan and would cause harm to issues of acknowledged importance, including the statutory duty to preserve or enhance the character or appearance of the Conservation Area, the setting of a listed building, the living conditions of the occupants of neighbouring properties, biodiversity, pedestrian safety and due to the absence of good design. There are no material or special circumstances to outweigh the significant harm that would arise from this development if granted. We, therefore, urge the local planning authority to refuse this unsustainable and ill-conceived proposal.

It is inconceivable that the local planning authority could grant the application given the above, not least due to the significant overlooking of the rear garden of our property from the glazed doors at first floor level. However, if an application were ever to be approved I request that Permitted Development rights be removed for all extensions and alterations to the dwelling and for oil tanks and outbuildings under Schedule 2 Part 1 Classes A, B, C, D and E of the GPDO 2015, in order to safeguard the countryside from encroachment and safeguard the character and appearance of the Conservation Area.

THE STUDIO, CHURCH FARM HOUSE, 7 CHAPEL END LANE WILSTONE, TRING, HP23 4NY

As the resident in the property adjacent to this proposed development, I am objecting to this planning application for the following reasons:

- The proposed development is sited within a conservation area and I'm worried that approval of this scheme will open up the site to further development in future
- I concerned about loss of privacy. The proposed development has a number of windows overlooking the property where I reside ('The Studio'). There is no residential property present on the proposed site currently - and the proposed residential scheme features a number of windows which will overlook The Studio.
- If this scheme is approved the resulting residential property will cause me to suffer further disturbance through the creation of light pollution when lights are on in the property at night.

I ask the planning offers to factor in my objections when considering this application.

THE OLD BARN, CHAPEL END LANE, WILSTONE, TRING HP23 4NY

My objection is two fold:-

- (i) Such a development has no place in a conservation area
- (ii) On a practical level the development is at the end of a single track lane with limited

parking & restricted access/turning for delivery vehicles already. Such infrastructure does not allow for increased vehicle usage.

CHAPEL END BARN, CHAPEL END LANE, WILSTONE, TRING HP23 4NY

We formally object to planning application 4/02469/18/FUL.

Latest application makes no reference to two prior applications, simply a variation on previous applications by the same Mrs Anne Johnson for the same site- yet again the applicant uses an address not owned or lived in by Mrs Johnson. We previously objected 10th June 2018 to application 4/01232/18/FUL.

Regardless of the quality of the intended development, we unequivocally object on the basis the site is within Wilstone's Conservation Area Boundary as detailed on Dacorum's website: [http://www.dacorum.gov.uk/docs/default-source/strategic-planning/wilstone-\(pdf-2-37-mb\).pdf](http://www.dacorum.gov.uk/docs/default-source/strategic-planning/wilstone-(pdf-2-37-mb).pdf).

How can a proposal be considered in a designated Conservation Area ? How is it possible or necessary to build a luxury house in a Conservation Area which, contrary to the planners suggestion, would be detrimental to existing residents and adjacent land. Dacorum's website section on Conservation Areas talks of "special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". The proposed building would by it's very nature be a new build, would in no way enhance and has no place within a designated Conservation Area. The agricultural buildings proposed for destruction are part of the rural fabric we live in and should remain.

We object on the basis of the proposed site not being within the defined settlement boundary of Wilstone where Core Strategy Policy CS7 applies- Rural Area Policy allow's for replacement of existing buildings for the same use and not for a developer to change to residential use. The developers suggestion derelict building's are an eyesore is not an opinion garnered by a survey but a falsehood based on their intention to develop the site in order to sell. To us the existing buildings are an integral part of the rural fabric, an important reminder of the lands agricultural heritage and currently offer sanctuary to creatures including owls, bats, birds, insects and pollinators.

If the development is allowed to go ahead, what state does it leave the Conservation Area? What will Dacorum do to ensure no subsequent developments are permitted adjacent to the proposed site or require access from Chapel End Lane?

A section of the site boundary runs alongside a beautiful stretch of Conservation Area public footpath, Black Popular Trail, and will significantly harm its rural character, spoiling the views for all. It is imperative existing buffers between settlement boundaries and working agricultural land are protected.

Chapel End Lane is a no-through single track lane. Parking and access is already constricted and development of the site, both during it's construction and eventual settlement, will compound the issue. Additional traffic will add pressure on resident

parking, Emergency Services and Dacorum's Waste Collection. As a Conservation Area with interlinked Grade II listed properties and Essex style barns it is imperative emergency services get through unimpeded.

The newly re-submitted proposal is very much visible from our property- whilst marginally further away, it's new orientation will have a significant bearing on our view of the agricultural land, especially from our main entrance, sitting room and master bedroom all overlooking the North-East elevation with the number of windows having increased from four to six plus a front door.

To summarise we object to the proposed plan for the following reasons:

- Loss of Conservation Area
- Loss of rural views from our property
- Destruction of historical agricultural buildings
- Inappropriate new build within Conservation Area
- Loss of privacy owing to direct visual intrusion
- Too many windows in direct view
- Increased traffic
- No thru road- compromise of turning point
- Endangerment to emergency access
- Loss of temporary parking

COUNCILLOR CONWAY

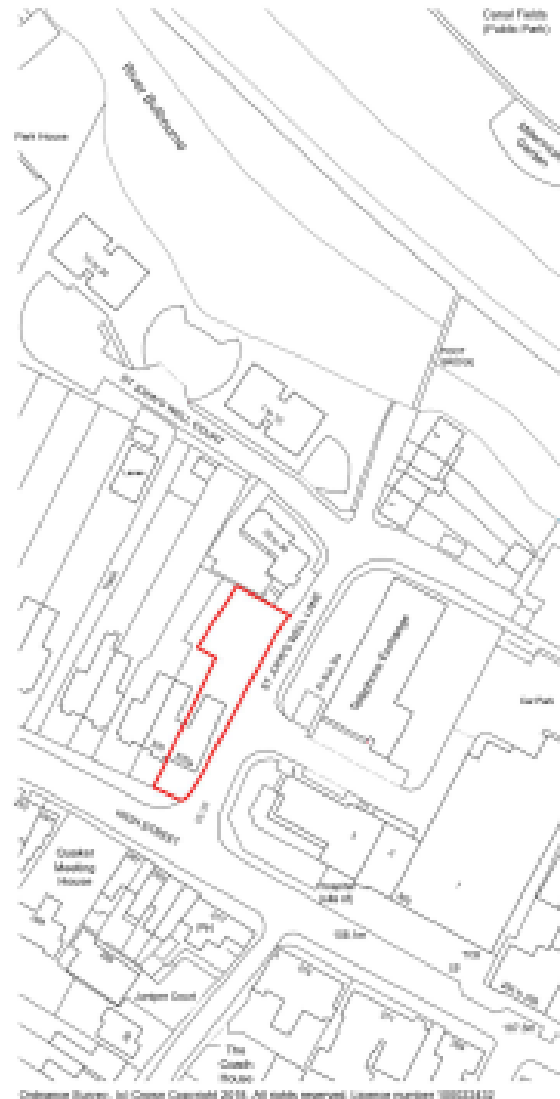
The application will affect the setting of the listed farmhouse. The new orientation of the property will also result in loss of privacy to the residents of this property, conflicting with the aims of the Core Strategy, Policy CS12 (c). Chapel End Lane is narrow and there are existing issues with parking. The proposal will emphasise this issue, at odds with Policy CS12 (b).

I also am concerned about the bats and owls in the existing barns – we will need to see what the report finds.

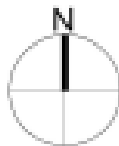
Agenda Item 5e

Item 5e 4/02993/18/FUL CHANGE OF USE AND CONVERSION OF EXISTING GROUND FLOOR FROM VETERINARY PRACTICE INTO A TWO-BEDROOM FLAT. ROOF EXTENSION AT FIRST FLOOR TO INCREASE SIZE OF EXISTING FIRST FLOOR FLAT TO A LARGER TWO-BEDROOM FLAT. CONSTRUCTION OF TWO NEW-BUILD TWO-BEDROOM APARTMENTS TO THE REAR FACING ST.JOHN'S WELL LANE. PROVISION OF CAR PARKING FOR FIVE VEHICLES, FIVE-BAY CYCLE STORE AND WASTE REFUSE STORE.

320A HIGH STREET, BERKHAMSTED, HP4 1HT



Osborne Survey, (c) Crown Copyright 2018. All rights reserved. Licence number 100021412



01 Site Location Plan
1:1250

Item 5e 4/02993/18/FUL CHANGE OF USE AND CONVERSION OF EXISTING GROUND FLOOR FROM VETERINARY PRACTICE INTO A TWO-BEDROOM FLAT. ROOF EXTENSION AT FIRST FLOOR TO INCREASE SIZE OF EXISTING FIRST FLOOR FLAT TO A LARGER TWO-BEDROOM FLAT. CONSTRUCTION OF TWO NEW-BUILD TWO-BEDROOM APARTMENTS TO THE REAR FACING ST.JOHN'S WELL LANE. PROVISION OF CAR PARKING FOR FIVE VEHICLES, FIVE-BAY CYCLE STORE AND WASTE REFUSE STORE.

320A HIGH STREET, BERKHAMSTED, HP4 1HT



4/02993/18/FUL	CHANGE OF USE AND CONVERSION OF EXISTING GROUND FLOOR FROM VETERINARY PRACTICE INTO A TWO-BEDROOM FLAT. ROOF EXTENSION AT FIRST FLOOR TO INCREASE SIZE OF EXISTING FIRST FLOOR FLAT TO A LARGER TWO-BEDROOM FLAT. CONSTRUCTION OF TWO NEW-BUILD TWO-BEDROOM APARTMENTS TO THE REAR FACING ST.JOHNS WELL LANE. PROVISION OF CAR PARKING FOR FIVE VEHICLES, FIVE-BAY CYCLE STORE AND WASTE REFUSE STORE.
Site Address	320A HIGH STREET, BERKHAMSTED, HP4 1HT
Applicant	Mr Williams, 24 Chestnut Avenue
Case Officer	Rachel Marber
Referral to Committee	Contrary views of Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 As the retention of the existing veterinary practice in this location is not protected by planning policy and the council would greatly benefit from the additional new homes on this site, the principle of residential development in this area is considered acceptable in accordance with Policies, NP1, CS1, CS4, CS17, of the Core Strategy, Saved Policies 10 and 19 of the Local Plan (2004) and NPPF (2018).

2.2 The proposed scheme is considered to secure a good quality development which would not result in detrimental impact to the visual amenity of the area and relevant heritage assets in accordance with the relevant policies of the NPPF (2018), Policies CS10, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policy 10, 18, 21, 120 and Appendix 3 of the Local Plan (2004), Berkhamsted Urban Design Assessment (2010), Refuse Storage Guidance Notes (2015) and Planning (Listed Buildings and Conservation Areas) Act 1990.

2.3 Furthermore, the proposed development would not result in significant harm to the residential amenity of future or adjacent occupiers and would not be detrimental to matters of highways safety. The proposal is therefore also considered in accordance with Saved Policies 57, 58, 99, 100, 118 and Appendix 5 of the Local Plan (2004), Policies CS8, CS9, CS12 and CS29 of the Core Strategy (2013).

3. Site Description

3.1 The application site is situated on the north side of High Street, Berkhamsted, at the corner of St Johns Well Lane. The application site comprises a modern building (although traditional in form and detailing) of red brick with a slate roof which reflects the character of the adjacent Locally Listed Buildings, but subservient in scale. A

calmer frontage relates to St Johns Well lane in similar materials. To the rear of the site is a small car park. The site falls within Berkhamsted conservation area, Area of Archaeological Significance, sits adjacent to Locally Listed Buildings, and is in close proximity to Listed Buildings (Grade II Listed pub and Quaker House).

The immediate area is characterised by a dynamic mix of active High Street uses, open space and a generally Victorian residential area. The properties are all varied in terms of uses, architectural styles, sizes of properties and heights all with a linear build line.

4. Proposal

4.1 The application seek permission for the following works:

- Change of use to the ground floor veterinary practice into a two bedroom flat;
- Gable roof extension to first floor to increase size of existing first floor flat into a two bed property;
- Construction of two new two-bed dwellinghouses to the rear of the application site;
- Alteration of parking provision for five domestic cars; and
- Construction of cycle store and bin store.

5. Relevant History

4/00929/93/4 ERECTION OF BUILDING FOR VETERINARY SURGERY WITH FLAT OVER
ACCESS AND PARKING
Granted
21/09/1993

Permitted Development Rights for change of use from veterinary practice removed.

6. Policies

6.1 National Policy Guidance (2018)

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy – (2013)

NP1 - Supporting Development

CS1 - Distribution of Development

CS2 - Selection of Development Sites

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS9 - Management of Roads

CS10 - Quality of settlement Design

CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS18 - Mix of Housing
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction

6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 18 - The Size of New Dwellings
Policy 19 - Conversions
Policy 21 - Density of Residential Development
Policy 57 - Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100 – Tree and Woodland Planting
Policy 118 - Important Archaeological Remains
Policy 120 - Development in Conservation Areas
Appendix 3- Layout and Design of Residential Areas
Appendix 5- Parking Provision

6.4 Supplementary Planning Guidance / Documents

Accessibility Zones for the Application of Car Parking Standards (July 2002)
Dacorum Urban Design Assessment – Berkhamsted (2010)
Refuse Storage Guidance Note (2015)

7. Constraints

Berkhamsted Town Centre
Residential Area in Town Village
Area of Archaeological Significance
Berkhamsted conservation area
Locally Listed Buildings- Adjacent
Article 4 Direction- Adjacent
Grade II Listed Building- Adjacent

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Principle of Development
- Impact to Berkhamsted Conservation Area, Adjacent Heritage Assets and Street Scene
- Impact on Residential Amenity
- Impact on Highway Safety Impact on Highway Safety and Parking Provision
- Impact on Trees and Landscaping
- Archaeology
- Presumption in Favour of Sustainable Development
- Consultation Response
- Community Infrastructure Levy

Principle of Development

9.2 The application site is a windfall site located within the town of Berkhamsted. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site.

Core Strategy (2013) Policy CS1 states that market towns and large villages will accommodate new development for housing, employment and other uses provided it is of a scale commensurate with size of the settlement and the range of local services and facilities; and helps maintain the vitality and viability of the settlement and the surrounding countryside. Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.

Furthermore, the National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and the effective use of land by reusing land that has been previously developed. Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas.

Taking all of the above into account, the proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy.

Urban Design Assessment (2010) for Berkhamsted Town Centre outlines that the non-

residential land uses should be protected, and the replacement of non-residential uses with residential uses should be discouraged. Flats above ground floor retail uses should be encouraged.

However, the application site falls within a residential area of Berkhamsted town in accordance with Local Plan designations. In this regard, Policy CS4 states that in residential areas appropriate residential development is encouraged. This policy continues to outline that in town and local centres a mix of uses are sought including shopping, leisure, business (including offices), residential and social and community uses. A high density of development, linked to the achievement of sustainability objectives, is generally supported.

Saved Policy 19 of the Local Plan (2004) also states that the conversion of other buildings to incorporate flats or houses will be permitted in towns and local centres and in residential areas of towns and large villages.

The application site does not fall within a General Employment Area and therefore the site use for the existing Veterinary Clinic (which falls under a D1 use class) is not protected for employment use retention. The application site is also not listed for protection as a community asset. In short, the LPA have no control over the loss of this Veterinary Clinic, it could close today without the requirement of planning permission. It is noted that the loss of this veterinary practice (if a suitable alternative premises could not be found) would result in the loss of this business and 11-20 jobs. However, this loss, cannot be controlled by the Council, from both a planning policy and owner decision-making perspective. Weight would also need to be given to the securing of additional homes on a brownfield plot, within a residential area where such development is encouraged. There would also remain one veterinary practice in Berkhamsted, if the application site is lost. Furthermore, there are seven veterinary practices in Hemel Hempstead and one veterinary practice in Tring. Therefore, the proposed development would not result in a loss to the vitality and viability of the settlement.

In conclusion, the existing use of the site as a Veterinary Clinic is not policy protected and the development would be located in a sustainable location with the benefit of additional new homes secured on a Brownfield site; the principle of development is acceptable in accordance with Policies, CS1, CS4, CS17, of the Core Strategy, Saved Policies 10 and 19 of the Local Plan (2004) and NPPF (2018).

Impact to Berkhamsted Conservation Area, Adjacent Heritage Assets and Street Scene

The specific historic environment policies within the NPPF (2018) are contained within paragraphs 189-202. Paragraph 192 of the NPPF states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. In similar regard Policy

CS27 of the Core Strategy (2013) and Saved Policy 120 of the Local Plan (2004) seek to preserve the setting and distinctiveness of heritage assets.

S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBA) requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBA) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in the Saved Local Plan (2004) Policies of 10, 18, 21 and Appendix 3.

The application site is located within the Town Centre zone in accordance with the Berkhamsted Urban Design Assessment (2010) where the historic character should be protected with a range of land use mixes encouraged. Building up to four storeys on the High Street and low-rise, high density is also encouraged. Traditional brickwork is favoured over modern wirecut bricks. Clay tile or slate roofing should be encouraged, with pitched roofs favoured over 'modern' flat roofs of newer buildings.

In consideration of the application site, the importance of preserving the character of the dwelling and street scene is of augmented importance due to the Local Listed Designation on 320 & 322 High Street. Nos. 320 & 322 High Street are designated as Locally Listed Buildings due to their Architectural Significance. Alongside pairs Nos. 324 and 326; 328 and 330; 332 and 334; and 336 and 338 the application site forms five pairs of attractive villas which appear to have been built in 3 phases with work commencing from the west end in 1891; the detailing to each of the phases reflect subtle architectural changes over a decade or so.

The application site does sit within the context of the Victorian Villas described above however, on St John's Well Lane the site would be read between a 1970s flatted development and opposite a telephone exchange building, which both make little contribution to the appearance of Berkhamsted conservation area. The application is considered a good opportunity to enhance the architectural quality and interest of this immediate area with a more contemporary building, which draws inspiration from both the historic and modern buildings which comprise Berkhamsted conservation area.

From the perspective of Berkhamsted High Street the proposal would retain the same appearance as the existing property. The increase in roof mass to rear projection of the existing building would result in a change in roof form, from a half hip to full gable. This is considered a relatively minor visual alteration which would not harm the appearance of the existing building, or adjacent locally listed buildings.

The two dwellings would be modern in appearance, which is considered an appropriate approach in terms of policy considerations. Paragraph 130 of the NPPF (2018) outlines that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. The new dwellings would be subordinate in form to the existing property and would be stepped down in height in order to reflect the set down in street scene.

Moreover, the proposed two new dwellings would reflect the pattern of built form within the immediate area, such as properties on Park Street, Kitsbury Road and Cross Oak Road which comprise corner plots which have a relationship to both front and side street scenes. A sufficient element of open space would also be retained between the application site, Nos. 25 to 30 St John's Well Court and grass verge on St John's Well Lane in order to maintain the open aspect character of this street scene.

The proposed refuse store would reflect the design and linear build line of the two proposed dwellings and be of marginal scale so as not to appear intrusive within the street scene. The enclosed refuse store would be in accordance with the refuse storage guidance note (2015) which requires bins in conservation areas to be kept out of public vantage points and located in well-designed bin stores. The bin store would be of sufficient size to accommodate the bins required for both flats. A condition has been recommended which requests further details of bin stores for the dwellinghouses.

Due to the sensitive nature of the proposals the DBC conservation officer was consulted and provided the following summative comments:

- The proposal involves the demolition of the rear extension and its rebuilding to tie in with the middle step of the building. This would match in terms of building line, scale, height and detailing. We do not believe that this proposal would harm the character of the conservation area.
- The two new dwellings would be proportionate to the houses seen elsewhere in the conservation area. They follow the pattern within the street of stepping down.
- The majority of the two dwellings would be construction from gable herringbone pattern brickwork which would provide visual interest with the trellis element to help add further interest.
- The new dwellings would differ within the facades, where there are proposed large metal feature elements, which include the windows. Whilst the brickwork, stepping and mass reflect the traditional buildings within the town these elements would express the more contemporary nature of the development.
- Having given particular consideration to the design and detailing of the proposals and new buildings within the setting of the site, on balance, and given the surrounding post WW2 development to St Johns Well Lane, we believe that the proposals are of an acceptable standard of architecture and subject to a material and detailing condition would be appropriate within the conservation area.

The proposed scheme has a density of 71 dwellings per hectare. This is in accordance with the Berkhamsted Urban Design Assessment (2010) which states that side streets within the town centre should have high densities, with the potential for very high densities in block sites; with a guide of 70 units per hectare outlined. Saved Policy 10 of the Local Plan (2004) also requires optimum use of the land available, whether in terms of site coverage or height and Saved Policy 21 of the Local Plan (2004) outlines that densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net. Saved Policy 21 also clarifies that careful consideration should be given to the density of all new housing proposals to ensure that they make the most efficient use of land available. Higher densities will be encouraged in urban areas, for example at town and local centres. Policy CS10 of the Core Strategy (2013) outlines that new development should promote higher densities in and around town centres and local centres. National Planning Policy also seeks effective use of land in meeting the need for homes, and planning decisions should avoid homes being built at low densities and ensure developments make optimal use of the potential of each site.

Overall, the proposed alteration, and change of use to the existing building to create two flats within the existing building would result in nominal visual alteration to the appearance of the street scene, conservation area and Locally Listed Buildings. The contemporary design of the two new dwellings is considered to relate to the surrounding area in terms of scale, height and plot placement and therefore would not result in detrimental impact to the character and appearance of immediate area, Berkhamsted conservation area and Locally Listed Building. The scheme is considered in compliance with the NPPF (2018), Policies CS10, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policy 10, 18, 21, 120 and Appendix 3 of the Local Plan (2004), Berkhamsted Urban Design Assessment (2010), Refuse Storage Guidance Notes (2015) and Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on Residential Amenity

The NPPF (2018) outlines the importance of planning in securing high standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact to neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

The proposed alterations to the existing building would not significantly impact the outlook or daylight serving neighbouring residents at No.320 High Street. The 25-degree line as drawn from first floor side facing windows would be maintained and all flank elevation windows would have a similar outlook as currently existing, with the only change in built form being the increased in height of the rear roof form by 2.3 metres (approximately). It is important to note that the kitchen room served by the ground floor flank elevation windows of No.320 are also facilitated by rear facing windows, given the room a two-dimensional aspect which further reduces the harm

which may result from loss of aspect. Furthermore, due to this the marginal increase in building mass, it is not considered that significant detriment in terms of outlook and external amenity enjoyed from the raised rear patio and rear facing library/study room of No.320 High Street would result.

The proposed new dwellings would breach the 45 degree line as drawn from the rear windows of No.320 High Street and create a greater sense of enclosure by extending built form across the side boundary shared with this property. However, it is not considered that a significant loss of outlook to No.320 would result in order to warrant a refusal of the application as the proposed dwellings would only be of 5.5 metre height at this boundary. Furthermore, the ground floor windows and raised patio area of No.320 sit at a 3 metre height above the ground floor level of the proposed dwellings; this further reduces the perceived dominance and bulk the proposed two new dwellings would have on the outlook of No.320.

A Daylight and Sunlight Assessment has been submitted alongside the planning application which demonstrates that the proposed development would not result in a negligible loss of daylight and sunlight to any windows serving 25-30 St John's Well Court. The Daylight and Sunlight Assessment also demonstrates that a sufficient level of daylight and sunlight would be secured to 19 out of 21 windows serving No.320 High Street. The two windows which would fall short of BRE daylight and sunlight standards are the side kitchen door and adjacent window which are secondary windows, with the room also being served by two rear facing windows which ensure the room still meets BRE guidelines for daylight distribution.

The proposed dwellings would not breach the 25 degree line as drawn from the rear habitable windows of Nos. 25 to 30 St John's Wells Court, which indicates no loss of daylight or sunlight would result to these neighbouring residents. The side elevation of flat E would be located approximately 16 metres away from residents at St John's Well Court which an acceptable rear to side separation distance, for which DBC have no minimum policy standard. It is further considered that the 6 metre and 8 metre high foliage at this boundary would help screen the proposal from the perspective of these neighbouring residents.

The side facing windows of Flat A and B which would overlook No.320 High Street have been conditioned as obscure glazed in order to preserve the privacy of these neighbouring residents and to prevent overlooking of their external amenity area.

The parking area serving the development to the rear of the site is an existing arrangement which also provides access to the rear parking area of No.320 High Street. As this parking area is existing no objections are raised in terms of noise and disturbance to adjacent residents. The two new dwellings proposed would be separated from this parking area through the provision of a patio area. Although, the flank elevation of Flat E would be immediately adjacent to the access for this parking area, no side elevation windows are proposed and the movement of 5 cars accessing

the parking area is not considered to be of a significant level that would warrant refusal of the application on noise disturbance grounds.

Turning to the living conditions the proposal would afford future residents. Saved Appendix 3 of the Local Plan (2004) states that garden depths equal to adjoining properties would be acceptable with a functional proposed width, shape and size that is compatible with surrounding area. Saved Appendix 3 expands this further outlining that a dwellinghouse should be provided with a minimum 11.5 metre deep garden space; with a larger garden depth provided for family homes. Residential development designed for multiple occupancy will be required to provide a private communal amenity area to the rear of the building at least equal to the footprint of the building. A small communal garden would be provided to the front of the development for the two proposed flats, although this would measure only 35.8 sq.m. No external amenity provision would be provided for the two proposed dwellings. Nevertheless, this insufficient level of amenity provision can be off-set by the provision of public open space in close proximity to the application site; such as Canal Fields which is located a 6 minute walk away. Moreover, the existing flat within the application does not comprise any external amenity provision.

