



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**TUESDAY 28 MAY 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 Oguchi
Councillor Maddern	Councillor McDowell
Councillor Riddick	Councillor Uttley
Councillor C Wyatt-Lowe (Vice-Chairman)	Councillor Woolner
Councillor Beauchamp	Councillor Symington
Councillor Durrant	

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

AGENDA

- 1. MINUTES** (Pages 5 - 24)
To confirm the minutes of the previous meeting.
- 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	4:45pm the working day before the meeting. The deadline to register to speak at this meeting is 4:45pm on Friday 24 May. This is due to the Bank Holiday on Monday 27 May.

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) 4/03026/18/MFA - DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE - LAND AT JUNCTION OF DURRANTS LANE &, SHOOTERSWAY, BERKHAMSTED (Pages 25 - 95)
- (b) 4/02204/18/MFA - DEMOLITION OF EXISTING BUILDINGS. CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING. - OLD SILK MILL, BROOK STREET, TRING, HP235EF (Pages 96 - 184)
- (c) 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 185 - 204)
- (d) 4/02980/18/FHA - NEW REAR DORMER AND ALTERATIONS TO TERRACE - 7 GAVESTON DRIVE, BERKHAMSTED, HP4 1JF (Pages 205 - 211)
- (e) 4/00177/19/FUL - CONSTRUCTION OF 1 X ONE-BEDROOM DWELLING TO THE SIDE OF 8 PARKFIELD. (AMENDED SCHEME). - ADJACENT TO 8 PARKFIELD, MARKYATE, ST ALBANS, AL3 8RD (Pages 212 - 227)
- (f) 4/00182/19/FHA - SINGLE STOREY REAR EXTENSION - 1 CHANTRY VIEW, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EH (Pages 228 - 236)

6. APPEALS (Pages 237 - 243)

DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

4 APRIL 2019

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, Birnie, Conway, Maddern, Riddick, Ritchie, C Wyatt-Lowe (Vice-Chairman), Fisher, Tindall and Mills

OFFICERS:

B Curtain (Lead Planning Officer), R Freeman (Lead Planning Officer), N Gibbs (Lead Planning Officer), Mohammed (Barrister), P Stanley (Development Management Team Leader) and S Whelan (Group Manager - Development Management and Planning) and C Webber (Minutes) (Corporate & Democratic Support Officer)

The meeting began at 7.01 pm

185 MINUTES

The minutes of the meeting held on 14 March were confirmed by the Members present and were then signed by the Chairman.

186 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors Matthews and Whitman. Councillor Birnie arrived at 19:27.

187 DECLARATIONS OF INTEREST

Councillor Guest asked Members to remember to declare any Disclosable Pecuniary or other Interests at the beginning of the relevant planning application.

188 PUBLIC PARTICIPATION

Councillor Guest reminded the members and the public about the rules regarding public participation.

189 4/03026/18/MFA - DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE - LAND AT JUNCTION OF DURRANTS LANE & SHOOTERSWAY, BERKHAMSTED

The Case Officer, Robert Freeman, introduced the report to members and said that it had been referred to committee because the application was deferred at the committee meeting of the 21st February 2019.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Tindall to **GRANT** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation subject to the amended conditions as set out in the report.

Vote:

For: 2 Against: 5 Abstained: 1

Councillor Guest noted that the recommendation falls and asked for a motion to **REFUSE**.

It was proposed by Councillor Ritchie and seconded by Councillor Mills to **REFUSE** the application.

Vote:

For: 5 Against: 2 Abstained: 2

Resolved: That planning permission be **REFUSED**.

190 4/03191/18/FUL - DEMOLITION OF EXISTING DWELLING AND DEVELOPMENT OF TWO 3-BED AND TWO 4-BED DWELLINGS, ACCESS DRIVE, PARKING AND LANDSCAPING (RESUBMISSION) - 39A ADEYFIELD ROAD, HEMEL HEMPSTEAD, HP2 5DP

The Case Officer, Briony Curtain, introduced the report to members and said that it had been referred to committee because the application was called in by a ward councillor.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Maddern to **GRANT** the application in line with the officer's recommendation subject to the amended conditions as set out in the report.