The bedrooms of the proposed development would only have one east facing aspect, which although no ideal the daylight sunlight assessment submitted shows all units to achieve a satisfactory level of daylight and outlook for future residents. Regard also has to be given to 123 of the NPPF (2018) which states that local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

On balance, the proposed development is not considered to result in a significant loss of outlook or daylight and sunlight to No.320 High Street to warrant refusal and a sufficient standard of amenity provision would be secured for future residents of the development. The proposal is therefore considered in accordance with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004) and the NPPF (2018).

Impact on Highway Safety and Parking Provision

Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2018) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and adequate provision of spaces for ultra-low emission vehicles. Policies CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

The proposal seeks to accommodate four lots of 2 bed units, which would require 1.5 spaces per unit in accordance with DBC maximum parking standards. This would require a total of 6 of street parking spaces. Five off street parking spaces would be accommodated within the rear parking area of the application site. This would fall one space shy of the maximum parking standard. Given the sustainable site location, which is in close proximity to Berkhamsted train station (10 minute walk) and a frequent bus service (routes 29, 30 and 31), this level of parking provision is considered ~~more than~~ sufficient. In addition, the NPPF (2018) states that maximum parking standards should only be applied where there is clear and compelling justification that they are necessary for managing the local road network. Parking provision would be off-set further through the accommodation of five bicycle spaces on-site which would encourage a more sustainable form of transport.

Access to this rear parking area would remain as per the existing crossover however, as site visibility splays would be further restricted by the proposed development and level of vehicle movements would be altered from the existing use, Hertfordshire County Council Highways were consulted on the proposed planning application and provided the following summative comments:

- The existing access on St John's Well Lane will be retained.
- High Street is an "A" classified principal road, the A4251, while St John's Well Lane is an unclassified local access road. Both roads have a speed limit of 30mph. There have been no accidents involving personal injury in the vicinity of the site in the last 3 years.
- Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

Therefore, the proposed development is unlikely to result in significant impact to the safety and operation of adjacent highway. Thus, the proposal meets the requirements of Policies CS8, CS9 and CS12 of the Core Strategy (2013), the NPPF (2018) and Policies 57 and 58 and Saved Appendix 5 of the Local Plan (2004).

Impact on Trees and Landscaping

Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

The proposed scheme has the potential to provide soft and hard landscaping on site. There are no trees within the site with sufficient amenity value to constrain the development. All boundary planting would be reinforced by the proposed development. The low-level brick front boundary wall is expected to be retained in order to reflect the residential properties in the surrounding street scene and to provide a defining edge to

the proposal. Further details of the barrier to the parking area and boundary treatment would also be required; this has been secured by a recommended landscaping condition.

Archaeology

Saved Policy 118 of the Local Plan (2004) states that County Archaeological Group will be consulted on all planning applications affecting areas of archaeological significance and archaeological potential. Where the Council considers that physical reservation of archaeological remains in situ is not merited, planning permission will be subject to satisfactory provision being made for excavation and recording. As such, conditions have been recommended to secure an adequate archaeological excavation, observation and recording.

Presumption in Favour of Sustainable Development

Paragraph 8 of the NPPF (2018) identifies three aspects of sustainable development: social, economic and environmental. Due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, paragraph 11 of the NPPF (2018) is engaged. Paragraph 11 of the NPPF states that decisions should apply a tilted presumption in favour of sustainable development unless policies in protected areas of particular importance provide a clear reason for refusing the development proposed; these policies of protected/restricted areas are clarified within footnote 6 as including designated heritage assets.

Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date" when the LPA cannot demonstrate a five year supply of deliverable housing sites. The most important policies for determining a housing application are considered to be Policies CS1 (Distribution of Development), CS4 (The Towns and Large Villages) and CS17 (New Housing). Policies for the supply of housing should be given less weight where these circumstances apply.

If any adverse impacts from the proposed development are identified by Members of Committee these would significantly and demonstrably need to outweigh the benefits, as outlined in paragraph 11 of the NPPF (referred to as 'the tilted balance' in favour of sustainable development). The benefits of the proposal are considered below.

Environmental

The proposal would be located within a sustainable area on a brownfield site within a built up residential area.

Social

The proposal would make a contribution to the Borough's housing supply, thereby facilitating the Government's aim of boosting the supply of housing.

Economic

The proposal would result in the loss of the veterinary practice which would result in the loss of jobs and student placements. However, the proposal would result in economic benefits during the construction of the units, although this would be for a limited period. In addition, it is likely that future residents would support the local economy such as using the amenities at the Town Centre.

Conclusion

Overall, the proposed development would be realised across the three objectives outlined above and the proposal would constitute sustainable development and the tilted balance in favour of development is applied.

Consultation Response

Several concerns were received as a result of the application. The main concerns are addressed below:

Loss of Daylight and Sunlight: to Nos.320 + 322- This has been discussed within the impact on residential amenity section above. It is acknowledged that the basement living room flank elevation window has been omitted from the daylight and sunlight assessment. However, this is a secondary window, and there are two other primary rear-facing windows (W1 and W2) serving this room which were assessed as meeting BRE daylight and sunlight standard. No. 322 has not been considered within the submitted daylight and sunlight assessment as it is faced away from the application site. Further, if the daylight and sunlight levels are considered acceptable for No.320 (which they are) this indicates that daylight and sunlight levels would remain satisfactory to Nos.322 and 324 as well.

Loss of privacy to No.320 - This has been considered in the impact on residential amenity section above. It is considered that with the recommended condition for obscure glazed western side facing windows no significant loss of privacy to neighbouring residents at No.320 would result from the proposed development.

Loss of veterinary practice, loss of community asset and jobs- This has been addressed within the principle of development section above.

Development of poor design/not in-keeping with conservation area- This has been addressed within the impact to Berkhamsted conservation area, adjacent heritage assets and street scene section above. In short, the development is considered of careful design, which sits comfortably within the surrounding street scene and Berkhamsted conservation area.

Parking concerns (during construction and lifetime of development)- The construction period for the development would only result in temporary harm to the adjacent

highway network. The level of parking provision is considered acceptable and HCC Highways have raised no objection in regards to safety of access and impact on adjacent highway network. Please see impact on highway safety and parking provision section above for full assessment.

No new flats/homes required in Berkhamsted- The Borough is currently unable to demonstrate a 5-year housing land supply, requiring new homes on windfall sites to be secured when they come forward. The new Single Local Plan, which is still at consultation stage, is working towards a new housing target of 10,940 homes for the plan period of 2013-2036, of which 600 homes would be located in Berkhamsted.

Community Infrastructure Levy

Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

10. Conclusion

10.1 As the retention of the existing veterinary practice is not protected by planning policy and the council would greatly benefit from the additional new homes on this site, the principle of residential development in this area is considered acceptable in accordance with Policies, NP1, CS1, CS4, CS17, of the Core Strategy, Saved Policies 10 and 19 of the Local Plan (2004) and NPPF (2018).

10.2 The proposed scheme is considered to secure a good quality development which would not result in detrimental impact to the visual amenity of the area and relevant heritage assets in accordance with the relevant policies of the NPPF (2018), Policies CS10, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policy 10, 18, 21, 120 and Appendix 3 of the Local Plan (2004), Berkhamsted Urban Design Assessment (2010), Refuse Storage Guidance Notes (2015) and Planning (Listed Buildings and Conservation Areas) Act 1990.

10.3 Furthermore, the proposed development would not result in significant harm to the residential amenity of future or adjacent occupiers and would not be detrimental to matters of highways safety. The proposal is therefore also considered in accordance with Saved Policies 57, 58, 99, 100, 118 and Appendix 5 of the Local Plan (2004), Policies CS8, CS9, CS12 and CS29 of the Core Strategy (2013).

11. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Daylight and Sunlight Report 15th November 2018 Design and Access Statement 30th October 2018 Rev 02 Supporting Planning Statement November 2018 Historic Area Appraisal November 2018 Existing Elevation 01 + Street STJOHNS/PA/007 Rev 03 Existing Elevation 02 STJOHNS/PA/008 Rev 03 Existing Elevation 03 STJOHNS/PA/009 Rev 03 Existing Elevation 04 STJOHNS/PA/012 Rev 03 Existing Section AA STJOHNS/PA/010 Rev 03 Existing Section BB STJOHNS/PA/011 Rev 03 Proposed Elevation 01 + Street STJOHNS/PA/019 Rev 03 Proposed Elevation 02 STJOHNS/PA/020 Rev 03 Proposed Elevation 03 STJOHNS/PA/021 Rev 03 Existing Section AA STJOHNS/PA/022 Rev 03 Site Location Plan STJOHNS/PA/002 Rev 03 Existing Site Plan STJOHNS/PA/003 Rev 03 Existing Ground Floor Plan STJOHNS/PA/004 Rev 03 Existing First Floor Plan STJOHNS/PA/005 Rev 03 Existing Roof Plan STJOHNS/PA/006 Rev 03 Proposed Site Plan STJOHNS/PA/013 Rev 03 Proposed Ground Floor Plan STJOHNS/PA/015 Rev 03 Proposed First Floor Plan STJOHNS/PA/016 Rev 03 Proposed Roof Plan STJOHNS/PA/018 Rev 03 Cover Sheet STJOHNS/PA/001 Rev 03</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. The materials submitted should include details of:</p> <p>Bricks; Brick Bond Mortar; Rooflights; Roof Tiles; Joinery; and Rainwater Goods.</p>

	<p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: Due to the nature of this condition it necessary to be pre-commencement in order to ensure high quality, satisfactory appearance to the development in the interests of the visual amenities of the Conservation Area; in accordance with Policy CS27 of the Core Strategy (2013) The pre-commencement nature of this condition has been agreed by the applicant.</p> <p>Informative</p> <p>Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p>
4	<p>No development shall take place until details of all external metalwork, finishes and detailing including feature bronze panels, the windows and trellis features hereby permitted, shown at a scale of 1:20, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: Due to the nature of this condition it necessary to be pre-commencement in order to ensure high quality, satisfactory appearance to the development in the interests of the visual amenities of the Conservation Area; in accordance with Policy CS27 of the Core Strategy (2013) The pre-commencement nature of this condition has been agreed by the applicant.</p>
5	<p>The windows in the western elevation of the development hereby permitted shall be permanently fitted with obscured glass.</p> <p>Reason: In the interests of the residential amenities of the occupants of the adjacent dwelling; in accordance with Policy CS12 of the Core Strategy (2013).</p>
6	<p>Prior to occupation of the development hereby permitted a long term Green Roof Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall detail the long-term maintenance and specification of the green roof hereby permitted on the development. Details shall include cleaning and general maintenance works/checks which shall commence throughout the lifetime of scheme.</p> <p>Maintenance and up-keep of the green roofs shall be carried out in accordance with the approved details for the life-time of the development.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in the long-term; in accordance with Policy CS27 of the Core Strategy (2013).</p>
7	<p>Prior to occupation of the development hereby permitted full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; the positions, design, materials and type of boundary treatment to be erected; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass</p>

	<p>establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; trees to be retained and measures for their protection during construction works; storage of refuse provision for the dwellinghouses; proposed finished levels or contours; and scaled drawings and details of the barrier to the parking area.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area; in accordance with Policies CS12 and CS27 of the Core Strategy (2013).</p>
8	<p>All planting, seeding or turfing and soil preparation comprised in the approved details condition 7 shall be carried out in the first planting and seeding seasons following one year post implementation of the development hereby approved; and any trees or plants which within a period of five years from this date die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interest of the amenity value of the development and visual amenity of the surrounding area; in accordance with Saved Policies 99 and 100 of the Local Plan (2004) and Policies CS12 and CS27 of the Core Strategy (2013).</p>
9	<p>The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.</p> <p>Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway; in accordance with Policies CS8, CS9 and CS12 of the Core Strategy (2013).</p> <p>Highway Informatives</p> <p>1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- https://www.hertfordshire.gov.uk/droppedkerbs/</p>

	<p>2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047</p>
10	<p>No development shall take place until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:</p> <ol style="list-style-type: none"> 1. The programme and methodology of site investigation and recording 2. The programme and methodology of site investigation and recording as suggested by the evaluation 3. The programme for post investigation assessment 4. Provision to be made for analysis of the site investigation and recording 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation 6. Provision to be made for archive deposition of the analysis and records of the site investigation 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>Reason: Due to the nature of this condition it necessary to be pre-commencement in order to ensure that reasonable facilities are made available to record archaeological evidence; in accordance with Saved Policy 118 of the Local Plan (2004).The pre-commencement nature of this condition has been agreed by the applicant.</p>
11	<p>i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition 10.</p> <p>ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 10 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>Reason: Due to the nature of this condition it necessary to be pre-commencement in order to ensure that reasonable facilities are made available to record archaeological evidence; in accordance with Saved Policy 118 of the Local Plan (2004).The pre-commencement nature of this condition has been</p>

agreed by the applicant.
Article 35 Statement
Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 39 - 42) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Appendix A

Consultation responses

Herts Property

Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within **Dacorum's CIL Zone 1** and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (growth@hertfordshire.gov.uk).

HCC Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

CONDITIONS:

1. The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

4. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into

the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

INFORMATIVES:

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

The above proposal is for Change of use and conversion of existing ground floor from veterinary practice into a two-bedroom flat. Roof extension at first floor to increase size of existing first floor flat to a larger two-bedroom flat. Construction of two new-build two-bedroom apartments to the rear facing St. John's Well Lane. Provision of car parking for five vehicles, five-bay cycle store and waste refuse store.

ACCESS

The existing access on St John's Well Lane will be retained. No new or altered pedestrian or vehicle access is planned and no works are required in the highway.

The site is on the corner of High Street with St John's Well Lane. High Street is an "A"

classified principal road, the A4251, while St John's Well Lane is an unclassified local access road. Both roads have a speed limit of 30mph. There have been no accidents involving personal injury in the vicinity of the site in the last 3 years.

PARKING

The proposal is to provide 5 car parking spaces, along with a secure cycle store for five bicycles. There is no provision for visitor or disabled parking.

REFUSE

The proposal also includes an area for the storage and collection of refuse, from St John's Well Lane.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.

Trees and Woodlands

There are no trees within the site with sufficient amenity value to constrain the development. As such, I have no objections and recommend approval.

Herts Archaeology

The proposed development is located within Area of Archaeological Significance no. 21, as identified in the Local Plan. This covers the historic core of Berkhamsted, which in its current configuration has early medieval origins, including a significant motte and bailey castle. Considerable archaeological evidence from earlier has been found within the town and its environs, however, particularly dating from the Roman and Anglo-Saxon periods.

The proposed development area has previously been subject to archaeological evaluation, prior to the construction of 320a High Street (Hertfordshire Archaeological Trust 1993a). This identified Roman and medieval features. The footprint of the building itself was fully excavated (Hertfordshire Archaeological Trust 1993b), revealing several ditches, pits and post/stake-holes containing significant quantities of 12th-14th century pottery and animal bone, and small quantities of iron slag, brick, and tile (Historic Environment Record no. 7369).

Within the area to the rear of the current building (i.e. the proposed development area) Roman and medieval features were identified by the evaluation, but preserved in situ under the car park rather than excavated. These archaeological remains will be disturbed by the proposed development.

The medieval features may be related in some way to the St John the Baptist Leper Hospital, a 13th century hospital that stood circa 25m to the east along the High Street (HER no. 4142). Over 250 human skeletons were discovered at the former hospital prior to the construction of a mixed-use development in 2014 (HER no. 9182). The extent of this cemetery is uncertain, and while no human remains have previously been found during excavations at 320a High Street the presence of such remains is not inconceivable.

I believe therefore that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:

1. The archaeological evaluation, via strip map and record, of the development area, prior to any development taking place;
2. such appropriate mitigation measures indicated as necessary by the evaluation.

These may include:

- a) the preservation of any archaeological remains in situ, if warranted, by amendment(s) to the design of the development if this is feasible;
 - b) the appropriate archaeological excavation of any remains before any development commences on the site;
 - c) the archaeological monitoring and recording of the ground works of the development, including foundations, services, landscaping, access, etc. (and also including a contingency for the preservation or further investigation of any remains then encountered);
3. the analysis of the results of the archaeological work, with provisions for the subsequent production of a report and an archive, and the publication of the results, as appropriate;
 4. such other provisions as may be necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow the policies included within Policy 16 (para. 199, etc.) of the National Planning Policy Framework. and the guidance contained in the Historic Environment Planning Practice Guide.

In this case two appropriately worded conditions on any planning consent relating to these reserved matters would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records

of the site investigation

6. Provision to be made for archive deposition of the analysis and records of the site investigation

7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

If planning consent is granted, this office will be able to advise further on the requirements for the investigation and to provide information on accredited archaeological contractors who may be able to carry out the work.

Please do not hesitate to contact me should you require any further information or clarification.

Berkhamsted Town Council

Objection

The proposed development would have a detrimental impact on the local community by removing a valued service. Furthermore, the loss of the Veterinary practice would reduce the mix of properties in the town, impact the spread of job opportunities and lead to loss of employment in the local area. Additionally, the proposed development is of poor design and not in keeping with the Conservation Area.

P120, CS4, CS8, CS12, CS14, CS15, CS23

DBC conservation

The site is located at the corner of St Johns Well Lane and the High St in Berkhamsted. It is within the conservation area. At present there is a modern building (although traditional in form and detailing) which forms this corner site. It is of red brick with slate roof and addresses the corner with the façade relating to the high street and reflecting the character of the adjacent buildings but subservient in scale. A calmer frontage relates to St Johns Well lane in similar materials. To the rear of the site is a small car park. Opposite is the somewhat harsh single storey telephone exchange, which is out of place within the conservation area. To the rear are flats, which dates to the second half of the 20th century, which is of lesser architectural merit. There is some planting to both the high street and the lane, which softens the boundary.

The proposal is in essence in two parts. The conversion of the existing and rebuilding of the rear extension and the new dwellings.

Existing building

As stated above this sits comfortably within the streetscape. The proposal involves the demolition of the rear extension and its rebuilding to tie in with the middle step of the building. This would match in terms of building line, scale, height and detailing. This would align with the 3 storey rear extensions to the adjacent Victorian properties. We do not believe that this proposal would harm the character of the conservation area. The scale, mass, design and detailing are appropriate and would not cause harm to the designated heritage asset. As a local authority we have a duty under the act to preserve or enhance the conservation area. We believe that this proposal would preserve this part of the conservation area and therefore would not object to this element of the proposals.

2 new dwellings.

The proposed new dwellings are attached to the rear of the existing structure. They would be constructed of brick with green roofs. Substantial bronze or bronze coloured metal clad elements added to the street frontage. To the gable (which would be visible from St Johns Well Lane) the brickwork is detailed to a herringbone pattern. With this and to the rear trellises are to be added to the upper elements to encourage plant growth and soften the scheme.

These buildings are proposed to be constructed in a contemporary style however they do follow the rules of other buildings within the conservation area. The scale and mass of the houses are in proportion of those seen elsewhere in the conservation area and are in essence relatively modest 2 bedroom properties. They follow the pattern within the street of stepping down. The parapet height for the upper building sits below the eaves height of the adjacent traditional style building. The other dwelling steps down from this. The majority of the structure is brick and to the gable herringbone pattern brickwork would provide visual interest and the trellis element would cover part and help add to this interest. Where it differs is that within the facades there are proposed large metal feature elements, which include the windows. Whilst the brickwork, stepping and mass reflect the traditional buildings within the town these elements would express the more contemporary nature of the development. This reflects the repetition seen elsewhere abet in a more contemporary manner and in part gives the central element a focus when viewed against the backdrop of the brickwork.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. Having given particular consideration to the design and detailing of the proposals and new buildings, within the setting of the site on balance and given the surrounding post WW2 development to St Johns Well Lane we believe that the proposals are of an acceptable standard of architecture and subject to a material and detailing condition would be appropriate within the conservation area.

Recommendation We would not object to the proposals. For the extension to the existing building all external materials, detailing, joinery and finishes to match existing.

For the two new dwellings Bricks, mortar subject to approval. Rooflights and door details subject to approval. Green roof specification and maintenance plan subject to approval. All external metalwork, finishes and detailing including

feature bronze panels, windows and trellis features subject to approval of detailing at 1:20 scale or as appropriate. Doors subject to approval. Hard and soft landscaping materials and details subject to approval.

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
24 CONNAUGHT GARDENS, BERKHAMSTED, HP4 1SF	I wish to object to this proposed development. I have been a client of St John's Veterinary Surgery for many years, and they provide a very valuable service to the local community, in this convenient town centre location. This location is predominately commercial, NOT residential. The property owner is putting personal financial gain ahead of the good of the local community. Clients of the surgery can arrive with their pets on foot, but if the practice is driven out of town, everyone will end up needing to make car journeys to take their pets for medical attention. Surely we don't want even more car journeys in this crowded town? Please refuse permission for this development, and please refuse permission for any change of use of the current site.
33 CROSS OAK ROAD, BERKHAMSTED, HP4 3EH	I wish to object to the proposal for the following reasons:- 1 Change of use 320a is currently used as a veterinary practice. As one of only two practices in the town it provides a valuable service to its many users and is an important amenity in the High Street. This proposal will lead to the loss of the practice, reduce the range of services in the High Street and replicate existing housing. The other practice in the town is already well used and without this practice in this location current users will have to travel to nearby towns for veterinary services. 2 Design The proposed design is not sympathetic to the surrounding Victorian Villas, it will obstruct the view of the villas and the materials proposed are not in keeping with the area.
St Johns Veterinary Surgery, , , ,	No notification of planning application. I am sending you this for and on the behalf of St Johns vets St Johns vets has been in Berkhamsted since 1950s it was serving surrounding farms and a small in house surgery. The current building was purpose built as a veterinary surgery by Waitrose for us so they could have our old site (1995). has been the principle vet for 35 years and took over the

	<p>business in 1995 after retirement passed away and the building was left to his extended family members, with the practice St Johns vets as their Tenant for the last 23 years.</p> <p>retired. Soon after retirement passed away and the building was left to his extended family members, with the practice St Johns vets as their Tenant for the last 23 years.</p> <p>employs 11 vet and nurse staff, with other part time, locum, and admin staff totalling at around 20. She has a disabled member of staff (double leg amputee) who has worked for the practice as a vet nurse for the last 30 years and has been registered disabled for the last 3. St Johns has currently 3 local school pupils from Ashlyns and Berkhamsted collegiate schools seeing practice at any one time, and one has just started at Bristol university training to be a vet. On top of this St Johns is a registered training practice with the 'Royal Vet Collage' and the 'Collage of animal welfare', currently offering 12 X 2 week places a year for uni students to gain experience and skills. (fully taken with students till 2020) this is all done with no charge or cost to the students and often providing accommodation as well.</p> <p>We have thousands of registered clients, a few of whom are registered blind or disabled and come to us because they find the location with the bus and private carpark better for their needs and their working dogs. Many clients are able to walk to the surgery and being so close to the canal we have regular clients who come to see us who live on the canal boats. We support local charities by collecting food and bedding for them, and we often find ourselves assisting with re homing pets or looking after local wildlife in distress especially from the canal.</p> <p>The landlord wishes to sell the building with planning permission to change and increase the existing building from vets practice with staff /vet student accommodation above to 4 dwellings. The building was purpose built as a veterinary surgery and would be very difficult to move to new premises. In the planning statement submitted for this application it states :- 6.1 The loss of the veterinary practice is not considered contrary to local planning policies. There is no specific local policy requiring the retention of such a facility and in any event, the practice will be relocating and not lost. This statement is not true, at no point has the landlord discussed with us about the relocation, we feel the this vet surgery is an important service to Berkhamsted and the surrounding community. We object to this application because if the building acquires change of use we simply could not find or afford to move to a new location, and would result in the end of 70 years of St Johns and unemployment for the staff.</p>
Cedarwood, Darkes	I wish to object to the proposed change of use. St Johns

<p>Lane,Darkes Lane,Potters Bar,,en6 1da</p>	<p>Veterinary Practice provides an invaluable service to the local community. Relocating the practice would not be satisfactory as not only is it purpose built, but it is also in an ideal location for its clients. It is unfair and unnecessary to discriminate against members of the community who, for whatever reason, do not have the use of a car and who have relied on the central location of the practice for many years.</p>
<p>CLAMBER COTTAGE,NORTHCHURCH LANE,ASHLEY GREEN,CHESHAM,HP5 3PD</p>	<p>I am in complete agreement with others who have objected to this development.</p> <p>320a is currently used as a veterinary practice. It is one of only two practices in this rapidly expanding town and provides a valuable service to the community. This proposal will lead to the loss of the practice and reduce the range of essential services in Berkhamsted.</p> <p>The centre of the town is in a valley and is already congested. The proposed dwellings are in a busy and noisy commercial area, which is not ideal for residential accommodation. Furthermore, the proposed alterations and enlargement of the building is unattractive and out of keeping with the character of the area. Too much development if this nature in the centre of town will destroy the character of Berkhamsted.</p> <p>As a final comment, it is disappointing that the landlords did not have the decency to inform the practice of their intentions and I am concerned that if they are given the go ahead to develop, they may push through other unforewarned changes.</p>
<p>51 THE LAWNS,HEMEL HEMPSTEAD,,,HP1 2TE</p>	<p>The proposed building of flats is detrimental to the current aspect and nature of this area of Berkhamsted and especially the characteristics of the high street. The vets is an established and independent business providing a valued service to the town and employment to local residents. To lose yet another small business will irreparably change the town which we do not want to do. Reject the proposal and keep Berkhamsted interesting!</p>
<p>18 VERNEY CLOSE,BERKHAMSTED,,,HP4 3JS</p>	<p>It would be a massive loss to Berkhamsted if this went ahead. St John's Veterinary surgery is a caring professional service who I myself have used for many years.</p>
<p>7 NORMANDY DRIVE,BERKHAMSTED,,,HP4 1JW</p>	<p>I have used St John's Vets since I came to Berkhamsted over 28 years ago for my various pets. I strongly object to the change of use because a) I do not believe that we need any more flats in the town and b) the vets plays a vital role/service to the pet loving community. It is well placed for older people to access it with their pets either on foot or car/taxi and it serves the community at that end of town extremely well. It is important that</p>

	Berkhamsted stays relevant with local services and the vets does just that. I feel very strongly about this and believe that the planning application should be declined.
15 OAKWOOD,BERKHAMS TED,,,HP4 3NQ	The team at St. John's vets have served the local community in these central premises for a long term and should be allowed to continue.
21 CROSS OAK ROAD,BERKHAMSTED,, ,HP4 3EH	<p>I object to the removal of a helpful local amenity, and its replacement by yet more housing - Berkhamsted is already overcrowded, and does not need more housing stock. The town already has a healthy property market with plenty of houses and flats for sale/rent. Addition of parking spaces for five more vehicles will also add to the overcrowding, when the town already has more cars and is, ludicrously, trying to attract more with the absurd decision to build the multi storey car park.</p> <p>The corner of St Johns Well Lane and the High Steen is already a traffic choke point because of the mini roundabout and the access to M&S and Waitrose, and adding a dwelling on the corner instead of the vet's surgery will cause further congestion and traffic issues. Although I understand this is not a matter which you will take into consideration, the proposed construction work on that corner will inevitably cause major disruption and inconvenience and will result in major congestion for those turning into the M&S and Waitrose access road. The harm to the surrounding area is obvious, particularly with the current vacant buildings, the Lamb public house and the former Porter's restaurant, both of which also seem likely to involve major building work in the near future. At what point will this stop?</p> <p>So, i object, and though I fully expect that objections will be ignored and the over-development of Berkhamsted will simply continue, I did at least want to register my objections.</p>
4 CAREYS CROFT,BERKHAMSTED ,,,HP4 1SB	<p>I have used this vet practice since getting my dog as a puppy. The location is not only really convenient for owners by car or by foot but also enables owners to use shops whilst in town bringing business to the high street. This practice was purpose built and provides a valuable service to the local community. The council should look at the town as a whole and not just a dumping ground for housing. There is not enough in the way of services or infra structure to support all this extra housing.</p> <p>The design of the proposed building is ugly and out of keeping with the surrounding area. This is clearly an attempt to make money at the expense of ruining what should be an attractive historic market town.</p>
OLD GROVE FARM,66	We have been customers at the St. Johns Well

<p>GROVE ROAD, TRING,, HP23 5PD</p>	<p>Veterinary practice for over 20 years and Jane and her team of dedicated Vets have provided superb service to us and many more in the local community over that time. To lose such a precious community asset to an over-developed housing site would be a travesty of how we want our community to be structured for the future.</p>
<p>3 BECKETS SQUARE, BERKHAMSTE D,,, HP4 1BZ</p>	<p>There is too much development from businesses, which employ people, to residential. I consider that flats will lead to more cars on an already congested high street. This will leave one vet practice in Berkhamsted which is not enough for the growing town.</p>
<p>44 Lynch Hill, Kensworth,,, LU6 3QY</p>	<p>I have worked at this surgery for over 30 years (it was at 254 High Street before it was moved to the present site when Waitrose was built). The surgery has not received official notification of this planning application. The surgery was purpose built in 1994 when Waitrose wanted to use the previous site. Finding new premises would be difficult and installing the equipment prohibitively expensive. Granting change of use would probably mean the end of St Johns Veterinary Surgery and the loss of 12 jobs. One of the staff is disabled and would have great difficulty finding another position. The surgery provides an invaluable service to the local community especially those that don't drive or have disabilities. The surgery also provides training for veterinary nurses and veterinary surgeons. The surgery was built to blend with the adjacent houses, I don't feel that the apartments to be built in the car park are in keeping with the main building. These will provide more expensive private dwellings which I don't feel Berkhamsted needs.</p>
<p>24 CHILTERN PARK AVENUE, BERKHAMSTE D,,, HP4 1EU</p>	<p>I object to this development. The veterinary practice is a necessity for the community. Berkhamsted is already over developed and lacking in other amenities/services without losing another one. They offer fantastic services in a convenient location with limited parking facilities. It would be a great loss to the families/pets in Berkhamsted if this development goes ahead.</p>
<p>HORSEBLOCK FARM, HEATH END, BERKHAMSTED,,, HP4 3UF</p>	<p>I object to this application because:</p> <p>1) OVERDEVELOPMENT OF SITE AND NOT IN KEEPING.</p> <p>Over development of the site with too many flats that are not in keeping with the neighbouring properties.</p> <p>2) PARKING</p> <p>This does not meet the minimum parking requirements</p>

	<p>for new build properties. Berkhamsted already has a parking issue-we do not need to add to that by keep on building residential properties with less than the minimum requirement-even more so, in such a central location!</p> <p>3) CHANGE OF USE</p> <p>This is a purpose built vet practice providing a needed service to an ever-expanding town. Change of use will lead to the unemployment of its veterinary staff, as re-location to a building in such a central location and with its own parking will not be possible.</p> <p>Is the gain of only 3 flats worth the loss of employment and the service it provides?</p> <p>4) SETS A PRECEDENCE FOR DEVELOPING TOWN CENTRE</p> <p>Its sets a precedence for developing commercial premises off of the main high street, with a loss of service and of shops. There are other less central areas available for building residential property.</p>
<p>59 MEADOW ROAD,BERKHAMSTED,, ,HP4 1JL</p>	<p>As a point of law, I feel that there may well be covenants in place regarding the change of use which Waitrose would have imposed when funding the original build of the surgery. This would be to stop the building being sold in the future for profit and turned into residential use as is now proposed.</p> <p>St Johns Vets is one of only two vet practices in Berkhamsted. It is however the ONLY independent vets in the town. As an independent vets it frequently goes the extra mile in offering its clients a personalised service. It is a busy surgery all year round and Berkhamsted would struggle enormously if left with only one practice. I have been a client for over 11 years and have found all the staff to always be extremely helpful and caring. It would be a tragedy for yet another independent business to be lost in the town.</p>
<p>56 KINGS ROAD,BERKHAMSTED,, ,HP4 3BJ</p>	<p>I strongly object to this proposal - this Practice is essential in supporting the community and access / location meets the needs of the town. With Berkhamsted growing in size the town needs this practice and I don't feel that there is a need to increase property on this site when we have so much land already being developed upon .</p>
<p>LITTLE</p>	<p>I strongly object to this proposal.</p>

<p>CORNER,CROSS OAK ROAD,BERKHAMSTED,, HP4 3NA</p>	<p>This is only of only two veterinary practises serving a growing town. Its loss would be significant to those using it's services today and it's likely that one practise could not cope with the increase in clients.</p> <p>The other practise is also at the other end of town - this would create increased car journies which area already increasingly fraught in a town not designed for the current population with a single road sitting in a valley.</p> <p>This is a local business providing local jobs. These should be protected.</p> <p>Development of flats on this plot is not in keeping with the overall location and other properties on the high street. It</p>
<p>3 Greencroft Cottages,Mount Nugent,Chesham,,HP5 2XJ</p>	<p>I strongly object to the proposed planning application. As I understand it St. John's vet's practise has already had to move a number of years ago due to redevelopment. When this happened they were moved into a PURPOSE built surgery which is their current location now again under threat. The vet's practice has clients from a wide area not only Berkhamsted. People come from Chesham, Hemel, Tring, and out lying villages. It is also used by people living along the canal due to the practice's close proximity to the water, means they can register their pets with them. I understand that Berkhamsted has another vet's practice but both are incredibly busy so to lose one of them would be a great loss for the town. St. John's practice has parking which means clients don't have to use other public carparks or side roads causing cogestion. I am sure there are other areas of Berkhamsted that can be redeveloped without losing a much needed business and the jobs that accompany it. For the sake of a few more flats in Berkhamsted which won't go much towards any numbers required by the 'Local Plan' the loss of the vet's practise would be of far greater detriment to the town. Infrastructure MUST also be considered, services such as the Vet's should NOT be under threat.</p>
<p>3 Greencroft Cottages,Mount Nugent,Chesham,,HP5 2XJ</p>	<p>I should also like to add to my previous comment that I am in agreement with all the other objections listed and looking at the plans am horrified at the design which clearly doesn't fit in the surrounding area. Berkhamsted like Chesham is an historic market town and as such should be treated with some respect.</p>
<p>3 Greencroft Cottages,Mount Nugent,Chesham,,HP5</p>	<p>I would like to object to the above planning application, St Johns is a long established vets that has provided employment for many years, and they serve a wide area.</p>

2XJ	<p>If they were forced to close that, I understand, would leave one vet in berkhamsted, nowhere near enough for a town that is growing as Berkhamsted is at the present time. I understand the reasons, I believe the applicants were left this property and obviously want to make a quick buck to maximise their good fortune, no crime in that, however this would have far reaching consequences to pet owners for miles around, and put an excellent and caring veterinary team out of employment.</p> <p>One other thing, the design is hideous, is that the best an architect can do, did they actually visit the site? There are some fine villas in the vicinity, so even if the planning consent is given, and I do hope it won't be, the design should be thrown out.</p>
46 WOODLANDS AVENUE, BERKHAMSTED, HP4 2JQ	<p>I am a long time user of this surgery, from even before the last time it had to relocate. At least the relocation created a purpose built facility that benefits the town and provides an excellent service. As far as I am aware there are only two veterinary surgeries in Berkhamsted. A relocation will probably be outside the town or even risk closure. The other surgery is unlikely to be able to absorb all the existing clients. Vets are part of the essential infrastructure a town needs and for the reasons above, the application should be refused.</p>
25 BRIDGEWATER ROAD, BERKHAMSTED, HP4 1HN	<p>This is the only remaining independent veterinary practice in Berkhamsted and as such remains a valuable asset to the town. We have used the practice for nearly twenty years and can vouch for the professionalism of all the staff. Access to the centre, almost opposite the service road/parking area is already congested and the addition of extra housing will only exacerbate this problem.</p>
White House Parrotts Lane, Cholesbury, Tring, HP23 6NY	<p>This Building has been used by St. Johns Veterinary practice for many years. They have invested in the building to provide a top veterinary services to people in Berkhamsted and the surrounding area. The Business is in an ideal local for people in the area to reach.</p> <p>If this planning application goes ahead and the vets has to move it will have a damaging affect to the economy of Berkhamsted. It will also have a large widespread negative effect on a substantial number of people who use the services provided from this building to look after their animals.</p>
25 BRIDGEWATER ROAD, BERKHAMSTED, HP4 1HN	<p>St John's Veterinary Practice is the only remaining independent practice of its sort left in Berkhamsted and as such is a real asset to and part of the character of the town. We have used the practice for nearly twenty years and always found all the staff very professional and helpful. Is there any provision for the relocation of the</p>

	<p>practice? We are assuming that the original convenient under which the site was developed by Waitrose as part of its displacement from its original site allows for this change of use. The road leading to the practice, St. John's Lane, is already extremely busy as it caters for both Marks and Spencer's and Waitrose traffic and the additional traffic generated by the proposed development will only add to this congestion.</p>
<p>7 Yew Court,The Crescent,Sidcup,,DA14 6FD</p>	<p>It would be a real shame for the residents of Berkhamsted if this proposal was to go ahead. This veterinary practice has served many Berkhamsted pet owners for many years and it is situated in such an ideal location in the centre of town, with lots of people in walking distance. To replace it with flats would be a great loss to these people and to the vets who work here.</p>
<p>40 UPPER HALL PARK,BERKHAMSTED,, ,HP4 2NP</p>	<p>Could we please consider the way of life for Berkhamsted residents, rather than endless commercially motivated development. This veterinary practice is an outstanding, long established and much loved part of the community. Preserving facilities such as this should be the top priority in any planning review.</p>
<p>30 WESTFIELD ROAD,BERKHAMSTED,, ,HP4 3PN</p>	<p>This is a good vets and is well valued and area is kept tidy</p>
<p>HILLCOTE,DOCTORS COMMONS ROAD,BERKHAMSTED,, HP4 3DR</p>	<p>A centrally located veterinary surgery such as the St John's Well Road practice is an amenity the town can ill afford to lose, especially as it would leave only one veterinary surgery for a growing town. The practice offers employment to local people as well as an excellent service to many local pet owners. This practice has already relocated once and it is unlikely that a small business could weather such an upheaval again, even if suitable premises could be found. To swap a veterinary practice for a small number of new flats does not seem to me a good decision by planners on behalf of the citizens of this town.</p>
<p>COWPER HOUSE,7 COWPER ROAD,BERKHAMSTED,, HP4 3DE</p>	<p>The veterinary surgery that is there is a busy practice. It is ideally situated for its customers to get to, with its own carpark, or within walking distance from many houses. Berkhamsted has many flats already.</p>
<p>14 HALSEY DRIVE,HEMEL HEMPSTEAD,,,HP1 3SF</p>	<p>I wish to object to the proposed change of use from a veterinary surgery to residential use. For the past 20 years I have taken my pets to this surgery and the vets and nurses provide an invaluable service. The building was purpose built to be a veterinary surgery and should remain as such.</p>
<p>21 ST KATHERINES WAY,BERKHAMSTED,,, HP4 1DA</p>	<p>Facilities in Berkhamsted are already stretched beyond breaking point and MUST be balanced against the increasing population of Berkhamsted.</p> <p>Halving the veterinary services of Berkhamsted for more</p>

	<p>housing is therefore indefensible...</p> <p>I note that the Town Council's aims are to ensure Berkhamsted:- Is a desirable and thriving place in which to live, work and visit. Has a safe, active, healthy and sustainable community. Retains its unique historic and cultural identity and vibrant town centre.</p> <p>This proposal would break all 3 of those aims...</p>
<p>3 CHALET CLOSE, BERKHAMSTED ,,HP4 3NR</p>	<p>The application makes great play of other sites where Dacorum policies on such things as parking and community space have been relaxed. Each site is individual and precedence should not be used as a justification for ignoring planning rules which are there for good reason.</p> <p>There is insufficient parking and no visitor parking which will inevitably result in parking in the spaces for the blocks of flats at the bottom of the road. There are public car parks close by, but we all know that nobody pays if they can park for free - just look at the side streets off the high street.</p> <p>The "refuse" area does not have enough bins - no green bin even though there is a garden for the front 2 flats and adjacent planting.</p> <p>Insufficient area for bin/ delivery lorries to turn, which will result in parking on St Johns Well Lane which is the main access route to/from Waitrose, M&S and the main town car park. This in turn will potentially result in more congestion on the high street as traffic backs up to the mini roundabout, and blocked access to the M&S carpark and for BT vehicles which park at the adjacent Telephone exchange. This will be even more of a problem during the construction phase. Additionally Construction traffic and delivery lorries will need to drive round the public carpark via the Waitrose access road to exit the site. Delivery lorries parked outside the garden centre often limit the width of this road, and there is often traffic queuing to Waitrose car park. The Corners on this road, adjacent to the Waitrose car park are also very tight and there have been occasions when lorries delivering to the garden centre have been unable to get round until parked cars have been moved - thinking brick delivery type vehicles, or low loaders with plant would have problems</p>

<p>85 CHILTERN PARK AVENUE, BERKHAMSTEAD, HP4 1EY</p>	<p>I object to this proposal. The veterinary surgery have been an outstanding service to Berkhamsted for some time, and I believe it's loss would have a massive impact on pet owners in the area. It is easily accessible by foot and road from the town centre, and its closing would be a great loss for the community.</p>
<p>20 PRINCES CLOSE, BERKHAMSTED, HP4 1JS</p>	<p>St John's Veterinary Surgery provide a very valuable service to the local community, in a convenient, predominately commercial location.</p> <p>The practice provides employment for several local residents as well as training opportunities and work placements for the next generation of veterinary practitioners.</p> <p>Clients of the surgery and their pets can visit the current surgery on foot or by car but it is difficult to see that there is a suitable property elsewhere in the town should St John's be forced to close. If forced to move from the current premises to an out of town location this will be a considerable loss to the community and everyone will end up needing to travel by car - surely we should be trying to reduce car use not increase it?</p> <p>This corner is a busy area of the town with people parking at M&S and, Waitrose and the general car park; further congestion by vans and larger vehicles during building work would add to this and increase the likelihood of accidents.</p> <p>I hope this application will be denied</p>
<p>85 CHILTERN PARK AVENUE, BERKHAMSTEAD, HP4 1EY</p>	<p>As a business premises this property is occupied in business hours meaning it is peaceful for neighbours outside of these hours. The dedicated parking also means the vet practice is able to deliver a service to their clients with minimal disruption to the rest of town. There are few other suitable premises for such a business within the town centre and losing this fantastic practice would hugely impact the pet owners of Berkhamsted</p>
<p>44 GAVESTON DRIVE, BERKHAMSTED, HP4 1JF</p>	<p>I strongly oppose this idea for several reasons.</p> <p>The current occupiers of the building are St Johns Vets. A team of the most incredible people who have been here for as long as I have lived in Berkhamsted (over 10 years) and it will be such a shame for such a highly regarded practice to move to a different location one potentially without the ease of reaching it on foot, and without the ample parking.</p> <p>I have personally had such a positive experience from the practice. I did a week of work experience and got</p>

	<p>offered a job working there as a "Saturday girl". during my time here I applied to vet school and successfully got offered a place and secured it. I could not have done it without the experience and knowledge I gained from firstly working in a practice and from the team who have so many contacts that were essential for me to gain the right work experience placements for me to pursue my aspirations.</p> <p>During my time working 3 other students also volunteered and worked at the practice. Where schools failed to fully understand the demands of pursuing a goal in Veterinary Science St Johns vets provide the knowledge, guidance and support to students pursuing dreams of becoming not only Vets but Vet Nurses too and animal based occupations.</p> <p>The reputation of the practice is one of respect and admiration. The ease of access to so many people, due to the location in the town center is one that will be hard to reproduce anywhere else. Being central to the town means that any clients with an emergency issue can easily get to the practice in more ways than one if they cannot drive.</p> <p>These reasons are why I strongly object to this planning permission and urge everyone else to do the same.</p>
<p>2 Bishopstone,Aylesbury,,, HP17 8SE</p>	<p>I object to this planning application for the following reasons:</p> <ul style="list-style-type: none"> - St John's Vets has been an independent practice serving Berkhamsted and the surrounding area since the 1950s. The building they lease was purpose built as a veterinary surgery by Waitrose in 1995 in order for Waitrose to build on their old site. St John's Vets have been tenants of the building for the last 23 years. A similar premises within the town simply does not exist and certainly not one with parking for clients - which is essential when transporting sick and injured animals. If planning were granted it would force the practice to either close or move out of town. The latter option would incur the huge expense of moving, developing the new site to meet the needs of a veterinary practice and inevitable loss of clients unable or unwilling to travel out of town. Moving is unlikely to be financially viable and force a long established, highly regarded and much used community asset to close. -St John's Vets employs 11 veterinary staff, with various part time, admin and locum staff from the local area taking the total to around 20. Several staff members are in their 60s and 70s and would struggle to find

	<p>employment elsewhere. St John's also employs a disabled staff member (double leg amputee) who has worked there as a nurse for the last 30 years (registered disabled for the last 3).</p> <p>-St John's is a registered training practice with the Royal Veterinary College and College of Animal Welfare providing essential placements for student vets and nurses - being fully booked with students until 2020. In addition 3 local school pupils from Ashlyns and Berkhamsted Schools that aspire to be vets are currently gaining experience after school and at weekends for their university application. St John's does all of this for free and for the benefit of the profession and local community.</p> <p>-Thousands of clients are registered to St John's Vets, including some who are registered blind or disabled. The practice provides parking for clients and those wishing to walk or needing to use public transport can do so easily. Clients living on canal boats are also able to readily access the practice being located so close to the canal.</p> <p>- The planning application states 'The loss of the existing veterinary practice does not breach local planning policy' yet there is no specific local policy regarding veterinary practices. This community asset should be considered in the same bracket as a doctors surgery with registered clients and a duty of care.</p> <p>-Berkhamsted is not short of housing - especially apartments. There is simply no need to lose this essential community asset for housing. It is a greedy overdevelopment of the site that benefits few, at the expense of so many.</p> <p>-Even if the development were justifiable, the proposed design of the two new apartments is frankly an insult to the surrounding historic architecture. Modern architecture can marry old and new so beautifully but sadly this design is neither interesting or sympathetic. Two crumpled cardboard boxes piggybacked onto the end of a Victorian building is a disgrace to the conservation area within which it is situated and surely cannot be allowed. I sincerely hope common sense prevails and the planning officers recognise what is right for the community of Berkhamsted by rejecting this application.</p>
<p>8 MOREFIELDS, TRING,,, HP23 5EU</p>	<p>I am very much in objection to this proposal. There are so many new build flats being constantly constructed in the surrounding area , which offer no character or history, and offer nothing to the community in the terms of local amenities. Berkhamstead is very much a community and this vets is very much part of that, So many vets are being bought out by corporate companies and this practice, which is still independent should be supported in staying where it is. The building was rennovated to be</p>

	<p>a veterinary surgery. It would be a devastating decision to make this close after many years of being a successful family run passionate vets.</p>
<p>8 MOREFIELDS,TRING,,, HP23 5EU</p>	<p>Berkhamstead already has plenty of flats, it doesn't need anymore. If an animal has a heart attack, for example, then they would have to have to drive to the other side of town and could waste time.</p> <p>Our vets is an important part of berkhamsteads community, plenty of people at my schools animals go there.</p> <p>Many vets and vet nurses jobs will be lost, including my mums, if the vets get changed into flats and they will have trouble finding another job close to home.</p>
<p>14 Green Lane,WEST MOLESEY,,,KT82PN</p>	<p>Please do not uproot this much needed veterinary practice!</p>
<p>17 BOXWELL ROAD,BERKHAMSTED,, ,HP4 3EX</p>	<p>I object to this development. It would represent the loss of a vital small business that has been in the town for over 50 years. St John's provides an important service to Berkhamsted and the surrounding community. The practice was purpose built and is in an ideal location allowing clients to access on foot and to make use of other local amenities.</p> <p>St John's is a small local business providing employment for approx 15-20 staff. It also provides vital work experience for young people from Berkhamsted schools who want to become a vet. It is a registered Training Practice for the Royal Vet College.</p> <p>Berkhamsted doesn't need any more flats. The town is already crowded and this is overdevelopment on a dangerous corner.</p> <p>We have used the Practice for over 12 years and rely on the practice.</p> <p>So I object on basis of change of use:</p> <p>320a is currently used as a veterinary practice. As one of only two practices in the town it provides a valuable service to its many users and is an important amenity in the High Street. This proposal will lead to the loss of the practice , reduce the range of services in the High Street and replicate existing housing. The other practice in the town is already well used and without this practice in this location current users will have to travel to nearby towns for veterinary services .</p> <p>And Design</p>

	The proposed design is not sympathetic to the surrounding Victorian Villas, it will obstruct the view of the villas and the materials proposed are not in keeping with the area.
14 Green Lane,West Molesey,,KT8 2PN	Local jobs over housing. Maintain and sustain!
8 LOCHNELL ROAD,BERKHAMSTED,,HP4 3QD	I do not think flats in this area will be very in keeping with the Victorian style and class of Berkhamsted. With lots of new build properties in the area I feel more flats in this location are unnecessary and will cause the entrance In to the car park and beginning of town to be even busier and off putting to go to my local town! St. John's is a great vets and has offered so much to the locals throughout the years.this business has work well for over 20 years and is apart of BERKHAMSTED as an asset to the community.
ASHTON,64 GROVE ROAD,TRING,,HP23 5PD	A fabulous long-established vets that has served the local community for years should not be replaced with yet more ugly flats
2,Star cottages,Bierton,,Hp22 5dp	It would be a real shame for the Berkhamsted community to loose St Johns vets, it has been an established and independent business providing a valued service to the town and employment to local residents for many many years. The new build flats would also not be in keeping of the Victorian character of Berkhamsted and look completely out of place as many of these new builds do to local communities.
16 ADAMS WAY,TRING,,,HP23 5DY	The veterinary care currently provided at this location is an important and very needed part of the local community. Such expertise are not available elsewhere for the community. It would be a terrible loss to see the veterinary practice close for one additional flat when so many others have been built in the area recently.
44 Morefields,Tring,,,HP23 5EU	Such a shame to close an excellent centre that serves the community to build yet more homes.
HIGHFIELDS,SHENSTONE HILL,BERKHAMSTED,,HP4 2PA	I do not support the change of use application. The veterinary practice must remain in the building.
HIGHFIELDS,SHENSTONE HILL,BERKHAMSTED,,HP4 2PA	The vets must remain
St John's House,Chesham Road,Berkhamsted,,HP4 3AF	St John's Vets is a vital and valued service for the town. This application will remove a much respected business and service. The clients and animals will be devastated at its loss.
7 CHAPEL STREET,BERKHAMSTED,,HP4 2EA	A terrible shame to lose such a wonderful independent business from the town.