Vote:

For: 7 Against: 0 Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the following conditions:

Conditions

No	Condition
1	The development hereby permitted shall be begun before the expiration of three years from the date of this permission. 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.
2	The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings / documents.

	Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy 2013.
3	<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, D, E, F.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality.</p>
4	<p>No above ground 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; bin storage facilities 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; 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);</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted and thereafter maintained as such.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
5	<p>Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.</p>
6	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking, and circulation shown on Drawing No. 11366-L-00-03 rev H] shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p>Prior to the first occupation vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 11366-L-00-03 rev H only. Any other accesses or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority,</p>

	<p>concurrently with the bringing into use of the development.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities and in the interests of highway safety.</p>
7	<p>6a). Contaminated Land Condition</p> <p>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.</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, in accordance with Core Strategy (2013) Policy CS32.</p> <p>6b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 6a 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.</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, in accordance with Core Strategy (2013) Policy</p>

	<p>CS32 and the NPPF (2012).</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.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk</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>
8	<p>Prior to the occupation of the development hereby approved full details of fire hydrants and other measures to protect the development from fire will be submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. As there is insufficient access and turning facilities, a rising main or suppressing system must be installed for Plot 4. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details and thereafter maintained as such.</p> <p>Reason: To enable appropriate development to occur, ensure a safe, sustainable form of development which provides for its own infrastructure for fire emergencies in accordance with core strategy policies CS1, CS4, CS12 & CS29.</p>
9	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>11366-L-00-02E 11366-L-00-03H 11366-L-00-05E 11366-L-00-06B 11366-L-00-07E 11366-L-00-08D 11366-L-00-09E 11366-L-00-LP</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. The Council acted pro-actively through positive engagement with the applicant during the determination process and at pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning</p>

(Development Management Procedure) (England) (Amendment No. 2) Order 2015.

191 4/02204/18/MFA - DEMOLITION OF EXISTING BUILDINGS. CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING - OLD SILK MILL, BROOK STREET, TRING, HP235EF

Sara Whelan stated that item 5c – 4/02204/18/MFA had been **DEFERRED** as further information was required.

192 4/02583/18/FUL - TWO STOREY EXTENSION AND CONVERSION INTO 4 1-BED FLATS AND DEMOLITION OF OUTBUILDING - 245 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE

Councillor Maddern clarified her position in respect of item 5d and announced her involvement as she had called it in due to concerns. She confirmed that she had no predeterminations and, therefore, there was no reason she should not partake.

The Case Officer, Nigel Gibbs, introduced the report to members and said that the application had been referred to committee because the recommendation is contrary to the view of Nash Mills Parish Council and has been called in by Councillor Jan Maddern.

Siobhan Burchell spoke in objection of the application.

Nash Mills Parish Councillor Alan Briggs spoke in objection of the application. Paul Shepherd spoke in support of the application.

It was proposed by Councillor C Wyatt-Lowe and seconded by Councillor Conway to **GRANT** the application in line with the officer’s recommendation.

There was an equality of votes so the Chairman exercised her casting vote and voted for the officer recommendation, so the application was granted.

Vote:

For: 5 Against: 4 Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the following conditions:

Conditions

No	Condition
1	The development hereby permitted shall be begun before the expiration of three years from the date of this permission. 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.
2	Following the demolition of the existing garage details of the materials of the development hereby permitted be 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

	<p>on site and arrangements made with the planning officer for inspection.</p> <p>Reason: In the interests of the character and appearance of the locality to accord with the requirements of Policy CS12 of the Dacorum Core Strategy.</p>
3	<p>Before the first occupation of the flats hereby permitted the parking spaces shown by Drawing No PL008 shall be provided fully in accordance with this layout plan subject to the requirements of Conditions 4 and 5. Thereafter the parking spaces shall be retained at all times and shall be only used for the approved vehicle parking purposes. The parking areas shall be of a permeable surface in accordance with details subject to Condition 2.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking in accordance with Policies CS8, CS12 and CS29 of the Dacorum Core Strategy and Policies 54 and 58 of the saved Dacorum Borough Local Plan.</p>
4	<p>Before the occupation of any of the flats hereby permitted the existing access for the development hereby permitted shall be modified / installed fully in accordance with installed and thereafter maintained at all times fully in accordance with the details shown by Drawing PL008 . The approved access shall at all times be served on both sides with pedestrian visibility splays of 2m x 2m, as measured from the back edge of the public footpath (as shown by Drawing No PL008) within which there shall be no obstruction to visibility between 0.6m and 2m above the footway.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and Policy 54 of the saved Dacorum Borough Local Plan as the submitted drawings and existing access lack the required visibility splays.</p>
5	<p>The access subject to Condition 4 shall be provided at all times with vehicular visibility sight lines of 2.4m x 43m in both directions from the respective accesses, as measured from the edge of the carriageway towards the site frontage. Within both visibility sight lines there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policies CS8 and CS12 of Dacorum Core Strategy and Policy 54 of the saved Dacorum Borough Local Plan.</p>
6	<p>A tree shall be planted in the garden of the site within the planting season following the first occupation of the respective dwellinghouses hereby permitted. If the tree within a period of five 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 species, size and maturity to be approved by the local planning authority. For the purposes of this condition the planting season is from 1 October to 31 March.</p> <p>Reason: In the interests of the character and appearance of the locality and biodiversity in accordance with Policies CS12 and CS29 of Dacorum Core Strategy.</p>
7	<p>No flat hereby permitted shall be occupied until a scheme for all boundary treatment is carried out fully in accordance a scheme submitted to and approved in writing by the local planning authority. Thereafter all the approved treatment shall be retained fully in accordance with the approved details. The submitted details shall show the retention of parts of the frontage hedge subject to the requirements of Condition 4.</p>

	Reason: In the interests of the residential amenity of the dwelling houses hereby permitted and the adjoining dwellinghouses, the character and appearance of the locality and biodiversity in accordance with Policies CS12 and CS27 of Dacorum Core Strategy.
8	<p>The shower and bathroom windows and rooflights of the development hereby permitted shall be fitted with obscure glass at all times and the rooflights shall be of a conservation rooflight type.</p> <p>Reason: In the interests of residential amenity in accordance with Policy CS12 of Dacorum Core Strategy and paragraph 89 of the National Planning Policy Framework.</p>
9	<p>Prior to development commencing the applicant shall submit to the LPA an assessment of noise on each habitable room due to its exposure to transportation noise. Where the assessment identifies that mitigation measures are required to protect likely future occupiers from noise, the assessment shall provide an outline mitigation statement having regard to the principles of good acoustic design. Any scheme of mitigation shall also be subject to approval by the LPA, and once approved, shall be implemented in accordance with the approval prior to first occupation and retained thereafter.</p> <p>Reason : In accordance with Policy CS32 of Dacorum Core Strategy.</p>
10	<p>Subject to the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans:</p> <p>PL001</p> <p>PL005B</p> <p>PL006B</p> <p>PL007 B</p> <p>Drawing No PL008 received by the local planning authority on 19 March 2019</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>NOTE 1: 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 lead 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>Bats</p>

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

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.

In order to protect breeding birds, their nests, eggs and young, the demolition activities should only be carried out during the period October to February. If this is not possible then a pre-development (no more than 48 hours prior to the commencement of development) search of the area should be made by a suitably experienced ecologist. If active nests are found, then clearance work must be delayed until any juvenile birds have left the nest and have become fully independent, or professional ecological advice has been taken on how best to proceed.

Land Stability

The government advice is that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

If the developer is concerned about possible ground instability consideration should be given by the developer in commissioning the developer's own report.