20 HAYNES MEAD,BERKHAMSTED,, ,HP4 1BU	I strongly object to the destruction of a thriving veterinary business for flats.
5 BECKETS SQUARE,BERKHAMSTE D,,,HP4 1BZ	Please do not proceed this is a very good business & provides a vital service to this town. The site in particular is a terrible place to put residential properties
52 PHEASANT CLOSE,BERKHAMSTED ,,,HP4 2HH	Not only is this veterinary practice providing the community of Berkhamsted with a vital and dedicated service for our pets it is also very much an institution of Berkhamsted in its own right. I personally take my pet there as it is easily accessible and the staff are truly dedicated to their jobs and their clients. I object to this planning application due to the loss of this vital and dedicated service for our community. It will be tragic for many pet owners if this practice was forced to move to a less convenient location that would compromise its clients.
1 PARKLANDS,HEMEL HEMPSTEAD,,,HP1 3SJ	Long standing friendly local business would be lost if this went ahead.
13 FARLAND ROAD,HEMEL HEMPSTEAD,,,HP2 4RS	I use this vets, and feel it is a huge asset to the community. It will be really sad to see it disappear. We need this vets as there are not many independent vets in the area.
4 ILEX COURT,MONTAGUE ROAD,BERKHAMSTED,, HP4 3DY	The junction where this site is located is very busy. Adding so many residential flats will create further congestion. There is no need to build more residential accommodation in the town centre-it should be for businesses. In addition, the current use as a veterinary practice is a vital community facility. Loss of this business will result in considerable loss of jobs, and considerable inconvenience to local residents. It may result in local people taking their business out of the town, rather than supporting local business (it is highly unlikely that the other veterinary practice could cope with more patients).
1 COVETOUS CORNER,HUDNALL COMMON,LITTLE GADDESSEN,BERKHA MSTED,HP4 1QW	I like to lodge my objection to this planning application. We are clients of the St. Johns veterinary surgery and have been for more than 20 years. To allow the change of use on this building into a residential property, I feel would be a further nail in the coffin the High Street. This veterinary surgery provides essential care for animals, in a convenient and central location. Although there is another vet surgery in the town, I am certain that they wouldn't have the facilities to take on a vast number of extra patients if St. Johns' Veterinary Surgery were forced to move to an alternative location. There has been a massive amount of residential building in and near the town centre, some of which has already taken away businesses that previously enhanced the town. The vets is a central and essential service for pets and their

	owners. We don't need more housing in the town centre, we need to retain independent and essential businesses.
320 High Street Berkhamsted,,,,	<p>Objection (as summarised)</p> <p>Appearance of new apartments are out of character with Berkhamsted conservation area and would result in a loss of space at the side of St John's Well Lane.</p> <p>The main windows of the extension are only 4.5 metres away from main family living space and would result in a loss of privacy.</p> <p>Parking exit/entry into the development is dangerous. No space for turning around within the site.</p> <p>Loss of daylight and sunlight to neighbouring property and garden area. Ground floor area and key rear window by rear steps omitted in submitted Daylight and Sunlight assessment.</p>
74 CROSS OAK ROAD,BERKHAMSTED,, ,HP4 3HZ	<p>I object. Provision for 5 parking spaces with a potential for 8 cars or more with the amount of bedrooms is insufficient and will lead to further parking problems in surrounding areas.</p> <p>St Johns Vet is a vital business, providing services to the local and surrounding village communities and employing a large number of staff. The likelihood of them finding suitable premises with sufficient parking is slim and would be a significant loss of a business in the High Street.</p>
3 WHITEWOOD ROAD,BERKHAMSTED,, ,HP4 3LJ	<p>I wish to object to the application on grounds of change of use as a client of the practice and member of the community.</p> <p>The current building is purpose built to house a veterinary practice, with dedicated parking for staff and visitors. The practice provides an essential service to the local population and employment for the staff. The practice also provides training for veterinarian students.</p> <p>Changing the use of the building to a residential property would mean that the practice may be forced to close down, removing a valuable facility for the people of the town and neighbouring villages, and potentially result in loss of employment for those who work there. The only alternative would be for the practice to relocate to new premises, which would represent a considerable expense to the practice and be challenging given the pressures on development in the town.</p> <p>From an environmental perspective, relocating the practice would be wasteful in terms of adapting a new building to suit the requirements of the practice, and journey times for people who would no longer be able to</p>

	walk to the town centre location.
STONYCROFT,9 SHRUBLANDS ROAD,BERKHAMSTED,, HP4 3HY	I write on behalf of the BCA Townscape Group, of which I am Chairman. The Group wishes to OBJECT to this application as containing elements not complementary to surrounding buildings in the conservation area, neither enhancing nor conserving. The proposed design of the new builds are out-of-keeping with the original house and others in that terrace.
43 BLACKWELL ROAD,KINGS LANGLEY,,,WD4 8NE	I Object to the conversion of the veterinary practise, not only will people loose their jobs and clients loose a veterinary surgery the plans do not fit in with the current buildings in Berkhamsted. The already busy junction will soon become a danger with all the added traffic.
Tall Trees,,Church End,Edlesborough,,LU6 2EP	I live in a village about 9 miles from the vet's but due to the superb care the staff give their animal patients and their owners I choose to travel to this practice. I used this practice for some years when I worked in Berkhamsted during the early 80's and have continued to use it with my various pets over the years. I did try a nearer vet for a while but was so unsatisfied with their care I returned to St John's. It seems to me that Berkhamsted has grown considerably since I first worked there mainly with houses being built on open sites and a lot of infill building and to allow this practice to be shut down to the detriment of the town and surrounding community, for the sake of more housing would be a grave injustice, let alone making many people redundant.
92 cromwell road,caterham,,,CR3 5JB	I visit the area regularly and do not agree with the conversion of this building into residential flats. We need businesses in the are for the infrastructure to exist and this means businesses and tis he reason why locals and myself use the area. Please don't let this conversion happen.
The Marches,Englefield Green,,,TW20 0RT	It would be a tragedy for this to be allowed to happen. The vet's is a pillar of the local community and is a hugely popular service. It would be yet another nail in the coffin of the local town and would in my opinion be a very short sighted decision should this be granted. There would almost certainly be job losses and I feel that the local community deserves better from their local council.
ORCHARD HILL,CROSS OAK ROAD,BERKHAMSTED,, HP4 3JB	We are concerned that such an essential local service is being closed against its will - we rely on its proximity. Regardless of right of renewal, allowing developers to close community services/businesses is depriving Berkhamsted town centre of its life and character.
119 middle road,Shoreham,,,Bn43 6ll	Vet practises are vital to the community this is an established business I use them when I am on holiday visiting friends and family in the area
8 MOREFIELDS,TRING,,,	the vets is a important part of the community and should stay where it is. We should be supporting local

HP23 5EU	<p>businesses. many children at my schools pets go there. If the vets get changed into flats, then the vets and vet nurses, including my mum, will lose their jobs and have to find another job.</p> <p>If a dog has a heart attack, for example, then they would have to drive to the other side of town, and could waist time.</p>
Milford,Bigbury,,,TQ7 4AW	Much needed service in area.
HOLLYDENE,SHOOTER SWAY,BERKHAMSTED,, HP4 3ND	<p>We have used this veterinary practice for over 12 years. It is a hugely convenient location at the heart of town and has a dedicated team of professional vets and nurses who look after the town's animals. Not only will this development affect their livelihoods, it will also inconvenience many, many pet owners in Berkhamsted who rely on them for pet food, advice, emergency checks ups and routine appointments. Dacorum council should be encouraging small businesses and allowing them to thrive rather than supporting this application which inconveniences hundreds of local people in return for three additional dwellings.</p>
158 FENNYCROFT ROAD,HEMEL HEMPSTEAD,,,HP1 3NR	<p>I oppose the development of St John's Veterinary Surgery and tbe site, for the following reasons.</p> <p>It's one of the last remaining independent Veterninary practices in the area. Berkhamsted has many independent businesses and that's part of its attraction and charm!</p> <p>The surgery is a purpose built building, built by Waitrose over 20 years ago, when it re located it from what is now part of Waitrose car park. It was an important part of the community then, as it is now!</p> <p>What happens to all the staff who are employed at the surgery? Is The loss of all their jobs worth just four properties?</p> <p>The practice supports students from the local schools, inviting students to see work experience, as well as vital training to Veterninary students from Universities.</p> <p>Many clients combine visits to the surgery with shopping in the high street, therefore supporting local shops and cafes.</p> <p>I believe the development of the site would not provide enough parking for four flats. Many household have two cars and what happens when they have visitors? This would put an additional strain on the high street and surrounding residential roads.</p>

	<p>St John's is a friendly, well known and well loved surgery for Berkhamsted and surrounding areas. Clients find the location perfect as it provides parking for staff and clients. It also allows clients who live on boats along the canal, a convenient surgery to take their pets for treatment. We should be supporting local businesss, not pushing them out!</p>
<p>Johns Lane Farm,Ashley Green,Chesham,,HP5 3PT</p>	<p>This planning application is totally unacceptable and is going to harm a viable and very well supported veterinary practice.</p> <p>If my memory serves me correctly on condition of waitrose being built nearby they moved the existing veterinary practice which would have been in waitrose car park into this current building built new for them on the condition that it always remained as a veterinary practice.</p> <p>Therefore i totally disagree with this planning application.</p>
<p>11 COBB ROAD,BERKHAMSTED,,HP4 3LE</p>	<p>This is a well loved veterinary surgery that is needed in our town. We do not need anymore flats.</p>
<p>CHERRYCROFT,TROOPER ROAD,ALDBURY,TRING,HP23 5RW</p>	<p>The current use as a veterinary practice is a vital community facility. Loss of this business could result in considerable loss of employment, and considerable inconvenience to local residents. I live in Aldbury and drive into Berkhamsted to use this Vet. The journey to the Swing Gate end of town to use the alternative Vet could take in excess of 30 minutes due the slow moving traffic along the High Street at peak times.</p> <p>I think that it would not benefit the whole community to grant this Change of use and Conversion application.</p>
<p>23 AUBREYS ROAD,HEMEL HEMPSTEAD,,,HP1 2JP</p>	<p>This is a well established and loved veterinary practice I have taken my dogs to this practise since it opened and before it moved to it`s present location, it`s always been a very helpful and supportive practice which is what you need when your pet is sick. It`s as though the flats are going to be for social housing it`s just another money making project at the expense of much needed business.</p>
<p>64 ELIZABETH II AVENUE,BERKHAMSTEAD,,,HP4 3BF</p>	<p>I have no issue with more homes being built</p> <p>However, Berkhamsted simply will not cope with the loss of one of only two vetinary surgeries in the town</p> <p>I have used the other vet, Clarke & Marshal, for the past ten years and I can tell you they are always extremely busy</p> <p>70% of Berkhamsted residents own a pet</p> <p>How many residents are there in Berkhamsted expected to use just one Vetinary surgery ?</p>

	You do the maths
40 LOWER KINGS ROAD, BERKHAMSTED,, HP4 2AA	<p>To whom it may concern</p> <p>I am extremely upset to learn of the reference number 4/02993/18/FUL.</p> <p>I have worked in Berkhamsted for many years and find it very important to support the high street business which Dacorum Borough Council should also support especially when the high street business pay business rates. I work in a firm of solicitors based in Berkhamsted and support the high street shops/business.</p> <p>I have been a client of St Johns Vets for over 18 years and have built up a good client relation with the staff which work in the vets and in fact some of the staff have also been clients to our business so we try and support one another.</p> <p>This application is unfair and I therefore object.</p>
33 ELIZABETH II AVENUE, BERKHAMSTE D,, HP4 3BF	<p>St Johns vets has been in Berkhamsted for the 28 years we have lived in Berkhamsted, giving brilliant care to pets adn owners alike and it woudl be a considerable loss to the community if it were to be lost due to this application. It is unlikely that if this planning request were permitted that a new conveniently placed and purpose built premises would be built . The current building was purpose built as a veterinary surgery by Waitrose and should remain so and it is a facility that is needed in the town, it is always busy as is the second alternative vets at the other end of town. Location at both ends of town are perfect to serve the community</p> <p>They employ local people and look after staff animals and owners well. In addition they provide opportunity for the training of new vets as well as encouraging local opportunities.</p> <p>The proposed flat design is not in keeping with the surrounding residential properties and does not serve the local requirements for the community.</p>
Wpgc, Studham Lane, Dagnall,, Hp4 1rh	<p>This property was purpose built for veterinary purposes. If the vets no longer wished to use the premises then I would not object.</p> <p>This is a convenient location and has parking in the town. It's full of great people whose lives and jobs will change significantly just to put further flats on.</p> <p>We need to preserve our high streets and this application certainly doesn't do that.</p> <p>Save the vets..</p>
322 HIGH	I live within 20 metres of this proposed development, but

STREET,BERKHAMSTE
D,,HP4 1HT

no notice of it has been received at my address.

However, I have recently been informed of the proposal and have seen the documents on the website. I object to the proposal on the following grounds:

1. The design is inconsistent with the character of the Conservation Area

The development is in the Berkhamsted conservation area and neighbouring houses are now protected by a local listing which indicates the importance of the buildings to maintaining and enhancing the character of the High Street and the town. Being close to the amenities of both the canal and the High Street makes this a sensitive area. This development appears inconsistent with the character of the area and will adversely affect its appearance from almost all angles. The new buildings do not appear to be in keeping with their surroundings in appearance or in scale.

2. The new buildings will block sunlight from and overlook our and other neighbouring properties

The Design and Access Statement 3.0 states that "the site could accommodate a higher building at this location without having a negative impact on the setting of nos 320 to 338." Although that is arguable to the extent that it applies to the increase in height of the existing building, it is not true for the new buildings. The back windows at the rear of our house benefit from sunlight only in the mornings and the new buildings will directly obstruct that light.

The windows in the new buildings will also overlook the living area in the rear of our house.

Although a sunlight report is included in the documents, the effect of the proposal on the light on our house does not appear to have been considered in the application. It should be noted that the house numbers appear to have been incorrectly labelled in the report (see Appendix 1).

3. There will be a loss of local amenity

There is a range of shops and business premises in Berkhamsted High Street which are valued by residents and visitors, and an important source of local employment. It will be a blow to lose a small business through a change of use to more residential accommodation. The vet's practice has been a valuable amenity for many over the years, and it is important to keep available premises for any small business which could add to the resources available to the community. The Council needs to encourage the growth of local

	<p>amenities like this one.</p> <p>4. The access arrangements are inadequate and potentially dangerous St Johns Well Lane is already busy and much used by pedestrians. Being a family area, these include many young children and old people, vulnerable to the many vehicles on the road. The road has no pavement on the north side, which has been a serious concern for several years. There is also a large difference in level between the car park and the ground floor of the existing building and the road and the new buildings will be even closer to the road than the existing.</p> <p>The proposal makes this bad situation worse, with significant obstruction to the view around the entrance to the development. Driving in and out of the entrance will be potentially dangerous for those on the road and for those entering or exiting the car park. Also, the car park looks too small to turn a car around in easily, so vehicles are likely to reverse out into the traffic and probably across both lanes in order to access the roundabout on the High Street.</p> <p>5. Building works There does not appear to be any consideration of how the construction will be undertaken, where contractors will park, where materials will be stored, etc. A building project of this scale is likely to cause considerable disruption in a busy town centre.</p>
<p>89 Crispin Field,Pitstone,,LU79DX</p>	<p>I OBJECT to this proposal. Whilst I don't live in Berkhamsted I choose to travel to St John's Vets for all my pets' needs owing to the dedication, care and support that these highly skilled people provide. The closure of the practice, which will be the consequence if this development is allowed, will be a huge loss to the area, encompassing the town, surrounding villages and canal residents, where overall there is an undisputable high population of pets. In addition, it is ideally located for people to walk to but can also provide on-site parking when required, which is a huge benefit in a town where this is virtually impossible to do at the best of times. In addition it is a sad and inevitable fact that the closure of this practice will not only hurt the community but also that local people will have to face the hardship of losing their jobs. All that the greed of these four flats will bring is further strain to the local roads and services, including the other very few Veterinarians in the area.</p>
<p>2 CHALET CLOSE,BERKHAMSTED ,,HP4 3NR</p>	<p>I object to the change of use. The vet practice is a vital service for the town . It is important to retain such a business on the high street. If the practice goes then the</p>

	<p>existing clients will probably have to travel outside the town . The practice is an important employer in the town. The proposed scheme does not have adequate parking and is not in keeping with the neighbouring houses . The current building was purpose built as a surgery and should be kept as such .</p>
8 meadow way, Bedmond, Watford,, Wd5 0rd	<p>I strongly object to this proposal if the building is sold berkhamstead will lose a vital business to the residents and local community as St John's will have to close and cannot relocate</p>
Evergreens, Main Road North, Dagnall, Berkhamsted,, HP4 1QZ	<p>St John's Vets provides an essential service to pet owners from Berkhamsted and the surrounding areas. It is conveniently situated at one end of the town with it's own client parking. The fact it is in the town means it is part of the community and part of the High Street, allowing shoppers, local residents and people from outside a further reason to visit Berkhamsted, keeping the High Street alive.</p> <p>The building from the beginning was a purpose built Veterinary Surgery designed with a layout best suited for the animals, clients and staff and is kitted out with essential equipment and appliances.</p> <p>It not only provides an essential service to it's clients but gives employment to 12+ local people who are dependent on the Vets remaining open.</p> <p>The current impact of the building itself is that it fits in (was built over 24 years ago). To build more housing on this site and provide adequate parking would be totally unreasonable.</p> <p>It would therefore be ridiculous to change the use from the current Veterinary Surgery for the sake of four residential dwellings.</p>
FOX MEADOW, WATER END ROAD, POTTEN END, BERKHAMSTED, HP4 2SH	<p>This development will mean the veterinary practice will have to close. The vets practice is needed much more than 4 new flats. When Waitrose was built a condition of the planning permission was that the vets practice on the site had to be found a new home. Which it was in St Johns Well Lane. Surely it goes against the original Waitrose planning permission to now allow it to be swept away.</p> <p>I am a dog owner and regularly use this practice.</p>
324 HIGH STREET, BERKHAMSTEAD,, HP4 1HT	<p>We are three buildings along from the proposed development. We object on the grounds that our garden will be overlooked and much needed light blocked, given that we are north east facing and have limited sunlight to the back of the house. We further object to the increase in traffic which would occur in what is an already</p>

	congested area. We often have traffic jams in front of the house.
23A OAKWOOD,BERKHAMS TED,,,HP4 3NQ	The proposed development, with provision for just five parking spaces, would potentially increase traffic and parking congestion close to a junction already dangerous for both pedestrians and vehicles. St Johns provides a vital service to the town and surrounding area, employing a number of friendly and committed professionals. I'm sure the cost involved in relocating to suitable premises, with similar access for the local community, would be prohibitive and we'd lose this well supported, independent business.
35 Byslips road,Studham,,,Lu6 2nd	I would like to object to the change of use and development of this site. The vets practice is a valuable asset to Berkhamsted and the surrounding villages. It would be wrong to replace this wonderful service with yet more flats.
4 Greene Walk,,,,	Loss of veterinary practice would be mistake. Lots of flats already in Berkhamsted. Vet contributes to town economy.
20 WEST ROAD,BERKHAMSTED,, ,HP4 3HT	This veterinary practice provides a vital service to pet owners in this town. In a town of this size we need more than one veterinary practice. If planning permission is granted, this practice could close down if no alternative accommodation is found. I strongly object to even more flats being built.
Felden Lane,Felden,Hemel Hempstead,Hertfordshire ,HP3 0BB	Objection (as summarised) Much loved veterinary practice which loss of staff would have far-reaching consequences. Veterinary surgery provides placements for student training. Proposed development out-of-character with the surrounding properties. Berkhamsted is severely congested and is danger of suffocating under the pressure of over-development. Businesses should be allowed to continue to provide the services that are required by the town and wider community.
BRACKENLEA,DUDSW ELL LANE,DUDSWELL,BER KHAMSTED,HP4 3TQ	Apart from making a very good Vets homeless. It is not the best place for more flats etc, Jane and her team have always been there for me, when various animals needed them. I wish I could do more to help them.
GAYWOODS,NETTLED EN ROAD NORTH,LITTLE GADDESSEN,BERKHA MSTED,HP4 1PE	This practice has been here for at least 25 years serving Berkhamsted, it is probably the only independent vets in the area, and we cannot afford to lose it. It was purpose built to serve the town, moving to it's present site when waitrose was built. More flats squashed into a small area

	with insufficient parking will do little for the area. Small independent business should be supported not destroyed.
303 HIGH STREET, BERKHAMSTED, HP4 1AJ	I want to object to the change of use and conversion of the property. The vet has been there for many years and has been an invaluable service to the community, and ourselves, over that time. I understand that it was originally purpose built as a veterinary practice.
35 HOLLY DRIVE, BERKHAMSTED, HP4 2JR	Apart from the invaluable Veterinary Practice and huge resource to the Berkhamsted Residents, the further development of housing in this already over congested part of the road , has a significant impact on the local environment and traffic congestion. With all of the development completed and underway in Shootersway and Durrants Lane , the Town is becoming increasingly 'gridlocked' .
Sunnyside Cottage, Buckland Common, HP23 6PF	Taking services out of a town greatly changes it's character. It is also easy to combine a pet's visit to the vet with doing shopping in the town. Some people living in a town don't own a car so wouldn't be able to access the vets if it moved elsewhere.
55 Bower Lane, Eaton Bray, LU6 1RB	<p>St Johns was purpose built to meet the needs of the town and the surrounding villages. And there seems no justification for the change of purpose.</p> <p>The proposed development would provide little towards the housing needs of the local area, yet permanently remove a valuable service from Berkhamsted.</p> <p>The loss of St Johns would also result in the loss of the last independent practice in the local area.</p>
71 COVERT ROAD, NORTHCHURCH, BERKHAMSTED, HP4 3SS	The practice is a vital part of the community servicing pet owners in Berkhamsted, Northchurch and surrounding areas. We need the vets (there is only one other in town) not more housing in an already overcrowded town. Thank you for taking this into consideration.
14 TREVELYAN WAY, BERKHAMSTED, HP4 1JG	<p>We object to this proposed development on two grounds -</p> <ol style="list-style-type: none"> 1) Change of use. 2) Proposed design. <p>1) Evicting this incredibly valuable business asset makes no sense. Jane and her team have looked after all our pets since we came to Berkhamsted some thirteen years ago, and we have nothing but praise for them. It seems that the cost of relocation would be prohibitive, which would result in the loss of all those jobs as well as the service they offer. The other vet in Berkhamsted would clearly be overwhelmed by the extra workload, and as a</p>

	<p>result our pets will suffer.</p> <p>2) The proposed design is completely out of character with the area. In addition, the access in and out of the properties would be problematic. There would be NO pedestrian access. Vehicles going in to the parking spaces would hold up traffic while the barrier is being raised. Coming out of the parking space, the driver's visibility would be seriously restricted by the buildings.</p>
7 COOMBE GARDENS, BERKHAMSTED, HP4 3PA	<p>Berkhamsted needs this veterinary practice to continue its vital support to the ever growing community. I believe this well established business has been in the area for 50yrs and on this site for around 25. To lose this site would be a great disadvantage to many people from Berkhamsted and surrounding area. It would also be a massive loss to the local businesses which draw people into the town. I beg you to consider declining this planning application which would be a great disadvantage to hundreds of people and businesses, against the construction of a couple of flats.</p>
LITTLE FARM, HEMP LANE, WIGGINTON, TRING, HP23 6DW	<p>The proposed development constitutes gross over development of a very small site. The proposed parking (5 spaces) is insufficient for the increase in size of the residential dwelling. The vets practice currently on site was purpose built when they were forced out of their original accommodation by Waitrose. There is no other suitable site available in town with appropriate parking for the vets to relocate to. Local independent business should be supported, not squeezed out by further unnecessary residential redevelopment. Vet services are a vital community facility and the remaining vet practice, Clark & Marshall at the Swing Gate Lane roundabout, would be put under unreasonable pressure if St Johns was forced to close.</p>
5 THE FIRS, WIGGINTON, TRING, HP23 6DZ	<p>I would like to object to the change in use because I use St John's Veterinary Practice to care for my two cats. I am a wheelchair user and St John's is an accessible practice, unlike my nearest practice in Tring which has a number of steps up to the front door. At St John's I am able to park next to the practice in the disabled parking space and wheel straight into the waiting room with the cat carrier on my lap. I can then access the consulting room without support. I am not sure how I would be able to arrange for my cats to see the vet without an accessible veterinary practice nearby.</p>
2 Hill Farm Cottages, Northchurch Common, Berkhamsted, HP4 1LS	<p>My husband and I are shocked and distressed to read of the planning application involving the premises of St John's Veterinary Surgery in Berkhamsted. We find it hard to believe that the proposed extension to</p>

	<p>the current premises would be either a practical or attractive proposition. The site is not ideally located for entry/exit – and constantly under the threat from oncoming traffic from the High Street and from the St John's Well Lane car park – all of which travel at speed; and the site itself is actually quite small, and therefore residents would only always see (at quite close range from their windows) constant traffic movement if the proposed alterations were, as also suggested in the planning application, to face St John's Well Lane.</p> <p>Additionally – as clients of the surgery since its inception – we cannot believe that the Council would wish to 'banish' a major support feature for Berkhamsted's animal population. The St John's surgery is exceptionally well qualified and staffed, helpful, friendly... and always busy – a sign of its value and importance to the community it serves.</p> <p>Losing the practice would not only be a major concern for us personally and, we believe, all animal-loving Berkhamsted residents, but might also, we suspect, represent a problem for the veterinary incumbents to relocate within the area. We sincerely hope it would not therefore mean complete closure of the enterprise. We hope you will encourage the planning permission applicant to discontinue the proposal in the interests of Berkhamsted's extant animal-loving population. We look forward to hearing from the Council in due course – hopefully with positive news for the vets.</p>
<p>8 OAKLANDS,BERKHAMS TED,,HP4 3XZ</p>	<p>The town is already overcrowded with a lack of infrastructure, losing the Vets for another set of flats makes no sense.</p>
<p>12 Church Close,Studham,Beds,,LU 6 2QE</p>	<p>We sincerely hope this and other written protests which I am sure must have been received may dissuade the council from making a decision granting profiteering over local services.</p> <p>I am writing to you in some dismay, having heard to the proposed planning application for the current building used by St Johns Veterinary Surgery.</p> <p>St Johns provides a crucial service to Berkhamsted residents, and those in the nearby villages. We personally travel from Studham to see them when our animals are in need. They provide vital care and surgery to animals, and we have received the most excellent support from them many times, particularly when our dog was involved in a horrific accident, when Mrs Wighton and a veterinary nurse stayed very late and did their best</p>

	<p>to save our dog. We are definitely not the only people to have received this level of service. People have the utmost trust and respect for everyone working in the surgery, and I am sure this is just one of many emails you have received, desperately hoping this planning application will be refused, and this most vital and treasured surgery be allowed to remain in their premises.</p> <p>I cannot stress how important the surgery is to Berkhamsted. I sincerely hope the application will be refused.</p> <p>If there is any other information I can provide which will strengthen the case for them, please let me know, and I will be more than happy to provide whatever is needed.</p>
<p>44 CHARLES STREET, BERKHAMSTEAD, HP4 3DJ</p>	<p>We strongly object to the the change of use of this property from a much loved and heavily used Veterinary practice to build a couple of flats. The need of this service heavily outweighs the need for a few SMALL flats - and we certainly don't need any more cars.</p> <p>We have been using this practice for past 15 years - they are extremely good, have helped us through thick and thin, and are much valued members of the local community. This town has seen an increase in the number of pet owners, and losing this practice would be detrimental to the the whole of Berkhamsted and surrounding villages as there are not many local vet practices. It's in walkable distance for many, cutting down on car usage, and we fail to see the logic in granting this application.</p>
<p>2 Jubilee Cottages, Basingstoke Road, Riseley, RG7 1QG</p>	<p>I would like to object to this application.</p> <p>This is a change of site from business to residential. I believe the local policy is to keep commercial use in certain areas and promote residential elsewhere. This is the reverse. Surely the council would want to promote small independent businesses in the area. Moving St Johns Vets out of town would have a devastating effect on both the business and the local clients and I fear the vets maybe forced to close for good.</p> <p>The building was purpose built for a veterinary practice after Waitrose was built on the old one. It would be hard to find such a suitable building in the area, to replace what this well established business has.</p> <p>The proposed design would have an overbearing effect on the side road (which is very busy) due to the proximity of the road and size of building. It appears to be an overdevelopment of the site.</p>

	<p>Car parking provision appears inadequate for the number of bed spaces provided.</p> <p>I worked at St Johns Vets for over 7 years, I would be very disappointed if the council would be in favour of losing such an important business to the area. Please reject to this proposal and support small local businesses.</p>
3 BIRTCHNELL CLOSE,BERKHAMSTED ,,HP4 1FE	I object to the application. We have too many new builds recently in Berkhamsted which is becoming overcrowded. I have used the vets for the last 6 years, and the vets is vital to people with pets in and around Berkhamsted !.If a pet is ill then you need somewhere on your doorstep, you don't want to be driving miles in busy traffic to reach a vets. Its an asset to the town, and it just seems soooo wrong to replace it with more flats !!!
14 VALLEY ROAD,NORTHCHURCH, BERKHAMSTED,,HP4 3PY	This much loved veterinary practice provides a vital service to pet owners in this town and surrounding villages, and the loss of and her wonderful staff would have far reaching consequences. Berkhamsted is an extremely congested town and we do not need more flats with insufficient parking. I cannot stress how important this surgery in Berkhamsted is and I sincerely hope this application will be refused.
51 LOWER KINGS ROAD,BERKHAMSTED,, ,HP4 2AA	I object strongly. The vet has been there for years and should be supported as a small independent business.
15 ALYNGTON,NORTHCH URCH,BERKHAMSTED,, HP4 3XP	The property at the moment is used well. However more property in such a small area would put a greater strain on the current infrastructure.
6 MIDDLE ROAD,BERKHAMSTED,, ,HP4 3EQ	We strongly object to this change of purpose application. The St Johns vets offer an amazing service and cover a vast geographical area. They are highly recommended and have excellent provision, not equalled elsewhere. To close this service would be detrimental to the welfare of many animals in the area. We except more affordable housing is needed however not at this location.
22 HAYNES MEAD,BERKHAMSTED,, ,HP4 1BU	I strongly object to the planning application to convert the premises from the current Vet surgery to residential housing. St John's Veterinary Surgery is a much valued asset to the local community. It is very convenient located for local animal owners and offers a outstanding level of service. The loss of the St John's Vet's at this location and possibly the loss of the St John's Vets altogether would

	be very detrimental to the local community.
1 Malting Lane,Dagnall,Berkhamsted,,HP4 1QY	I am strongly objecting to this planning application as it is contrary to the Dacorum Borough Council stated initiative to preserve and enhance Berkhamsted's varied business community. The high street is already suffering from empty units and loss of a variety businesses under the strain of increased rates and changes of use, it is changing the face of this historic market town and atmosphere for the community. The veterinary surgery premises was purpose built and is an integral part of this animal-loving area, semi rural / rural area. It would be both disruptive and possibly prohibitively costly for the current business to move premises and they would struggle to find another property which would serve them as well; particularly with private parking which does not interfere with the soon-to-be- abysmal traffic flow. The surgery serves a huge number of households and if they had to close permanently there would be an increased strain on other surgeries and increased costs for customers as they will potentially have to travel further and more local surgeries will no doubt reach capacity very quickly. The closure of this premises serves only the financial interests of the owner and does nothing for the local community.
77 Wenwell Close,Aston Clinton,,HP22 5LG	This is a well used service provider in the town and we do not need more in filling of property further damaging our high street. It is a purpose built facility which supports the local, and wider, with the care of their pets and it's loss would be effect many people.
BERKHAMSTED TOWN COUNCIL,CIVIC CENTRE,161 HIGH STREET,BERKHAMSTED,HP4 3HD	Objection The proposed development would have a detrimental impact on the local community by removing a valued service. Furthermore, the loss of the Veterinary practice would reduce the mix of properties in the town, impact the spread of job opportunities and lead to loss of employment in the local area. Additionally, the proposed development is of poor design and not in keeping with the Conservation Area. P120, CS4, CS8, CS12, CS14, CS15, CS23.
152 BRIDGEWATER ROAD,BERKHAMSTED,,HP4 1EE	I strongly object to this planning application on the grounds that St John's vet is an important part of the local community. Without which many local animal owners will have to travel some distance to find an alternative practice.
BRAMBLE COTTAGE,BRIAR WAY,BERKHAMSTED,,	I object to the scheme for the following reasons: 1. Change of use to residential conflicts with dacourums police of preserving the diversity of the high street

HP4 2JJ	<p>2. The existing unit is not a vacant unit it is a well used business that supports the residents of the town and outlying areas. People with accessibility issues in the town are easily able to access this facility for their pets, who without access to a car may not easily be able to get to the next town for a sick beloved pet.</p> <p>3. The loss of this well used facility will result in increased vehicle movements to access pets services in other towns. Once you start using another town for this service it will be easier to do other retail errands there</p> <p>4. The commercial use adds to the high street and acts as anchor to bring people to the high street- people using the vets services go on to use other retail facilities</p> <p>5. Loss of local employment. The supporting document rather broadly state the surgery will not be lost it will move - where is the supporting evidence of other possible locations that will serve the requirements of the residents, maintain employment and preserve the diversity of the high street.</p> <p>6. The proposed development provides 8 bedrooms in 4 flats with 5 parking spaces. This does not provide adequate visitor parking, visitors will inevitably use the public parking facilities adding further pressures to the demand for parking which will not be fully alleviated by the new parking facility. Whilst the local authority might not mind as long as they are getting money for the space these visitors primary aim will not be to use the high street and add to the local Enoch. Residents from outlying areas will find it easier to go to Hemel Hempstead rather crawl around the car park berkhamsted on the off chance someone vacates a space. The developer is seeking to maximise development space at the expense of the provision of adequate parking facilities for the number of units being created.</p>
STONYCROFT,9 SHRUBLANDS ROAD,BERKHAMSTED,, HP4 3HY	Further to the BCA Townscape comment of 2.1.19, we wish to add the following objections: insufficient car parking spaces for the total number of bedrooms proposed in the development; and loss of Social Infrastructure, in the form of local veterinary care for the animals of vulnerable residents, as outlined in CS23.
1568 High Street,Northchurch,Berkh amsted,,HP4 3QU	I gather there is a request to close this surgery and convert it to flats (yet more flats in town many of which are not selling anyway) I would like to oppose this planning request and ask that the vet surgery remain. It is a much needed facility and also employs many people. They have looked after our pets for many years and provide a fantastic much needed service in the town

Supporting

Address	Comments
---------	----------

Commenting

Address	Comments
---------	----------

**Item 5f 4/03226/18/FUL DEMOLITION OF EXISTING RESIDENTIAL DWELLING AND CONSTRUCTION OF 4 X 2-BED FLATS AND ANCILLARY WORKS
LAVENDER COTTAGE, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7BA**



LOCATION PLAN 1:1250

**Item 5f 4/03226/18/FUL DEMOLITION OF EXISTING RESIDENTIAL DWELLING AND CONSTRUCTION OF 4 X 2-BED FLATS AND ANCILLARY WORKS
LAVENDER COTTAGE, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7BA**



4/03226/18/FUL	DEMOLITION OF EXISTING RESIDENTIAL DWELLING AND CONSTRUCTION OF 4 X 2-BED FLATS AND ANCILLARY WORKS
Site Address	LAVENDER COTTAGE, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7BA
Applicant	Ms L Kimmance, Kinsway Farm
Case Officer	Rachel Marber
Referral to Committee	Called in by Cllr Bhinder on grounds of overdevelopment

1. Recommendation

1 That planning permission be **REFUSED**

2. Summary

2.1 By virtue of the side access and rear parking arrangements of the proposed development future occupiers of the application site and neighbouring residents at Little Orchard would experience unacceptable living conditions in terms of noise and disturbance from vehicular comings and goings. The proposal would therefore conflict with Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy, which collectively seek, amongst other things, to ensure that new development respects adjoining properties and that the impact of noise is minimised by careful attention to layout. The scheme would also conflict with Paragraph 127 of the National Planning Policy Framework (2018) which seeks, amongst other things, to ensure that development provides a high standard of amenity for existing users.

3. Site Description

3.1 The application site is situated on the north-west side of Redbourn Road and comprises a detached 1930s bungalow situated on a generous plot. The immediate area comprises residential properties to the north of Redbourn Road and predominately commercial and industrial uses on the south side.

4. Proposal

4.1 The application seek permission to demolish the existing dwelling and construct an apartment block comprising four, two bed flats.

4.2 Parking provision and site access would run along the side of the property and wrap around the rear. There would be sufficient provision to accommodate at least 6 domestic cars.

5. Relevant History

4/02355/04/FUL	CONSTRUCTION OF FOUR 2-BED FLATS (AMENDED SCHEME) Granted 21/02/2005
4/01561/04/FUL	CONSTRUCTION OF SIX FLATS Withdrawn 16/09/2004
4/01119/03/OUT	DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TEN FLATS WITH ASSOCIATED PARKING Refused 17/07/2003
4/01847/98/FHA	SINGLE STOREY REAR EXTENSIONS AND ALTERATIONS Granted 22/01/1999

6. Policies

6.1 National Policy Guidance (2018)

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy – (2013)

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 – New Housing
CS18 - Mix of Housing

6.3 Saved Policies of the Dacorum Borough Local Plan (2004)

Policy 10 - Optimising the Use of Urban Land
Policy 18 - The Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 57 - Provision and Management of Parking
Policy 58 - Private Parking Provision

Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100 – Tree and Woodland Planting
Appendix 3- Layout and Design of Residential Areas
Appendix 5- Parking Provision

6.4 Supplementary Planning Guidance / Documents

Area Based Policies (May 2004) - Residential Character Area (Redbourn Road HCA30)
Accessibility Zones for the Application of Car Parking Standards (July 2002)
Dacorum Urban Design Assessment – Hemel Hempstead (2010)
The Grovehill Future Neighbourhood Plan (2017)
Refuse Storage Guidance Note (2015)

7. Constraints

Grovehill Neighbourhood Plan Area
Residential area of Redbourn Road HCA30

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Principle of Development
- Impact on Street Scene
- Impact on Residential Amenity
- Impact on Highway Safety
- Impact on Trees and Landscaping
- Impact on Protected Species
- Presumption in Favour of Sustainable Development
- Consultation Response
- Community Infrastructure Levy

Principle of Development

9.2 The application site is a windfall site located within the residential town of Hemel Hempstead. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site.

9.3 Core Strategy (2013) Policy CS1 states that Hemel Hempstead will be the focus for homes and Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.

9.4 Furthermore, the National Planning Policy Framework (NPPF) encourages the provision of more housing within towns and other specified settlements and the effective use of land by reusing land that has been previously developed. Saved Policy 10 of the Local Plan (2004) also seeks to optimise the use of available land within urban areas.

9.5 The proposed development will provide small, two bed flats in accordance with Policy Theme 2: Housing of The Grovehill Future Neighbourhood Plan (2017) which requires new housing to provide provision for smaller households.

9.6 Taking all of the above into account, the proposal would make a valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy. As such, given that the development would be located in a sustainable location the principle of development is acceptable in accordance with Policies, CS1, CS4, CS17, of the Core Strategy, Saved Policy 10 of the Local Plan (2004), the NPPF (2018) and The Grovehill Future Neighbourhood Plan (2017).

Impact on Street Scene

9.7 Paragraph 127 of the NPPF (2018) states that, decisions should ensure that developments are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

9.8 In addition, paragraph 130 of the NPPF states that *'permission should be refused for developments of poor design that fail to take opportunity available for improving the character and quality of an area and the way it functions.'*

9.9 Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms

of size, mass, height and appearance. This guidance is reiterated in the Saved Local Plan (2004) Policies of 10, 18, 21 and Appendix 3.

9.10 The Grovehill Future Neighbourhood Plan (2017) requires new housing development to be of high quality design with an appropriate height to reflect the local character, maintain a low skyline and to preserve areas with existing open characteristics.

9.11 The Area Character Appraisal for HCA30 Redbourn Road is described as a small corridor of small to medium sized, mainly detached to semi-detached dwellings fronted by well-landscaped wide grass verges. Redbourn Road leads out towards open countryside but also serves as access to the residential areas of Woodhall Farm (HCA33) and Hunters Oak (HCA31). The area is characterised by a variety of house types which possess very little architectural homogeneity or merit, with the majority of dwellings dating from the 1930s but with examples of 1980s infill and redevelopment at a higher density on St Agnells Lane. Spacing between dwellings vary, but is typically in the medium range (2 m to 5 m). There is a clear, although not totally rigid building line. Properties on Redbourn Road are characterised with generous front gardens, which feature a strong landscaped boundary to the street scene, providing an wide, open and well landscaped character to the area. Redevelopments of plots is stated as being unacceptable if it results in a development that is unduly prominent and visually intrusive in the street scene, when viewed in the context of surrounding and nearby low-rise, small scale existing development.

9.12 The application site is located within the new town neighbourhood zone in accordance with the Hemel Hempstead Urban Design Assessment (2010) where a range of building types is encouraged, although detached buildings should be discouraged. Densities should range from medium to very high. The existing buildings generally have medium setbacks, providing private front gardens; these patterns should continue.

9.13 The application seeks to demolish the existing dwelling, which is a detached bungalow, and construct one new detached building comprising four 2xbed flats. No objection is raised in regards to the loss of existing bungalow, which is of little architectural merit.

9.14 The proposed replacement building would maintain the strong linear front build line of the street scene. The proposal would also maintain a 3 metre separation distance to site boundary with Little Orchard, which would to some extent maintain the open verdant character aspect the immediate area. The immediately adjacent properties comprise a mix of bungalows and two storey dwellings, with range both in terms roof forms, sizes and architectural appearance. Therefore, the replacement of the existing bungalow with a 7.6-metre (approximately) two-storey high building is not considered to appear overtly incongruous within the street scene; although some concerns are raised regarding the bulky design and emphasis of the two front gables, especially when viewed in the context

of the immediately adjacent bungalows. There are other examples of infilling on Redbourn Road such as, The Skep (4/1179/99/FUL) and The Mead (4/00909/00/FUL), where the variety in both design and size of properties within the street scene has added further differentiation between properties in the street scene, in a similar manner to the proposed.

9.15 Concerns are also raised regarding the removal of a section of front boundary hedging and paving over the entire front garden of the application site, in order to create a parking area for the proposed development. This would reduce the verdant aspect character of the street scene and deplete the strong landscaped front boundaries of properties to the north of Redbourn Road. Nevertheless, the Redbourn Road Area Character Appraisal (2004) highlights that in the case of redevelopment, front areas may be used for vehicle parking where effective landscape screening to the road and adjacent sites is provided. Some landscaping would be retained to the front of the property and the LPA acknowledged that this could be further enhanced by way of a landscaping condition. The loss of rear garden to hardstanding parking provision would not be read from the street scene.

9.16 The proposed scheme would have a density of 50 dwellings/ha, which is in-line with both the Hemel Hempstead Urban Design Assessment (2010) and HCA30 Redbourn Area Character Appraisal (2004) which states that redevelopment proposals should have a high density of (35 to 50 dwellings/ha (net)) and very high exceeding 50 dwellings/ha (net) densities. Similarly, both national and local policy seek to maximise the optimum quantum of development on site. This is highlighted within Saved Policy 10 of the Local Plan (2004) which requires optimum use of the land available and Saved Policy 21 of the Local Plan (2004) which states that densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net. Policy CS10 of the Core Strategy (2013) outlines that new development should promote higher densities in and around town centres and local centres. National planning policy also seeks effective use of land in meeting the need for new homes and planning decisions should avoid homes being built at low densities and ensure developments make optimal use of the potential of each site.

9.17 Overall, the placement, scale and design of the proposed development would on balance, appear in character and keeping with the surrounding street scene. The proposal is considered in compliance with Policies CS10, CS11 and CS12 of the Core Strategy (2013) and Saved Policies 10, 18 and 21 and Appendix 3 of the Local Plan (2004), the NPPF (2018), the HCA30 Redbourn Road Area Character Appraisal (2004) and Hemel Hempstead Urban Design Assessment (2010).

Impact on Residential Amenity

9.18 The NPPF (2018) outlines the importance of planning in securing high standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure

that new development does not result in detrimental impact to neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.19 The proposed development would not breach the 45 degree line as drawn from the closest rear habitable window of neighbouring property Little Orchard, which indicates that the proposed development would not impact upon the outlook or daylight serving these neighbouring residents.

9.20 The flank elevation of the proposed development would be located approximately 21 meters away from Nos. 16 – 25 St Agnells Court. This is considered a sufficient separation distance to maintain outlook and daylight levels to these properties. It is also important to note that DBC have no side to rear separation policy distance standard. The proposal would also be located 22 metres away from Nos. 7-21 St Angells Court, which is considered to fall just shy of the minimum 23 metre rear-to-rear separation distance standard outlined within Saved Appendix 3 of the Local Plan (2004). Therefore, this relationship is also considered acceptable, especially considering the oblique relationship these neighbours have with the application site.

9.21 No property resides to the immediate rear of the site. No flank elevation windows are located on neighbouring property Little Orchard, therefore no loss of privacy to adjacent neighbours would result from the proposal.

9.22 Turning to the living conditions the proposal would afford future residents. Saved Appendix 3 of the Local Plan (2004) states that garden depths equal to adjoining properties would be acceptable with a functional proposed width, shape and size that is compatible with surrounding area. Saved Appendix 3 expands this further outlining that residential development designed for multiple occupancy will be required to provide a private communal amenity area to the rear of the building at least equal to the footprint of the building. The majority of the rear garden of the application site would be converted to built form (comprising the dwellinghouse) and hard standing parking provision. An approximate 285 sq.m garden area would remain to serve the 140 sq.m footprint of the development. This garden size is therefore considered acceptable however, the quality of amenity enjoyed within this garden area would be extremely poor due to the resultant noise and disturbance from the proposed parking arrangement. The proposed loss of the rear boundary hedging would also decrease the noise barrier and protection to the rear amenity area of St Agnells Court.

9.23 Addressing the parking arrangement, this would run directly adjacent to both the application site and neighbouring residents at Little Orchard. The negative impact of this arrangement would then be heightened by the wrap around nature of the parking area which would run directly to the rear of the application site and Little Orchard's rear garden. Cars would also be required to turn within this parking area in order to be able to exit and enter the site in forward gear, and therefore a number of different maneuverers would take place within this rear amenity area. Noise disruption as a result

of this parking arrangement would be very evident from proposed side kitchen windows and rear bedroom windows of the application site and rear windows of Little Orchard. The proposed parking arrangement would be particularly poor around the ground floor right hand side unit, which would have all three external elevations immediately adjacent to parking provision. This could also result in loss of outlook from parked cars in addition to resultant noise and disturbance. It is therefore considered that by virtue of the close proximity of vehicles parking and entering and exiting the site and the resultant range of awkward manoeuvres that would be necessary, significant noise and disturbance would result to the future occupants of application site and neighbouring residents, particularly at warmer times of the year when windows are kept open.

9.24 Moreover, the noise of vehicles using the private access and parking area would require cars travelling at a slower speed and lower gears with a potentially higher engine revolution, which would differ from the traffic noise on Redbourn Road, which is of cars using higher gears and making more consistent progress. Furthermore, the sound of traffic on Redbourn Road should be mitigated somewhat to the side and rear amenity area of the application site, which would not be the case as a result of the proposed development. As a consequence, the noise events associated with vehicle movements on the access road and parking area would be much more intermittent, distinct, irritating and intrusive.

9.25 It is appreciated that a previous consent was in place for a very similar development (albeit granted over 10 years ago), with the same rear parking arrangement however, this has subsequently lapsed and a fresh planning policy framework and recent appeal decisions, such as appeals ref: APP/A1910/W/18/3211726 and APP/A1910/W/17/3170787, are new material considerations. The new National Planning Policy Framework is materially different in so far that there is an increased emphasis on good design which secures a high standard of amenity for existing and future users. Policy CS12 of the Core Strategy states that site design, amongst other things, should respect adjoining properties in terms of layout and site coverage and Policy CS11 states that developments should avoid large areas dominated by car parking. The poor access/parking arrangements of properties Nos. 6 – 10 Redbourn Road is also acknowledged however, the parking area is located to the very rear of the site and therefore would result in less noise and disturbance to neighbouring residents as a result of car manoeuvres and egress and ingress.

9.26 Thus, future occupiers of the application site and neighbouring residents at Little Orchard would experience unacceptable living conditions in terms of noise and disturbance from vehicular comings and goings utilising the access road and parking area of the proposed development. The proposal would therefore conflict with Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy, which collectively seek, amongst other things, to ensure that new development respects adjoining properties and that the impact of noise is minimised by careful attention to layout. The scheme would conflict with Paragraph 127 of the National Planning Policy Framework (2018) which

seeks, amongst other things, to ensure that development provides a high standard of amenity for existing users.

Impact on Highways Safety

9.27 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2018) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and adequate provision of spaces for ultra-low emission vehicles. Policies CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.28 The proposal seeks permission for 4x 2 bed units which would require 1.5 spaces per unit, totally a requirement of 6 parking spaces at maximum standard. The proposed development seeks to accommodate provision for at least 6 domestic cars to the front and rear of the application site, which would meet this maximum standard. According to the submitted Design and Access Statement 1 bicycle space per flat would be provided within the development. Details of this bike store could be requested by condition.

9.29 Hertfordshire County Council Highways who were consulted on the planning application and proposed intensification of site use provided the following summative comments:

- The proposed new property will use the existing access onto Redbourn Road.
- Redbourn Road is a "B" classified numbered road, the B487, which is 40 mph, so vehicles are required to enter and exit the site in forward gear.
- Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

9.30 Hertfordshire Fire and Rescue were also consulted on the planning application and raised no objection on fire safety grounds subject to the provision of fire hydrants within the site.

9.31 Therefore, the proposed development is unlikely to result in significant impact to the safety and operation of the adjacent highway. Thus, the proposal meets the requirements of Policies CS8, CS9 and CS12 of the Core Strategy (2013), the NPPF (2018) and Policies 57 and 59 and Saved Appendix 5 of the Local Plan (2004).

Impact on Trees and Landscaping

9.32 Saved Policies 99 and 100 of the Dacorum Local Plan (2004), Policy CS12 of the Core Strategy (2013) and The Grovehill Future Neighbourhood Plan (2017) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.33 The proposed scheme has the potential to provide soft and hard landscaping on site. The appearance of the development would be softened through the provision of front landscaping and reinforcement of side boundary treatment, which could be secured through a landscaping condition. All trees to be removed from the site are considered of low amenity value, which do not significantly contribute to the verdant aspect character of the area. The storage of the bins would be located within a dedicated compound within the private rear garden area, details of this could be requested by condition.

Impact on Protected Species

9.34 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS26 of the Core Strategy (2013) states that proposals should contribute to the conservation of habitats and species.

9.35 Hertfordshire Ecology were consulted on the proposed demolition of the existing property and confirmed that there is no evidence of bats within the immediate area. An informative has been suggested to be attached to the grant consent as a safety precaution.

Presumption in Favour of Sustainable Development

9.36 Paragraph 8 of the NPPF (2018) identifies three aspects of sustainable development: social, economic and environmental. Due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, paragraph 11 of the NPPF (2018) is engaged. Paragraph 11 of the NPPF states that decisions should apply a tilted presumption in favour of sustainable development unless policies in protected areas of particular importance provide a clear reason for refusing the development proposed.

9.37 Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date" when the LPA cannot demonstrate a five year supply of deliverable housing sites. The most important policies for determining a housing application are considered to be Policies CS1 (Distribution of Development), CS4 (The Towns and Large Villages) and CS17 (New Housing).

9.38 It must therefore be considered whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, as outlined in paragraph 11 of the NPPF (referred to as 'the tilted balance' in favour of sustainable development). Policies for the supply of housing should be given less weight where these circumstances apply.

Environmental

The proposal would be located within a sustainable area on a brownfield site within a built up residential area.

Social

The proposal would make a contribution to the Borough's housing supply, thereby facilitating the Government's aim of boosting the supply of housing.

Economic

The proposal would result in economic benefits during the construction of the units, although this would be for a limited period. In addition, it is likely that future residents would support the local economy such as using the amenities at the Town Centre.

Conclusion

The social, environmental and economic benefits of the proposed development outlined above are not significant enough to outweigh the harm the proposed development would cause to living conditions.

Consultation Response

9.39 Several concerns were received as a result of the application. The main concerns are addressed below:

Harm caused from parking area in terms of noise and fumes: This has been acknowledge and is considered harmful enough to result in the refusal of the planning application. Please see Impact on Residential Amenity section for full assessment.

Congestion on road/ makes road unsafe: Hertfordshire Highways were consulted on the planning application and have raised no objection on highway safety and operation grounds. Please see Impact on Highways Safety section for full assessment.

Loss of outlook, privacy and daylight and sunlight to neighbouring residents: Please see Impact on Residential Amenity. The proposed development is not considered to result in a significant loss of outlook, daylight or privacy to neighbouring residents.

Inadequate amount of parking provision: The development provides adequate parking provision which meets maximum standards. DBC maximum standards incorporates

provision for visitor spaces.

Side boundary hedging to be removed and replaced with a chain link fence- The existing side boundary hedging is proposed to be cut back only, and would be maintained within the boundary of St Agnells Court.

Community Infrastructure Levy

9.40 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

10. Conclusion

10.1 By virtue of the side access and rear parking arrangements of the proposed development future occupiers of the application site and neighbouring residents at Little Orchard would experience unacceptable living conditions in terms of noise and disturbance from vehicular comings and goings. The proposal would therefore conflict with Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy, which collectively seek, amongst other things, to ensure that new development respects adjoining properties and that the impact of noise is minimised by careful attention to layout. The scheme would also conflict with Paragraph 127 of the National Planning Policy Framework (2018) which seeks, amongst other things, to ensure that development provides a high standard of amenity for existing users.

11. RECOMMENDATION – That planning permission be **REFUSED** for the reasons referred to above and for the following reasons:

Reasons for Refusal

No	Condition
1	<p>By virtue of the side access and rear parking arrangements of the proposed development future occupiers of the application site and neighbouring residents at Little Orchard would experience unacceptable living conditions in terms of noise and disturbance from vehicular comings and goings. The proposal would therefore conflict with Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy, which collectively seek, amongst other things, to ensure that new development respects adjoining properties and that the impact of noise is minimised by careful attention to layout. The scheme would also conflict with Paragraph 127 of the National Planning Policy Framework (2018) which seeks, amongst other things, to ensure that development provides a high standard of amenity for existing users.</p> <p>Article 35 Statement</p>

Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through early engagement with the applicant at the pre-application stage. This positive advice has however been ignored and therefore the Council remains of the view that the proposal is unacceptable. Since the Council attempted to find solutions, the requirements of the Framework (paragraphs 186 and 187) have been met and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Appendix A

Consultation responses

Comments received from consultees:

Building Control

Thank you for your email Building control have taken a look at the proposal. I comment are limited at this stage. We may not get this application under building regulations but please mention building control will be happy to over see the project.

Approved document B volume 2 fire Safety

- General note means of escape from within the flats to the communal hall will need to be addressed at building regulation phase.

Approved document M – Disabled Access

- Confirmation that access and use of the flats will be provided

Amended Comments

No Comment

Herts Property

Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within **Dacorum's CIL Zone 3** and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (growth@hertfordshire.gov.uk).

HCC Highways

Notice is given under article 18 of the Town and Country Planning (Development

Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

CONDITIONS:

1. Provision of Parking and Servicing Areas Prior to the first occupation of the development hereby permitted the proposed access and on-site car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

INFORMATIVES:

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

This application is for Demolition of existing residential dwelling and construction of 4 x 2-bed flats and ancillary works

PARKING

6 Parking spaces will be provided on the new hard standing.

ACCESS

The proposed new property will use the existing access onto Redbourn Road.

Redbourn Road is a "B" classified numbered road, the B487, with 40 mph, so vehicles are required to enter and exit the site in forward gear.

WASTE

Provision has been made for the storage and collection of waste.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.

Herts Fire and Rescue

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

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

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

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

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

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

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

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.

I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit

Herts Ecology

Lavander Cottage is a bungalow with rendered walls and what appears from aerial photos and Streetview to be a well-sealed slate roof. Hertfordshire Environmental Records Centre has no ecological data for this property and there are no known bat roosts within 150m of the site. On considering the buildings style, condition of the roof, age and its urban setting I advise that there is not the need for any bat surveys in this instance.

The back garden of the property and associated shrubs, fruit trees and border hedges link to a line of similar gardens which back onto an extensive open space within the centre of Hemel Hempstead. This open space is composed mostly of sport fields but also includes Woodhall Wood Local Wildlife Site (LWS). This area would provide moderate commuting and foraging habitat for bats and although I do not think the building is likely to be a roost site, it is likely that bats forage around the house.

As a precaution against the unlikely possibility that bats are roosting with in the roof of this building I suggest the following **Informative** is included in any permission given.
“In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.”

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
14 St Agnells Court,,,	<p>As the owner of 14 St Agnells Court a flat adjacent to the proposed development I wish to raise my concern regarding the parking.</p> <p>It appears that the existing hedge on the boundary between the communal gardens for the flats and the proposed car park is to be removed and replaced with chain link fencing. This will be detrimental to the privacy and enjoyment of the gardens by the residents. Also the noise and fumes from vehicles turning and parking in the area will be very close to a place where people sit and children play.</p> <p>I would appreciate your consideration for an amendment of the proposed plans .</p>
THE MILLSTONE,REDBOURN ROAD,HEMEL HEMPSTEAD,,HP2 7BA	<p>I live approx. 150yds down Redbourn Rd so have classed myself as neighbour since this potential development may have implications for properties down the road ,in both contexts.</p> <p>Whilst it does not directly affect me, I can't object to increased vehicle usage and noise and a certain loss of private rear garden areas.</p> <p>However, Redbourn Rd is very busy especially in rush hour, and having extra vehicles trying to turn right so close to the proximity of the roundabout is asking for trouble.</p> <p>If any development is to go ahead on this site I could only support the building of a larger single dwelling property, much like all the others down this road .</p>
24 St Agnells Court,,,	<p>I wish to raise an objection as should this development be allowed to go ahead it would have a direct impact on my quality of living as my lounge and bedroom directly overlook that site.</p> <p>My objections are:</p> <p>The proposed structure is a two storey building and not a one storey building which is currently in situ so therefore clearly higher and would block out some of the natural</p>

	<p>light into the my property and subsequently compromise my view.</p> <p>Allowing for six car park spaces would mean an increase in vehicular emission fumes but could also mean an increase in noise pollution at any time of the day or night which would have a debilitating impact on my quality of living.</p> <p>As the entrance/exit to this location is directly off the main road this extra vehicular activity entering and exiting the location in my personal opinion would be hazardous. Whilst writing, and lastly, on the application planning map and in the design and access statement it shows and mentions there is a group dense of trees forming the frontage (within the St Agnells Court back garden amenity space), this is not the necessarily the case as some of the trees were cut down by DBC in recent years so it is misleading as it suggests to me there is sufficient planting and landscaping along the boundary line.</p>
<p>KYNSBRI HOUSE, REDBOURN ROAD, HEMEL HEMPSTEAD,, HP2 7BA</p>	<p>We are opposed to this planning application because we feel that using what is now a family garden is using up yet another valuable green space.</p> <p>Access to these properties is very close to the roundabout with limited view of the fast moving traffic leaving the roundabout. Which obviously could lead to some very serious accidents.</p> <p>Also, most families these days seem to have two cars and visitors with cars. There is only parking for six cars, this would seem to be insufficient off road parking spaces. Where will the extra cars park?</p>
<p>LONSDALE, REDBOURN ROAD, HEMEL HEMPSTEAD,, HP2 7BA</p>	<p>Inadequate parking.</p> <p>The new development has inadequate parking space. It is not unlikely that there will 8 vehicle owners in residence whereupon two cars, if not to box in their neighbours, will have to park outside the property. This situation would be further aggravated if there were any visitors. Cars come off the roundabout at speed and it would be a serious hazard to have cars parked in the road. All the other houses in Redbourn road have adequate parking spaces. So I object to this development on the basis of inadequate parking.</p>
<p>WIDMER, 1 REDBOURN ROAD, HEMEL HEMPSTEAD,, HP2 7BA</p>	<p>I have received a copy of a letter concerning the above where planning application has been made for 4 x 2 bed flats and ancillary works.</p> <p>I am very opposed to this as Redbourn Road is a lovely road with character properties dating back since 1930 which is one of the houses I moved here. Having flats in this area will spoil the view of the road and not to mention the neighbour who will have to put up with a large</p>

	<p>building overlooking his property to say nothing of the vehicles say 2 vehicles per flat would be 8 extra vehicles plus additional for guests would add more pollution into the environment in such a small area so this would spill out onto the road where at that particular place has been the scene of many an incident which would make it worse with more vehicle per square metre.</p> <p>Also clearly the person is doing this purely for profit before the welfare of the neighbourhood and his immediate next door neighbour. In the future potential buyers could be buying to let which does attract problems potentially in the vicinity.</p> <p>I noticed the owner of Lavender Cottage applied in 2003 for 10 flats, 2004 twice for 6 flats and 4 x 2 bedrooms flats all refused so residents clearly do not want this in their neighbourhood.</p> <p>If we allow this to go ahead who knows where it will end and give way to other owners or future owners to build high density flats - this type of property I feel is not wanted in this road perhaps we show say to the council that we should get council tax refunds if we are not happy with decisions that are made - I suspect the council would not be so happy to grant planning applications if it affected them or their purse.</p>
<p>21 ST AGNELLS COURT,HEMEL HEMPSTEAD,,,HP2 7AT</p>	<p>I am objecting to this planning application on the grounds that it would have an effect on my day to day living. Our communal garden would be adjacent to the proposed new car park. And as my only access to outside space along with my balcony, the increase in air pollution would deter me from enjoying these spaces as it could have serious health implications. My bedroom would face this proposed site, and I feel my sleep would be affected by the noise that a car park would bring, doors slamming, engines reving etc. When I moved into this property, your literature promised me 'quiet enjoyment of the property'. You have since granted permission to erect 9 houses with parking and access on the St Agnells Lane side of my property. With this proposed property on the other side of me, my privacy will be seriously compromised. The exiting from the proposed property on to an extremely busy road, opposite the entrance/exit of the council depot, and so close to the roundabout would bring obvious dangers. Where I understand for the need for more housing, I feel this act of shoe horning a property into a small space, has such an enormous effect on those already living in the area. And I am sure some trees and shrubs would be removed to make way for this</p>

	property, affecting local wildlife.
Little Orchard,Redbourn Road,Hemel Hempstead,,HP2 7BA	<p>Objection (as summarised)</p> <p>Access to and from a shared double driveway onto a busy B road will exasperate the situation on an already dangerous road. Noise and pollution from road is unbearable.</p> <p>A precedence may be set in residents have to put up with more noise and pollution in their gardens. Peace and quiet enjoyed will now disappear if parking in rear gardens is allowed.</p>
CATKINS,REDBOURN ROAD,HEMEL HEMPSTEAD,,HP2 7BA	<p>This is a duplicate of our letter delivered by hand to The Forum reception on 25-Jan-2019</p> <p>-----</p> <p>We live two homes away from the site and object to this planning application on the basis that it is over development. The site would have a cramped appearance and be unneighbourly to surrounding properties.</p> <p>There will be increased vehicular activity adjacent to neighbouring back garden areas resulting in disturbance and loss of amenities to adjoining occupiers. If taken as a whole, the combined dwelling and car park would breach the established building line by a large margin. It would result in a considerable loss of amenity for local residents and the vehicle access would create a death trap on an already known highway blackspot. With the obvious increase in traffic from the large scale new housing projects, Redbourn Road traffic levels will be much greater and pose greater dangers for vehicles accessing the proposed development. Traffic risks should not be based on the current road use.</p> <p>In 1992 the Government Appeals Inspector (regarding a planning application at Hazel End) stated that the back garden area at the rear of properties along Redbourn Road are "An Oasis of Peace and Quiet" and rejected the Appeal. In the Lavender Cottage application it was commented that this only referred to a Meeting Hall and was not relevant, but this comment misses the point completely. The fact is the rear gardens are an "Oasis of Peace and Quiet" regardless of specific planning applications. The semantics and context of his statement are proof enough and still hold true today.</p> <p>The proposed access road and car turning area is little different from a single lane road and cul-de-sac into the back garden. Many types of vehicles could use this parking space including vans motorcycles and cars and</p>

the placing of any restrictions could not be effectively enforced. For example; higher sided vans with brightly coloured logos would be visible all the way down the back gardens.

There is no reason to use the back garden area if the property is sized accordingly. Such a loss of amenity caused by noise, diesel and petrol fumes, revving and turning at any hour of the day and night is wholly unneighbourly and out of keeping with the back garden amenity in local common use. Many homes have bedrooms and living areas facing the back garden and in the hotter weather many windows are open. But with cars starting up and manoeuvring, the sound and fumes will come directly into the homes which could result in direct health issues and possible litigation.

The existing site has a small discreet garage and driveway at the property edge for a single vehicle towards the rear and does not include a turning area. The existing rear patio area is a common and recognized recreational amenity. Converting both driveway and patio into a vehicular parking and turning area is a fundamental change of use to the detriment of others.

Regarding the point of access which would be a short distance from Grovehill roundabout, we would like to point out that Herts County Council Highway Dept records regarding accidents at this location may not be reliable. There are a number of eyewitnesses who have observed accidents at this location with vehicles coming well onto the pavement, crashing into telephone poles and hedges - many such incidents have not been reported. There is also a Bus Stop without a layby and waste collection vehicles manoeuvring at this dangerous point. The camber on the Grovehill roundabout entering Redbourn Road results in vehicles swerving towards the left at speed as they come off the roundabout. With vehicles turning into the new property serious incidents are wholly likely to occur during the slowing down and manoeuvring at that particular point from the Grove Hill roundabout. There have already been deaths along this road and we as neighbours do not want to endanger ourselves or loved-ones nor live with the memory of preventable deaths having occurred close by. We urge you to recognise local knowledge of this black-spot in addition to any HCC records.

The result of the Hazel End development was 2 houses with front-only shared parking and access which has set an example for such development in Redbourn Road.

	<p>This application is a clear case of over-development and the application should be rejected in favour of a development more in keeping with the area and protecting important back garden amenity for all</p> <p>This application is nothing short of contempt for the people living their lives in neighbouring homes.</p>
17 ST AGNELLS COURT,HEMEL HEMPSTEAD,,HP2 7AT	Invasion of privacy,blocking out light sleep disturbance as on shift work lovely quiet area don't need works unit,making noise day and night
WIDMER,1 REDBOURN ROAD,HEMEL HEMPSTEAD,,HP2 7BA	<p>After received your letter dated 06.02.19 I still stand by my previous comments plus additional below:-</p> <p>Access to and from a shared double driveway onto a busy B road will exasperate the situation on an already dangerous road. Noise and pollution from road is unbearable.</p> <p>A precedence may be set in residents have to put up with more noise and pollution in their gardens. Peace and quiet enjoyed will now disappear if parking in rear gardens is allowed.</p>

Supporting

Address	Comments
---------	----------

Commenting

Address	Comments
---------	----------

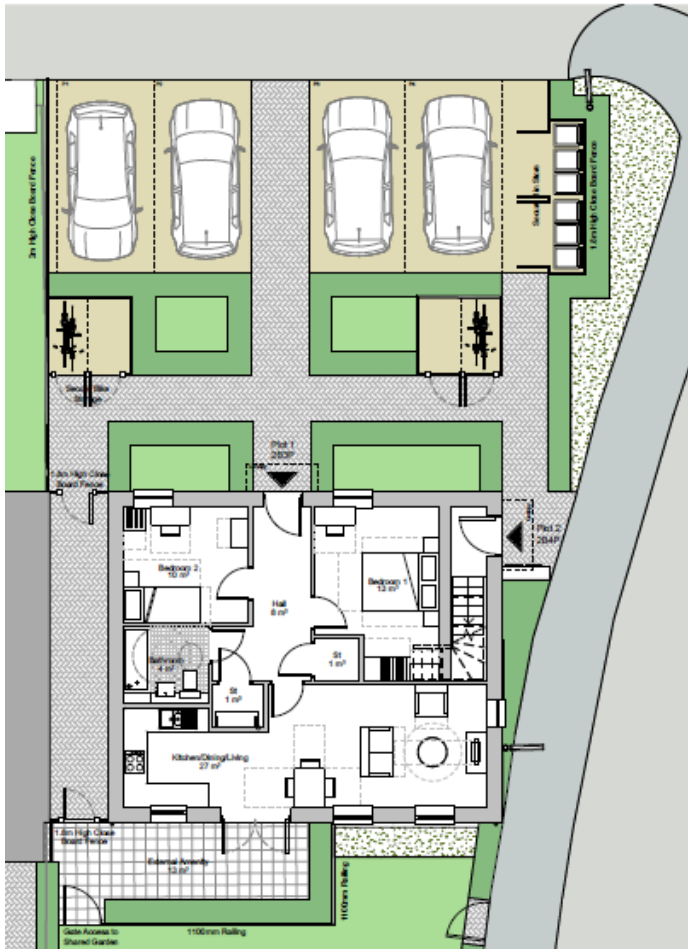
**5g 4/00031/19/FUL DEMOLITION OF EXISTING FIVE GARAGES AND
CONSTRUCTION OF 2 TWO BED DWELLINGS WITH OFF STREET PARKING AND
SHARED FRONT GARDEN (AMENDED SCHEME)**

GARAGES ADJACENT, 8 CUPID GREEN LANE, HEMEL HEMPSTEAD, HP2 7HH

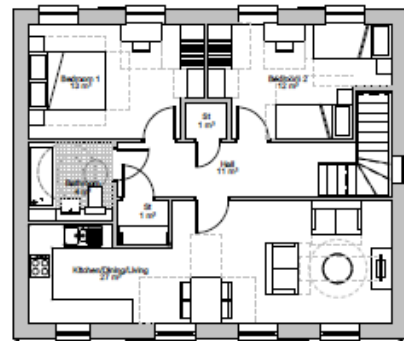


5g 4/00031/19/FUL DEMOLITION OF EXISTING FIVE GARAGES AND CONSTRUCTION OF 2 TWO BED DWELLINGS WITH OFF STREET PARKING AND SHARED FRONT GARDEN (AMENDED SCHEME)

GARAGES ADJACENT, 8 CUPID GREEN LANE, HEMEL HEMPSTEAD, HP2 7HH



② Ground Floor Plan
1:100



① First Floor Plan
1:100

4/00031/19/FUL	DEMOLITION OF EXISTING FIVE GARAGES AND CONSTRUCTION OF 2 TWO BED DWELLINGS WITH OFF STREET PARKING AND SHARED FRONT GARDEN (AMENDED SCHEME)
Site Address	GARAGES ADJACENT, 8 CUPID GREEN LANE, HEMEL HEMPSTEAD, HP2 7HH
Applicant	Watford Community House Trust, 59 Clarendon Road
Case Officer	Robert Freeman
Referral to Committee	The application has been referred to committee in view of their previous decision to refuse planning permission for residential use of the site and given the Council's ongoing interest as a former landowner.

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed development would provide an appropriate redevelopment of this site for residential purposes.

2.2 It would provide for a high quality residential scheme in accordance with Policies CS1, CS4, CS8 and CS12 of the Core Strategy.

2.3 There would be no detrimental impact upon the amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and saved Appendix 3 of the Dacorum Borough Local Plan 1991-2011 (DBLP)

2.4 The proposals would not result in significant harm to matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and saved Policy 51 and Appendix 5 of the DBLP.

3. Site Description

3.1 The site is located on the northern side of Cupid Green Lane and on the corner of Yeoman's Ride. The site comprises a block of five garages and an associated hard standing area sold by the Borough Council to Watford Community Housing. The land to the rear of the garages comprises a modest amenity green containing two trees.

4. Background

4.1 In September 2014, Cabinet approved the disposal of 97 garage sites, including that subject to this application, with a view to increasing the supply of housing across the Borough, minimising the future maintenance liability and driving more efficient use of its stock. A number of garages within Council ownership were not suitable for modern vehicles and were used for storage and parking for motorcycles.

4.2 The Council has approximately 7,000 garages in the Borough with over 2,000 currently vacant.

4.3 The Council has disposed of the application site to Watford Community Housing. The site was sold subject to vacant possession with existing tenants offered alternative accommodation in nearby garages.

4.4 An application for the construction of 2 x 2 bedroom properties at the site (4/01768/18/FUL) was considered by the committee on the 18th October 2018. The committee recommended that planning permission be refused for the following reason:

"The proposed development, by reason of its design and layout, would result in an inappropriate form of development which would be harmful to the amenity of the area and adjacent property. As such the proposals would be contrary to Policies CS12 of the Core Strategy and saved Appendix 3 of the Dacorum Borough Local Plan 1991-2011"

4.5 The current proposals seek to address members concerns that the proposals were cramped and provided little space between the property and 8 Cupid Green Lane for management and maintenance. This space around the property has been increased and it is now proposed to provide two maisonettes at the site.

5. Proposal

5.1 The proposals involve the demolition of an existing block of five garages and the construction of 2 x 2 bedroom maisonettes. Each unit would be provided with its own entrance and two parking spaces off Yeoman's Ride with outdoor amenity space being provided to the south of the properties.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

6.2 Adopted Core Strategy

NP1, CS1, CS2, CS4, CS8, CS10, CS11, CS12, CS13, CS17, CS19, CS27, CS28, CS29 and CS35

6.3 Saved Policies of the Dacorum Borough Local Plan (DBLP)

Policies 10, 12, 13, 18, 21, 51,58, 99, 116 and 119.

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Area Based Policies (May 2004) - Residential Character Area HCA 32: Grovehill
- Energy Efficiency & Conservation (June 2006)
- Environmental Guidelines (May 2004)
- Grovehill Neighbourhood Plan.
- Water Conservation & Sustainable Drainage (June 2005)

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)

7. Representations

Consultation responses

7.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B

8. Considerations

Policy and Principle

8.1 The government places a strong emphasis upon the delivery of new homes in accordance with the NPPF and development plan. There is significant support in the NPPF for the promotion and development of under used land and buildings to meet identified housing needs at paragraph 118 of the NPPF. Paragraph 119 of the NPPF would encourage local authorities to take a pro-active role in bringing forward land including the promotion of land within public ownership extending to and including the assembly and disposal of suitable sites for residential use.

8.2 The site is located in a residential area where in accordance with Policies NP1, CS1 and CS4 of the Core Strategy the provision of new dwellings would be appropriate. The proposals would seek to address the general requirements for new housing as expressed under Policy CS17 of the Core Strategy but would also provide affordable as required under Policy CS19 of the Core Strategy.

8.3 The redevelopment of garage sites is encouraged under the Grovehill Neighbourhood Plan; particularly where such garages have no beneficial use or are no longer required. The garages have been sold as part of a wider review of the Council's garage stock and are surplus to its requirements. As such the site is considered appropriate for redevelopment.

Layout and Design

8.4 The proposed development follows the established urban grain and building line established by the neighbouring terrace to Cupid Green Lane and surrounding residential development. It would be sited some 1.2m from the flank elevation of No.8 with a back to back distance of around 32m provided from the first floor of units forming 18-28 Essex Mead. The proposed development would reflect the layout principles in saved Appendix 3 of the DBLP.

8.5 The proposed development is considered to be appropriate in terms of its design, bulk, scale, height and use of materials in accordance with Policy CS12 of the Core Strategy. The proposal compliments the adjacent terrace in its form and scale with a identical eaves and ridge height. The flats are designed to have identical floor plans with living, kitchen and dining spaces to the south and bedrooms to the north elevation. Each unit would has been designed to provide a high level of internal space, habitable rooms that received good daylight and sunlight and are well ventilated. The ground floor unit

would also benefit from having a modest private external amenity space in addition to a communal garden at the south of the property.

8.6 The external appearance of the surrounding buildings is predominantly pebble-dash render with dark roof tiles although brick features significantly on Yeoman's Court which is a mix of red brick, render and timber cladding. The proposals seek to blend into the character of the area whilst refreshing the aesthetics. The proposed dwellings would be constructed from a grey brick which would be more durable and easier to maintain than render and with a similar dark roof tile/slate to the existing properties. This approach should complement the appearance of neighbouring units.

8.7 The design of the proposed scheme is acceptable to the Conservation and Design team.

Impact on Heritage Assets

8.8 Opposite the application site lies Yeoman's Court which was built around the Grade II Listed St Agnells Farmhouse and associated outbuildings. The setting of the listed building has been considered in accordance with Policy CS27 of the Core Strategy. The historic context of the farmhouse has been substantially diminished over time and the proposal is likely to have a negligible impact on the historic setting of the listed buildings. As such no objections would be raised to the proposals by the Conservation Officer and there would be no conflict with Policy CS27 of the Core Strategy.

Loss of Open Space

8.9 The site does not comprise designated open land and as such its protection from loss is limited under both the Core Strategy and saved DBLP policies. Under saved Policy 116 of the DBLP it is appropriate to consider the contribution that the open land makes towards leisure and recreation, townscape, visual amenity and nature conservation and to weigh this against other planning benefits that might arise as a result of development. The site comprises a relatively small area of grassland which historically would have been maintained as part of the highway verge. It contains two trees as discussed below. The site does not perform any significant leisure or recreational function and makes only a limited contribution towards the appearance of the area. The Hertfordshire Ecology unit does not wish to be consulted on the application and have orally confirmed the conclusions in the Arboricultural report namely; that the site has low potential for wildlife and ecological associations as a result of trees upon the site. As such, and despite the resident's assertions that the site forms part of a wildlife corridor, the nature conservation value of the site appears limited.

8.10 The benefits of developing the site for housing and affordable housing clearly outweigh any harm identified from the loss of open space.

Impact on Trees and Landscaping

8.11 The proposed development will result in the removal of a small Silver Birch tree (T1) and the pruning of a larger Maple tree (T2) on the corner of Yeoman's Ride and providing screening to the Cupid Green Lane frontage of the site. The smaller tree is classified as a poor specimen and as such there would be no objection to its removal.

8.12 The larger Maple tree is shown for retention and will be subject to pruning to remove

Ivy, reduce the size of the tree crown and reduce the length of a defective limb. These works do not require the permission of the Council. Whilst the larger tree is identified for retention; there may be some pressure for it to be regularly pruned given its close proximity to the proposed dwellings. Its loss would be unfortunate in the event of excessive development pressure however the tree is neither subject to or worthy of a Tree Preservation Order. Such matters were discussed with the Tree Officer at the pre-application stage. As such a refusal of the proposals on the impact on trees could not be justified either under Policies CS12 and CS29 of the Core Strategy nor under saved Policy 99 of the DBLP.

8.13 The proposed landscaping scheme for the site is considered to be acceptable with new enclosures to the rear gardens and between the proposed dwellings and 8 Cupid Green Lane. The front gardens meanwhile would retain a relatively open appearance bounded by modest hedgerows and with new gates. As such the proposals, although incorporating the amenity space at the junction of Cupid Green Lane and Yeoman's Ride, are not considered to diminish the amenity value of the green space nor its contribution to the overall character and appearance of the area. Defensive planting at the rear (north) will be introduced to provide greater privacy to ground floor bedrooms.

Impact on Residential Amenities

8.14 The proposed development is not considered to result in any significant harm to the residential amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and having regard to Saved Appendix 3 of the DBLP. The proposals would be constructed in line with the existing terrace of 2-8 Cupid Green Lane and such distance from properties in Essex Mead and Yeoman's Court that it would have no significant impact in terms of daylight or sunlight to these properties.

8.15 There would also be no significant harm to the privacy of neighbouring properties with distances to properties in Essex Mead significantly exceeding the back to back recommendations in saved Appendix 3 of the DBLP. Although new windows would be located within the flank elevation of the proposed units and facing Yeoman's Court, these would provide light to the stairs rather than substantive views into neighbouring land and property.

8.16 The use of the proposed dwellings should not generate a noise nuisance and in the event of excess noise or anti-social behaviour should be dealt with in accordance with other legislation.

Impact on Highway Safety

8.17 The proposed development will provide for two parking space per 2 bedroom property within the garden area. This would exceed the parking standards in saved Appendix 5 of the DBLP. However this provision is considered appropriate for the scale of the units proposed and having regard to Policies CS8 and CS12 of the Core Strategy and saved Policy 51 and Appendix 5 of the DBLP. The County Council has indicated that the proposals would not result in significant harm to matters of highways safety.

8.18 Paragraph 109 of the NPPF states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe" This would not be the case with this proposal.

8.19 A number of cars currently park on the hard standing to the front of the garages will be displaced as a result of this development. This land is within the ownership of the applicant and as such cannot be relied upon to provide parking for other dwellings within the vicinity of the site. There would appear to be little legitimate grounds for refusal of the application on the basis that parking may be displaced as a result of development, notwithstanding the issues that this clearly raises.

8.20 The Estates team have indicated that there are a number of nearby garage blocks which are available for use including 4 garages within separate garage blocks to Yeoman's Roads, 4 garages at St Agnells Lane and 4 at Essex Mead.

8.20 A number of properties appear to have addressed their own concerns with parking through the provision of parking within their residential curtilages and there appears to be scope for more properties to undertake such measures should the need arise. Furthermore there are no on-street parking restrictions to either Cupid Green Lane or Yeoman's Ride. There would be no concerns that the displaced vehicles would lead to conditions prejudicial to highways safety in accordance with CS8 of the Core Strategy.

Response to Neighbour comments

8.21 These points have been addressed above.

CIL

8.22 The proposed development would be subject to CIL charges in accordance with Policy CS33 of the Core Strategy and the CIL Charging Schedule. A charge of £100 per square metre (plus indexation) would be levied against the proposals. The applicants may be eligible for an exemption from the charge as an affordable housing provider and subject to the submission of a relevant and complete relief claim. These should be submitted and agreed with the Council prior to the commencement of works.

S106 and Planning Obligations

8.22 The proposed development falls below the affordable housing threshold in Policy CS19 of the Core Strategy and as such it is not considered reasonable to tie the tenancy of the proposed units via the planning system. The units themselves will be developed as affordable units and are subject to a separate Capital Subsidy Agreement with the Council incorporating nomination rights for the Council's housing team. It is considered that the application site should not be subject to any other planning obligations under S106 of the Town and Country Planning Act 1990 (as amended) and in accordance with the CIL Regulations.

9. Conclusions

9.1 The proposals would provide a high quality residential scheme on the site without any significant adverse impacts to neighbouring property, the surrounding highways network or ecology.

9.2 The proposals are considered to be acceptable and would be in accordance with the development plan

10. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy</p>
3	<p>No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and trees to be retained and measures for their protection during construction works;</p> <p>The approved landscape works shall be carried out in accordance with the approved details prior to the first occupation of the development hereby permitted with the exception of any tree protection which should be erected prior to the commencement of works and retained for the duration of construction.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Core Strategy.</p>
4	<p>Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p>

	<p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p>
5	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 4 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p> <p>Informative: Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</p>
6	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on Drawing No. 102_PL2 shall have been provided, and they shall not be used</p>

	<p>thereafter otherwise than for the purposes approved.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy.</p>
7	<p>The development shall be carried out in accordance with the drainage strategy provided by David French Partnership and reference 15495/JAE unless otherwise agreed in writing. The approved drainage strategy shall thereafter be implemented and maintained retained fully in accordance with the approved details.</p> <p>Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policy CS31 of the Core Strategy.</p>
8	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>001_PL2 rev P1 002_PL2 rev P1 003_PL2 rev P1 100_PL2 rev P1 101_PL2 rev P1 102_PL2 rev P1 Development Site Impact Assessment & Method Statement MR/170306TCP MR/170306TPP Design Statement Sustainable Drainage Strategy Ecological Appraisal 4170932/4102 4170932/4202</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

Appendix A

Consultation responses

Hertfordshire County Council - Growth and Infrastructure

Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments

to make in relation to financial contributions required by the Toolkit, as this development is situated within Charging Zone 3 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Hertfordshire County Council - Highways Section

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

INFORMATIVES:

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx>.

COMMENTS

This application is for Demolition of existing five garages and construction of 2 two bed dwellings with off street parking and shared front garden (amended scheme)

PARKING

Four parking spaces will be provided, two for each proposed new property, as well as 1 cycle space per bedroom.

ACCESS

The site is accessed from Yeomans Rise, an unclassified local access road, giving onto Cupid Green Lane. No new or altered vxo is required and no works are required in the highway.

CONCLUSION

HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the informative notes above

Hertfordshire County Council - Lead Flood Authority

As it is a minor application the Lead Local Flood Authority is not a statutory consultee. However we can offer advice to the Local Planning Authority to place them in a position to make their own decision regarding surface water and drainage.

Following the review of the Environment Agency maps for surface water flood risk, the proposed development is at a predicted low risk of flooding from surface water and we do not have any records of flooding in this location. Therefore we can confirm that we would have no objection to the proposals.

We note that drainage proposals have been submitted based on utilising soakaways however no infiltration tests have been undertaken. We would recommend including a pre-commencement condition to obtain infiltration tests to ensure the feasibility of the soakaways in this location. We note that there are Thames Water surface water sewers in the vicinity therefore should infiltration not an alternative based on discharge into the public should be proposed.

Conservation and Design

We have no objections to the proposals. Please ensure that samples of materials are secured by condition.

Contaminated Land Officer

Please be advise that we have no objection to the proposed development in relation to Land Contamination.

However, with the proposed development located within 74m and 176m of a former contaminated land use i.e. fireworks manufacture and Landfill/Tip respectively, the following planning condition and informative are recommend should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

2). Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended

because, the safe development and secure occupancy of the site lies with the developer.

Appendix B

Neighbour notification/site notice responses

Objections

8 Cupid Green Lane (x2)

The building design and layout is not in keeping with the current properties on Cupid Green Lane. The plans do not fit in with the other properties in the area with the design of the properties when you take into account the building materials, colour of doors and windows. The main garden is at the front of our property which is where our two main bedrooms are situated, this could cause noise and privacy issues especially in the summer months and considering we have two small children in those bedrooms. We can also not up keep our hedge at side of property as a result of this proposal. There will be more traffic to the rear of the property which can be dangerous for the young children in local properties.

This has deviated significantly from the family houses that were originally planned. I do not consider flats to be family homes. I still do not see the need for this construction to go ahead.

There has been nearly zero communication from Dacorum Borough Council and Watford Community Housing over this planning application.

3 Yeomans Ride

I have a number of concerns about this application as well as the design approach that has been taken. This is mainly because of the adverse impacts the proposal would have on local amenity, including highway safety, two street scenes, the setting of the listed building and that properties in Yeomans Court will be overlooked, affecting my privacy (the drawings are not of good quality so its not possible to determine the location of the windows but the east elevation appears to have glazing at both ground and first floor level.

1. The application is for two flats to be built at the end of a row of terraced houses and adjacent to the listed buildings in Yeomans Court. This is wholly at odds with the settled and stable nature of the immediate area. The materials to be used are not compatible with the terraced houses, and do not blend in with the existing dwellings. It will look out of place, cramped and overcrowded. The building will be visually intrusive and accommodate up to seven people, far too many for the available space and facilities, and totally out of keeping with the area.
2. I don't consider that the loss of ten parking spaces and the incorporation of the original green space into a private curtilage is acceptable. The Area 2 Policy in the Grovehill Neighbourhood Plan deals specifically with garage blocks. It states that new development will only be supported if the garage block in question **is no longer in use**. The residents using these garages have been given eviction notices in order for the garages to be demolished. This is unacceptable and will

almost certainly lead to an increase in on-street parking by the displaced vehicles. The number of lost parking spaces can be doubled as the spaces immediately outside the garages are used for parking as well as the buildings themselves. Potentially that is ten extra vehicles needing to find somewhere else to park. I believe that the local authority have offered alternative garages, but there is no information on how many displaced people have taken up this offer. Additionally, if there are seven occupants, then this may also impact on the number of vehicles parked on the road, and equally worrying, on the pavements. This is evident in nearby roads where there is insufficient parking facilities. This will be particularly difficult for people with pushchairs and mobility scooters.

3. The proposed plan is failing to take into account the safeguarding of residential amenity and highway safety. This is an area where families reside. The safety of local people, especially children, is paramount, and has been ignored. The area already suffers from poor visibility due to on-street parking close to the junctions in this part of Grovehill and this development would exacerbate the problem. Both Yeomans Ride and Cupid Green Lane are difficult to negotiate due to their layout, and any intensification of on-street parking would become dangerous and is also likely to cause access problems for emergency services vehicles, thereby compromising the safety of local residents.
4. The loss of a prominent open green space next to a listed building would be harmful. The local authority have approved an 'out of character' application in the past which has impacted on the visual quality and it isn't acceptable to cause further harm to the setting. The area has a sense of space and openness due to the layout and position of the dwellings relative to the junction, so the primary effect of the development would be overcrowding and loss of openness and consequently there would be an adverse effect on local character. This is particularly important because of the relationship this open green space has with the Grade 2 listed buildings within Yeomans Court. The erection of additional housing would harm the positive linkage which is long established. Page 5 of the Design Statement in the Heritage section incorrectly states that the site is not adjacent to listed buildings. This is inaccurate as the listed buildings in Yeomans Court date back to the 1600s. There would be conflict with **Policies CS1, CS4, CS10, CS1 and CS12** in the Core Strategy as well as the **Theme 2 Policy** in the Neighbourhood Plan. In respect of the setting of the listed building there is further conflict with Section 12 of the NPPF, **Policy CS27** in the Core Strategy and saved **Policy 119**. Policy CS27 specifically states that the setting of designated heritage assets will be protected, conserved and if appropriate enhanced. This proposal fails to adhere to any of these requirements.
5. The planned properties will overlook the houses and gardens in Yeomans Court leading to a loss of privacy, probable noise nuisance and an overcrowded appearance. There will be a visual intrusion due to the layout and siting of the structure. The plan shows the properties garden will be situated in Cupid Green Lane. This will ruin the look of the area, cause a visual intrusion and noise nuisance

Summary:

The principle of this development is unacceptable for the reasons stated above. The plan would cause unacceptable harm to the character and appearance of the area.

It's clear that the proposed scheme is unduly cramped and this would have an adverse impact on the street scene. There is inadequate space for the proposed development.

There is also conflict with the Neighbourhood Plan Area 2 Policy because the proposal would not complement or integrate well with the surrounding area. The SPG explains that, despite variation over the HCA32 / Grovehill area as a whole, there is regularity of appearance within groups of dwellings. I don't consider that this proposal reflects or respects this regularity.

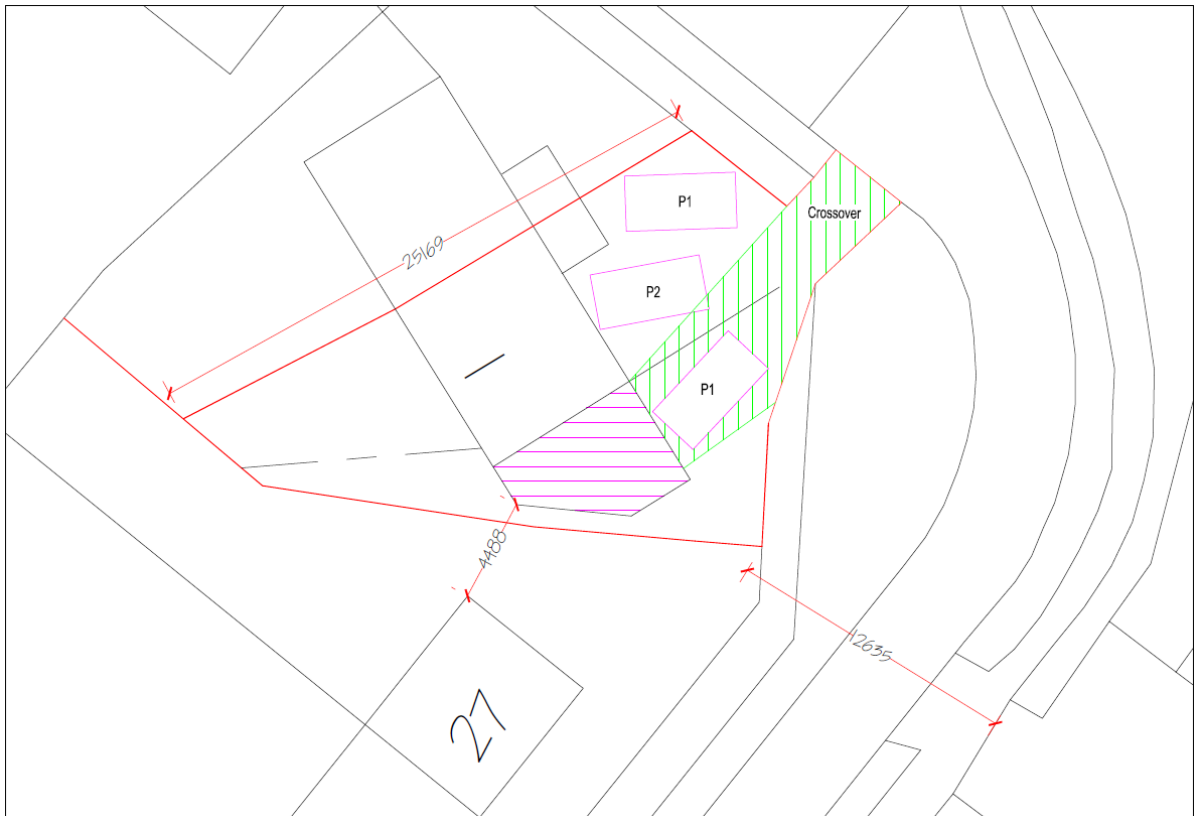
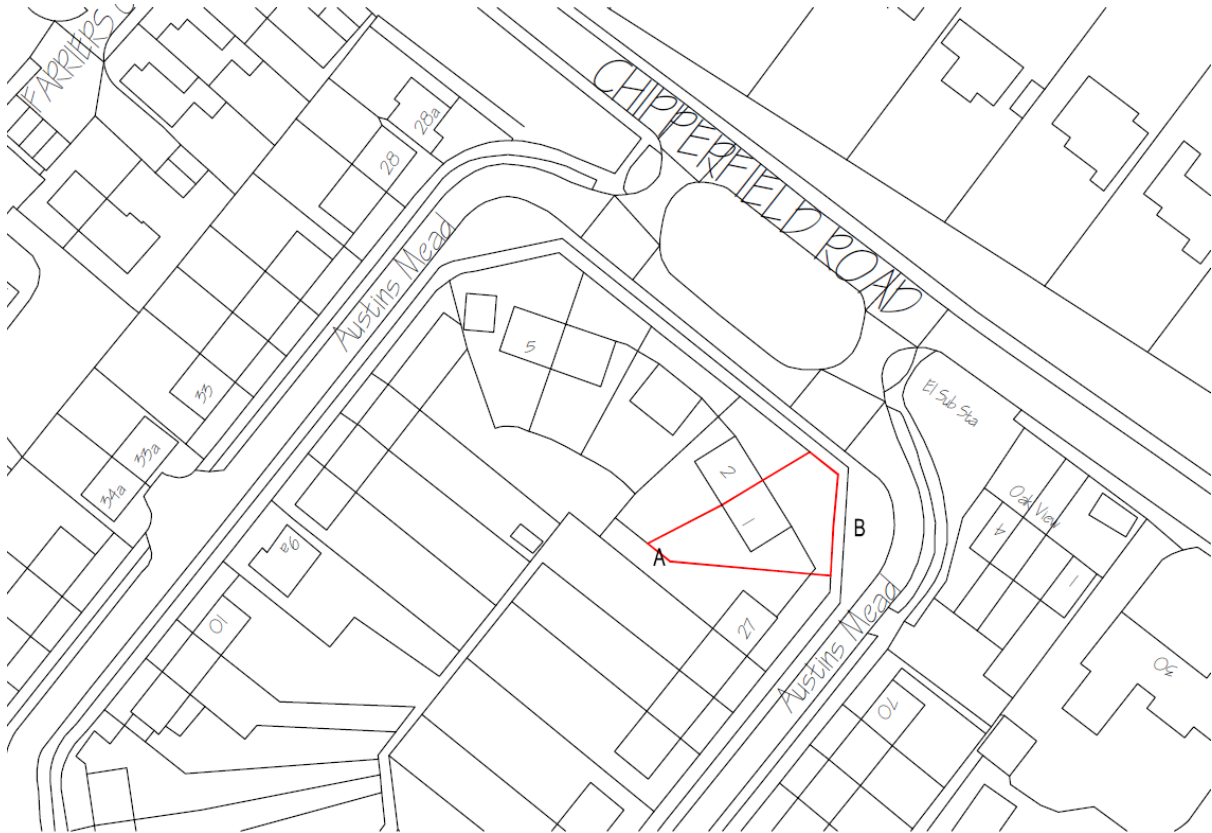
In terms of Policies it fails to take account of the Neighbourhood Plan, Section HCA32 of the SPG and numerous Core Strategy Policies. There is additional conflict with saved Policies 21, 99 and 119, as well as the guidelines set out in Appendix 3 (Layout and Design Residential Areas), in the Local Plan.

The proposal would not successfully integrate with this part of Grovehill and in environmental terms it would cause unacceptable harm. Consequently it does not represent sustainable development when assessed against the NPPF and should be refused. The local authority need to re-examine their policy for selling off these very small pieces of land for residential development.

Agenda Item 5h

5h 4/01863/18/FUL DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY EXTENSION AS A SEPARATE DWELLING.

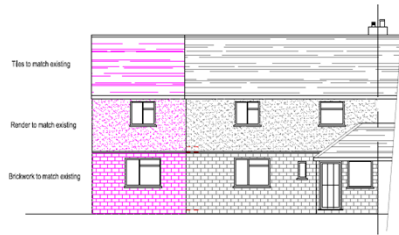
1 AUSTINS MEAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0JX



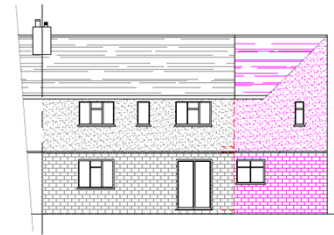
**Item 5h 4/01863/18/FUL DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY EXTENSION AS A SEPARATE DWELLING.
1 AUSTINS MEAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0JX**



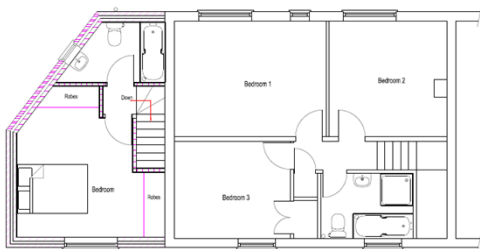
L/H Side Elevation



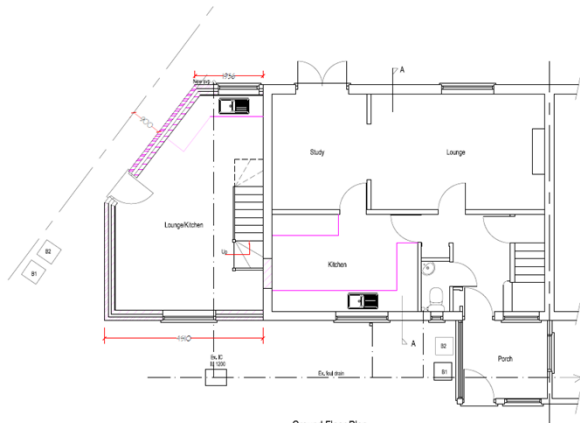
Front Elevation



Rear Elevation



First Floor Plan



Ground Floor Plan

4/01863/18/FUL	DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF TWO STOREY EXTENSION AS A SEPARATE DWELLING.
Site Address	1 AUSTINS MEAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0JX
Applicant	Mr Mark Whitewood, 1 Austins Mead
Case Officer	Sally Robbins
Referral to Committee	Contrary view of Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The principle of residential development in this location is considered acceptable. The proposal comprises the demolition of a single storey attached garage, followed by the construction of a two-storey one-bedroom dwelling with rear amenity space and associated car parking. The site has planning permission for a two storey side extension (ref. 4/03075/17/FHA), therefore the principle of the development has already been established in respect of the bulk, scale, mass and height. The sub-division of the plot is considered to be acceptable as it will not have a significant impact upon the character and appearance of the surrounding area or residential amenity of surrounding properties. The proposed development therefore complies with the National Planning Policy Framework (2018), Policies CS1, CS4, CS10, CS11, CS12 and CS17 of the Core Strategy (2013), Saved Policies 10, 18, 21, 58, 99 and 100 and Appendices 3 and 5 of the Local Plan (2004).

3. Site Description

3.1 The application site is located on the southwest side of Austins Mead in Bovington. The site comprises a two storey semi-detached dwellinghouse composed of facing brickwork on the ground floor and cream painted render at first floor level. There is a single storey attached garage and parking on the driveway for three vehicles.

4. Proposal

4.1 The application seeks full planning permission for the demolition of the existing garage and the construction of a two storey one-bedroom dwelling.

5. Relevant Planning History

4/03075/17/FHA DEMOLITION OF GARAGE AND CONSTRUCTION OF TWO STOREY SIDE EXTENSION
Granted
19/03/2018

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy

CS1, CS4, CS10, CS11, CS12 and CS17

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 18, 21, 58, 99 and 100; Appendices 3 and 5

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. Constraints

- LARGE VILLAGE

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- The 'tilted balance'
- Impact on character and appearance of surrounding area
- Impact on residential amenity
- Trees and landscaping
- Parking & highway safety
- Other

Policy and Principle

9.2 Core Strategy (2013) Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged. Furthermore, within the Core Planning Principles outlined in the NPPF (2018) there is heavy emphasis on the planning system's responsibility to deliver more homes. Paragraph 59 of the NPPF stresses this further, seeking to boost the supply of housing and paragraph 118 promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained

and available sites could be used more effectively. Paragraph 68 of the NPPF states that decision makers should give great weight to the benefits of using suitable sites within existing settlements for homes. Saved Policy 10 of the Local Plan (2004) seeks to optimise the use of available land within urban areas.

9.3 Additionally, due to the fact that the Local Planning Authority (LPA) cannot currently demonstrate a 5 year housing land supply, decisions should apply a presumption in favour of sustainable development. This is discussed in further detail below.

The 'Tilted Balance'

9.4 The LPA cannot currently demonstrate a 5 year housing land supply, and therefore paragraph 11 of the NPPF (2018) is engaged. Paragraph 11 and footnote 7 clarifies that in the context of decision-taking "the policies which are most important for determining the application are out-of-date" when the LPA cannot demonstrate a five year supply of deliverable housing sites. The most important policies for determining a housing application are considered to be Policies CS1 (Distribution of Development), CS4 (The Towns and Large Villages) and CS17 (New Housing). Paragraph 11 continues, "Plans and decisions should apply a presumption in favour of sustainable development....where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- a) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- b) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

9.5 The NPPF identifies that there are 3 dimensions to sustainable development: social, economic and environmental.

- The social benefits of the scheme would include a small contribution towards making up the shortfall in housing in the Borough thereby facilitating the Government's aim of boosting the supply of housing.

- The economic benefits of the scheme would include the creation of construction jobs in the short-term during the construction of the development. In addition, it is likely that future residents would support the local economy such as using the amenities in the village centre. It is therefore considered that the proposal will have some positive benefits to the local community, and can be considered sustainable from an economic perspective.

- In terms of the environmental benefits, the principle of residential development is acceptable in this location and the site does not reside within an area of particular importance (for example a habitat site, Green Belt, AONB, heritage site - see footnote 6 of the NPPF). One of the key strands of the NPPF is the expectancy of high quality development that will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Any new development is expected to protect the surrounding built environment and make effective use of land.

9.6 It is considered that there are social, economic and environmental benefits to the scheme. Therefore the proposal constitutes sustainable development and for that

reason the tilted balance in favour of one additional housing unit on the site is sufficient to justify development.

9.7 Taking all of the above into account, the proposal is acceptable in principle and would make a small but valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17). The development would be located in a sustainable location and would seek to optimise the use of urban land. The proposal is in accordance with policies CS1, CS4 and CS17 of the Core Strategy (2013), Saved Policy 10 of the Local Plan (2004) and the NPPF (2018).

Impact on Character and Appearance of Surrounding Area

9.8 Core Strategy Policies CS10, CS11 and CS12 state that development within settlements should respect the typical density in the area and integrate with the streetscape character. Policy CS12 states that development should respect surrounding properties in terms of scale, mass, height and appearance. Saved Appendix 3 of the Local Plan promotes good layout and design practice for residential areas and seeks to ensure that proposals harmonise with the surrounding area. Furthermore, Chapter 12 of the NPPF emphasises the importance of good design in context and, in particular, paragraph 130 states that permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

9.9 As outlined above, the principle of the demolition of the garage and the construction of a two storey side extension has already been established via planning permission ref. 4/03075/17/FHA. The current proposal comprises an increase in depth of 0.45m, an increase in height of 0.2m and an increase in width of 0.54m in comparison with the approved scheme. However, the overall bulk, scale and mass of the proposed scheme is considered to be comparable to the approved scheme.

9.10 The proposed dwelling would be externally finished in materials to match the existing dwelling, including facing brickwork at ground floor level, cream painted render at first floor level, plain roof tiles and brown uPVC windows. The proposed roof would continue the form and pitch of the existing roof. The entrance door for the proposed dwelling would be on the side elevation and would therefore be discretely positioned within the streetscene.

9.11 In terms of layout, Saved Appendix 3 of the Local Plan states that private gardens should normally be positioned to the rear of dwellings and have an average minimum depth of 11.5 m. However, a reduced rear garden depth may be acceptable for small starter homes and development backing onto or in close proximity, to open land, public open space or other amenity land.

9.12 A small amenity space would be provided to the rear of the dwelling (approximately 22 sqm). Whilst this is a modest space, it is considered that a small amenity space would be sufficient for the proposed one-bedroom dwelling. The amenity space would face the southwest and would therefore provide a valued sitting out area, albeit modest in size. Furthermore, the site is located close to open land with open countryside to the northeast of Chipperfield Road and southwest of Austins Mead, providing access to open amenity space.

9.13 It is considered that the layout, architectural style and built form of the proposed dwelling would not result in a detrimental impact upon the character and appearance of

the surrounding area. The proposal therefore complies with Saved Appendix 3 of the Dacorum Local Plan (2004), Policies CS10, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2018).

Impact on Residential Amenity

9.14 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy, seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space. Thus, proposals should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light or privacy.

9.15 In relation to adjoining property 27 Austins Mead, the proposed dwelling would be situated at an oblique side-to-side relationship. On the side elevation of 27 is a door and window at ground floor level and an obscure glazed window at first floor level. One window is proposed on the side elevation at first floor level that would serve a bathroom and would be obscure glazed. As such it is considered that there will be no significant additional overlooking or loss of privacy in relation to no. 27.

9.16 In terms of the visual impact, the proposed dwelling would replace the existing garage, which measures 4.445m wide with a ridge height of 4.6m. The proposed dwelling would have a width of 4.51m and a ridge height of 7.4m. The separation distance between the host property and 27 Austins Mead is 4.5m at the narrowest point, widening to 7m. Taking all of the above into account, it is not considered that the proposed dwelling would have a significant impact on the light provision to no. 27's side facing windows.

9.17 Overall it is considered that the proposed development will not detrimentally impact the residential amenity of neighbouring properties, or future occupiers, thus is considered acceptable in terms of the NPPF (2018), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Impact on Trees and Landscaping

9.18 Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.19 There are no trees within the site that would be affected by the proposal. However, the proposed scheme has the potential to provide some soft landscaping on site, as well as appropriate screening. Should planning permission be granted a condition would be recommended requesting details of hard surfacing materials, proposed boundary treatment and screening and other soft landscaping details.

9.20 The proposal is considered to accord with Saved Policies 99 and 100 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Impact on Parking & Highway Safety

9.21 Policy CS12 of the Core Strategy (2013) seeks to ensure that developments have

sufficient parking provision. Paragraph 105 of the NPPF (2018) states that when setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policy CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.22 The existing dwelling comprises three bedrooms, the maximum requirement for which is 2.25 spaces according with Saved Appendix 5 of the Local Plan. The proposed dwelling would have one bedroom, which would require a maximum of 1.25 spaces. The development would retain 2 car parking spaces for the existing dwelling and 1 car parking space for the proposed dwelling (a total of 3 spaces), which meets the maximum requirements set out in Saved Appendix 5. In addition, the application site is considered to be in a somewhat accessible location, situated close to bus stops on both sides of Chipperfield Road providing services to Hemel Hempstead and Watford and within 0.5 km of the local amenities of Bovingdon village centre. As such, it is not considered that the proposed development would have a negative impact on local parking provision.

9.23 In terms of highways safety, the Highways Authority were consulted and raised no objection to the proposal. The existing and proposed dwellings would share an access and the existing vehicle crossover would be retained, as shown on the block plan. The Highway Authority has indicated that the vehicle crossover would need to be extended, however has raised no objection, noting that Austins Mead is an unclassified local access road so vehicles are not required to enter and leave the highway in forward gear. The Highway Authority has recommended that an informative note be added to any permission with regards to the vehicle crossover.

9.24 The proposed development will not result in a detrimental impact on local parking provision, nor will it have a severe impact to the safety and operation of the adjacent highway. Thus, the proposal meets the requirements of Policy CS8 and CS12 of the Core Strategy (2013) and Saved Appendix 5 of the Local Plan (2004).

Response to Neighbour comments

9.25 Local residents have raised concerns regarding the following:

- Car parking and access
- Proposed terraced dwelling out of character
- Over development of such a small plot
- Loss of existing view, adversely affect residential amenity

9.26 These points have been addressed above other than concerns regarding overdevelopment. It is not considered that the proposal would place excessive demands on infrastructure and services, or impact on the amenity and character of the local area. Furthermore, more weight is given to paragraph 118 of the NPPF (2018), which promotes and supports the development of under-utilised land and buildings, especially

if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. Paragraph 68 of the NPPF states that decision makers should give great weight to the benefits of using suitable sites within existing settlements for homes.

CIL

9.27 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

11. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place, other than groundworks and demolition, until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development, in accordance with Core Strategy (2013) policy CS12.</p>
3	<p>No development, other than groundworks and demolition, shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:</p> <ul style="list-style-type: none"> a) Hard surfacing materials b) Means of enclosure c) Boundary treatment d) Soft landscape works e) Refuse storage. <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Core Strategy (2013) Policy CS12.</p>

4	<p>Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy (2013) Policy CS8.</p>
5	<p>Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the vehicle crossover, which will be restricted to a double width, i.e. as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.</p> <p>Reason: In the interest of highway safety, in accordance with Core Strategy (2013) Policy CS8.</p>
6	<p>The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development, shall be paved and shall be used for no other purpose.</p> <p>Reason: To ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining highway, in accordance with Core Strategy (2013).</p>
7	<p>Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.</p> <p>Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises, in accordance with Core Strategy (2013) Policy CS12.</p>
8	<p>The window at first floor level on the south elevation of the dwelling hereby permitted (labelled L/H Side Elevation on plan no. 2018-4 REV A) shall be fitted with obscured glass and non-opening below a level of 1.7m above internal floor level.</p> <p>Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings, in accordance Core Strategy (2013) Policy CS12.</p>
9	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:</p> <p>Schedule 2 Part 1 Classes A, B, C and E</p> <p>Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the privacy of 27 Austins Mead and to retain the rear amenity space as a garden for the new dwelling, in accordance with Core Strategy (2013) Policy CS12 and Saved Appendix 3 of the Local Plan (2004).</p>

10	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>2018-3 REV. B 2018-4 REV. A</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>INFORMATIVES</p> <p>1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- https://www.hertfordshire.gov.uk/droppedkerbs/</p> <p>2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047</p>
----	--

APPENDIX A

Consultation responses

1. Bovingdon Parish Council:

Over development of site in congested residential area. Lack of amenity area. Unsuitable parking arrangements - no access and would be difficult as on a tight bend.

2. Strategic Planning:

We do not wish to comment on this application. Please refer to policies/guidance in the DBLP/Core Strategy/Site Allocations as appropriate.

3. Highways Authority:

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Hertfordshire County Council as Highway Authority does not object to the development, subject to the conditions and informative notes below.

CONDITIONS:

1. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

2. Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, ie as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

3. The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

4. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

INFORMATIVES

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

This application is for Demolition of existing garage and construction of two storey extension as a separate dwelling.

ACCESS

Although drawing no 2018-3 "Block Plan" does not indicate any VXOs at all, there is an existing one serving the current garage.

Furthermore, the applicant has indicated in section 8 of the application form that no new or altered vehicular access is proposed to or from the public highway. However, a new one is required to be constructed to provide vehicular access to the proposed two new spaces in the front garden of the existing house.

PARKING

One parking space for the new property and two for the current one are proposed. Austins Mead is an unclassified local access road so vehicles are not required to enter and leave the highway in forward gear.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have an increased impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.

Comments on amended plan:

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Hertfordshire County Council as Highway Authority does not object to the development, subject to the conditions and informative notes below.

CONDITIONS:

1. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

2. Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, ie as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

3. The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

4. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

INFORMATIVES

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

This application is for Demolition of existing garage and construction of two storey extension as a separate dwelling.

This amendment has brought the building line of the proposed new dwelling in line with the existing property.

ACCESS

Although drawing no 2018-3 Rev A "Block Plan" does not indicate any VXOs at all, there is an existing one serving the current garage.

Furthermore, the applicant has indicated in section 8 of the application form that no new or altered vehicular access is proposed to or from the public highway. However, a new one is required to be constructed to provide vehicular access to the proposed two new spaces in the front garden of the existing house.

PARKING

One parking space for the new property and two for the current one are proposed. Austins Mead is an unclassified local access road so vehicles are not required to enter and leave the highway in forward gear.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.

Comment on amended plan:

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Hertfordshire County Council as Highway Authority does not object to the development, subject to the conditions and informative notes below.

CONDITIONS:

1. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

2. Pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossovers, which will be restricted to a double width, ie as per Roads in Herts - Highway Design Guide 3rd ed guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

3. The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

4. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

INFORMATIVES

1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works

associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

COMMENTS

This application is for Demolition of existing garage and construction of two storey extension as a separate dwelling.

This amendment has brought the building line of the proposed new dwelling in line with the existing property.

This second amendment submits document 2018-3 rev B, showing the existing access.

ACCESS

Although drawing no 2018-3 rev B "Block Plan" indicates that the existing vxo serving the current garage will be used for both properties, it is obvious from the same drawing that this will need to be extended to prevent cars bumping over both the kerb and the pavement to enter and leave the proposed parking spaces.

Although the applicant has indicated in section 8 of the application form that no new or altered vehicular access is proposed to or from the public highway, the existing one requires extending to provide vehicular access to the proposed two new spaces in the front garden of the existing house.

PARKING

One parking space for the new property and two for the current one are proposed. Austins Mead is an unclassified local access road so vehicles are not required to enter and leave the highway in forward gear.

CONCLUSION

Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.

APPENDIX B

Neighbour notification/site notice responses

2 Austins Mead (objects):

I object to the proposal, in particular "AS A SEPARATE DWELLING" for the following reasons.

Car parking space in Austins Mead is already a huge problem. A separate dwelling will more than likely bring the need for further car parking space(s).

Already due to the excessive volume of vehicles parked in Austins Mead Dacorum council refuse lorries are constantly unable to gain access around the Mead to empty the bins.

This proposal will result in my semi-detached property becoming an end of terrace. Not only is this out of character and not in keeping with the rest of Austins Mead's frontage, where all the properties are detached and semi-detached, but this change in property type will have a detrimental effect on the value of my semi-detached property.

I vehemently object to the change of use from a side extension to a one-bedroom separate dwelling which I view to be a total over development of such a small plot and needs to be inspected in person to review my grave concerns.

26 Austins Mead (objects):

There is already insufficient parking in the street to accommodate any further cars associated with this new dwelling.

3 Austins Mead (objects):

The proposed development is an unacceptable over-development of the site involving the loss of garden land and the open aspect of the neighbourhood. A loss of existing view to neighbouring property would also adversely affect residential amenities.

The development is also out of character in terms of its appearance and its impact on the neighbourhood. Numbers 1-5 Austins Mead are two pairs of semi-detached properties with a detached house between them. This original design gave a balanced and attractive appearance facing outwards towards Chipperfield Rd. This would be lost with the proposed development and would appear incongruous.

Parking and access around Austins Mead is an issue. The majority of properties do not have their own driveway and/or garage space and therefore park on the narrow road, verges and pavements. This already causes an issue for drivers and pedestrians. Austins Mead has many families with children who have to negotiate parked and moving vehicles.

The converting of the front garden of No 1 into a car park has been detrimental to the appearance of the properties and this together with the proposed inadequate parking

space will further reduce garden land and increase the hazard whilst parking and reversing across a busy footpath to both drivers and pedestrians.

Refuse vehicles are often unable to access and empty bins because they cannot get around tight bends. This often results in bin collections being missed and a smaller vehicle having to be sent around days after due collections. Access for emergency vehicles is a serious concern and this would only be increased by more vehicles being parked on a tight bend.

6. APPEALS UPDATE.

A. LODGED

4/02249/18/MFA

Marchfield Homes Ltd
DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 17
DWELLINGS (CLASS C3) AND ONE RETAIL (CLASS A1 SHOP) UNIT AND
PARISH STORE ROOM, FORMATION OF LAYBY TO CHAPEL CROFT AND
ALTERATIONS TO VEHICLE AND PEDESTRIAN ACCESSSES
GARDEN SCENE CHIPPERFIELD, CHAPEL CROFT, CHIPPERFIELD,
KINGS LANGLEY, WD4 9EG
[View online application](#)

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

None

D. FORTHCOMING HEARINGS

None

E. DISMISSED

4/02725/17/FUL

Mr Doolan
CONSTRUCTION OF A DETACHED ONE BEDROOMED, TWO STORY
DWELLING WITH ASSOCIATED PARKING.
REAR OF 19 DOWLING COURT, HEMEL HEMPSTEAD, HP3 9NF
[View online application](#)

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- the effect of the proposed development on the character and appearance of the area; and
- whether or not the proposed development would provide a satisfactory living environment of future occupiers with particular regard to provision of private amenity space.

Reasons

Character and appearance

3. The appeal site lies at the end of the cul-de-sac of Dowling Court which consists of two storey properties in a linear arrangement along the street. The pattern of development of other properties along the same side of the street and on Deaconsfield Road which lies behind the appeal site is characterised by detached or semi-detached dwellings with long rear gardens.

4. The proposed building would be situated close to the boundary with 21 Dowling Court as well as the boundary to the rear of the site. It would also be located forward of the prevailing building line, close to the

boundary at the front of the site, leaving only a small area to the side for parking and private amenity space. Although there are a few examples of other properties in the area with small rear gardens, given the close proximity of the proposed building to three boundaries and the small private amenity space, the proposed building would appear overly large for the size of the plot such that it would appear discordant in an area generally characterised by large rear gardens. 5. While acknowledging that the proposed development would be of a higher density compared to Nos 1, 2 and 3 Deaconsfield Road and 12 to 26 Seaton Road, the appellant maintains that the difference would be marginal. However in terms of character and appearance, the proposed development would lack a front and rear garden, providing only a modest area to the side of the property adjacent to a parking space for private amenity space. The above mentioned dwellings on the other hand, have substantial front and rear gardens which follow the prevailing pattern of development, and give the appearance of being appropriately sized within their plots.

6. For the foregoing reasons the proposed development would be significantly at odds with and thereby harmful to the character and appearance of the area, and would therefore conflict with Policy CS12 of the Core Strategy 2006-2031 and Appendix 3 of the Dacorum Borough Local Plan 1991-2011 (LP) which among other things require developments to respect adjoining properties in terms of site coverage, scale and amenity space.

Living conditions

7. The appellant acknowledges that the private garden space of the proposed dwelling would be some 4.1m by 7.0m, which would fall substantially short of the recommended average minimum depth of 11.5m, as stated in Appendix 3 of the LP. This Appendix allows smaller private amenity spaces for small starter homes and infill developments, and since the proposed dwelling would be a 1 bedroom property located between existing dwellings, the provision could apply in this case. The proposed development would also be in close proximity to open land, which LP Appendix 3 also states as a criterion for allowing smaller gardens.

8. However the proposed private amenity space would be bound to one side by the 2 storey flank wall of the proposed dwelling, and on 2 sides by the existing fences which are approximately 1.8m high. Given the constrained size of the garden, these boundary conditions would result in a private amenity space that would feel confined and somewhat oppressive, particularly given that it would be smaller than most of the gardens of adjacent properties.

9. While LP Appendix 3 allows for smaller garden sizes in certain circumstances, the extent of the shortfall in this case would be significant, leading to unsatisfactory living conditions for occupants of the proposed dwelling. While vehicles are unlikely to be parked at the site permanently, the use of the parking space for private amenity space would still result in a garden depth that would fall substantially short of the recommended minimum depth stated in LP Appendix 3.

10. For the reasons given above, the proposed development would not provide a satisfactory living environment of future occupiers with particular regard to provision of private amenity space, and would conflict with Appendix 3 of the LP which seeks garden areas that are functional and compatible with the surrounding area.

11. While CS Policy CS12 deals with adjoining properties in terms of amenity space and other living conditions, it does not mention private amenity space of proposed developments. This Policy is therefore not directly relevant in this regard, such that I have not found the proposals to conflict with it. Other Matters

12. While the main parties accept that the proposed development would not harm the living conditions of neighbouring occupiers with regard to light, outlook and privacy, the lack of harm in this regard is a neutral matter that does not carry weight in favour of the development, and as such has not altered my decision. Conclusion

13. For all the reasons given above, the appeal is dismissed.

4/02926/17/FUL

MR STERLING

CONSTRUCTION OF 2 SEMI-DETACHED DWELLINGS AND DEMOLITION OF EXISTING GARAGE TO CREATE SITE ACCESS
GREYMANTLE, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0HF

[View online application](#)

Proposal: CONSTRUCTION OF 2 SEMI-DETACHED DWELLINGS AND DEMOLITION OF EXISTING GARAGE TO CREATE SITE ACCESS

Reason for refusal summarised:

The proposed development would cause significant harm to the character of the area by virtue of its form, height and siting which discord with the established building line and subsequently would appear as a bulky, prominent visual intrusion.

Proposal would harm the otherwise open and green character and appearance of the area and the soft

edge which exists between the built environment and the open countryside between the Green Belt. The access and in-site turning arrangements would cause noise and disturbance to neighbours by virtue of the close proximity to the neighbouring properties Ivydene and Parkhurst.

The proposed access and turning arrangements would not allow for safe and practical access from the adjacent highway for future occupiers, refuse and fire safety vehicles. The access road would also be of such a length that this would cause significant problems for the health and safety of future occupiers and unpractical refuse collection provision.

Inspectors Report:

The proposal would intrude into the largely undeveloped stretch of garden land that acts as a soft landscaped buffer between the built form fronting onto Hempstead Road and the field behind it to the north-west. As a consequence, the scheme would appear isolated and out of character with the prevailing settlement pattern. This harm to the street scene would be evident through the large gap in the frontage of application site. This harm would be heightened by the height, bulk and scale of the side extension of the scheme, which would face Hempstead Road.

The access road exceeds the 20 metres maximum distance for reversal by a fire appliance vehicle and neither would it be possible for such a vehicle to access the site in forward gear and turn around. However, in accordance with the advice of the Herts Fire and Rescue Service, I am satisfied that a condition could be imposed requiring both properties to be fitted with sprinklers as a compensatory measure.

However, for cars to exit the site in forward gear, drivers would be required to reverse from each parking space into a turning area adjacent to the side elevation of the proposed dwelling closest to the public highway. This would hazardous and difficult manoeuvres that would compromise the safety of other drivers and pedestrians seeking to access both dwellings. Due to the narrow driveway (4 metres) vehicles would not be able to pass each other safely without reversing back out onto Hempstead Road. This danger would be intensified by the presence of a pedestrian door in the side elevation of Greymantle, which would result in occupiers having to exit the property directly into the path of oncoming vehicles.

The proposed access road would directly abut the side elevation of Greymantle, which has a pedestrian door and number of windows at ground and first floor. To my mind, the close proximity of vehicles entering and exiting the site would cause significant noise and disturbance to the occupants of this property, particularly at warmer times of the year when windows are kept open.

Although a range of awkward manoeuvres would be necessary for a vehicle to exit the site in forward gear, there would be I distance between the parking area and neighbouring properties at Parkhurst, Ivydene and Greymantle for this to not result in harmful noise and disturbance to the occupiers of these properties.

Given that the dwellings are set back approximately 35 metres from the public highway, and that it would be possible to provide acceptable bin storage locations that are within 50 metres of the highway boundary (to allow for the 25 metre maximum walking distances referred to above for occupiers and waste operatives). Refuse vehicles would not need to enter the site and could assume a safe position on the public highway.

5 year land supply:

Planning balance

In accordance with paragraph 68 of the Framework, I have given great weight in my assessment to the benefits of using suitable small and medium sized sites within existing settlements for homes. However, I am nonetheless satisfied, for the reasons outlined above, that it would not constitute an effective use of land in accordance with Paragraph 117 of the Framework, and neither do I consider that it would accord with Paragraph 122 which states that planning decisions should support development that makes an efficient use of land on the provision that takes into account the desirability of maintaining an area's prevailing character.

The appellant has supplied evidence of the Council acknowledging that it is unable to demonstrate a 5-year supply of deliverable housing sites as required by the Framework. I have as a consequence considered the development against the Framework's presumption in favour of sustainable development (Paragraph 11), but concluded that the environmental and social harm to the character and appearance of the area, highway & pedestrian safety and living conditions, would significantly and demonstrably outweigh the amount of social and economic benefits that the development would contribute, namely:- (a) the provision of an additional dwelling in a sustainable location on a small site within an existing settlement; (b) increasing the Borough's housing stock; and (c) local employment during construction.

4/03153/17/FUL

Braybeech Homes Limited
CONSTRUCTION OF TWO NEW SEMI-DETACHED THREE-BEDROOM
DWELLINGS AND ASSOCIATED ACCESS.

LAND TO THE REAR OF 21, 23 & 25 GROVE ROAD, TRING, HP23 5HA
[View online application](#)

The development sets itself apart from the distinctiveness of the surrounding area described under TCA13 New Mill West due to its perpendicular relationship with established linear development (including land to the rear of 27-33 Grove Road), the lack of front gardens as the frontage would be dominated by hardstanding associated with vehicular parking and turning, and their relatively 'top-heavy' overcomplicated roof forms which add unnecessary bulk when viewed in its context. Together with the rear setback the development (Plot 9) would give a dominant appearance towards the rear garden, would appear cramped, and the triangular shaped garden (of Plot 8) would be significantly different in size and shape to the surrounding area.

Plot 9 would give rise to visual intrusion and loss of privacy from the perspective of No. 1 Sinfield place. Plot 8 would overlook the rear gardens of terraced properties along Wingrave Road and New Mill Terrace which would represent a noticeable change above existing conditions.

Due to the size and proximity to neighbouring properties the rear gardens within the development would be considerably overlooked. Plot 8 would have a substandard rear garden compared with the surrounding area in terms of usability, size and shape, accentuated by the topography sloping downwards towards Wingrave Road.

F. ALLOWED

None