Highway Issues

1. The Highway Authority requires the alterations to and 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 accesses 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

	<p>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> <p>Un-expected Contaminated</p> <p>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> <p>Construction Hours of Working – (Plant & Machinery)</p> <p>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>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>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.</p>
11	<p><u>Construction Hours of Working – (Plant & Machinery) Informative</u> 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><u>Construction Dust Informative</u> Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM)</p>

	<p>should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p><u>Noise on Construction/Demolition Sites Informative</u></p> <p>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.</p>
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193 4/03165/18/FHA - REPLACE EXISTING GARAGE AND SUMMER HOUSE WITH OUTBUILDING TO PROVIDE NON-HABITABLE ANNEX WITH GARAGE AND HOBBY ROOM - 32 STOCKS ROAD, ALDBURY, TRING, HP23 5RU

Councillor Mills agreed to stand down for this item.

The Case Officer, Nigel Gibbs, introduced the report to members and said that the application had been referred to committee due to the contrary view of Aldbury Parish Council and Councillor Stan Mills.

Joanna Stone spoke in objection of the application.

David Demmery spoke in objection of the application.

It was proposed by Councillor Tindall and seconded by Councillor C Wyatt-Lowe to **GRANT** the application in line with the officer's recommendation in addition to conditions relating to the annex being non-habitable and that there would be no further development.

Vote:

For: 5 Against: 2 Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the following conditions:

Conditions

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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.

- 2 **Notwithstanding the details specified by the submitted drawings and the application form the walls of the building permitted shall be finished in dark stained horizontal weatherboarding.**

Reason: In the interests of the character and appearance of the Rural Area, Conservation Area and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 3 **The building hereby permitted shall only be used for purposes incidental to the enjoyment of no. 32 Stocks Road as a dwelling house.**

Reason: In the interests of the residential amenity of adjoining/ nearby

dwellinghouses in accordance with Policy CS12 of Dacorum Core Strategy.

- 4 **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) there shall be no external changes to the building hereby permitted.**

Reason To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the locality and the appearance of the building in the locality in accordance with Policies CS11, CS12, CS24 CS25 and CS27 of Dacorum Core Strategy.

- 5 **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 assessment of significance and research questions; and:**

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.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with adopted Core Strategy Policy CS27.

- 6
1. **Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 5.**
 2. **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.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with Policy CS27 of Dacorum Core Strategy.

- 7 **Subject to the requirements of Condition 2 the development hereby permitted shall only be carried otherwise fully in accordance with the following plans, the materials specified by this plan and the application form:**

**L97 01
EB97- 01 Revision A
EB97-02
EB97-03**

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

NOTE 1: ARTICLE 35 STATEMENT

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 (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)

In the event that bats are unexpectedly found during any stage of the development, work should stop immediately and a suitably qualified ecologist should be contacted to seek further advice'.

Highways

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>.

Construction Hours of Working – (Plant & Machinery)

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.

Construction Dust

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites

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.

194 4/03174/18/FHA - A NEW SECTIONAL TIMBER FRAMED BUILDING TO REPLACE AN EXISTING GARAGE AND SUMMER HOUSE - 32 STOCKS ROAD, ALDBURY, TRING, HP23 5RU

Councillor Mills agreed to stand down for this item.

The Case Officer, Nigel Gibbs, introduced the report to members and said that the application had been referred to committee due to the contrary view of Aldbury Parish Council and Councillor Stan Mills.

David Demmery spoke in objection of the application.

Joanna Stone spoke in objection of the application.

It was proposed by Councillor Birnie and seconded by Councillor C Wyatt-Lowe to **GRANT** the application in line with the officer's recommendation in addition to conditions, as with item 5e, relating to the building being non-habitable and that there would be no further development.

Vote:

For: 4

Against: 3

Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the following conditions:

Conditions

- 1 **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

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.

- 2 **Notwithstanding the details specified by the submitted drawings and by the application form the roof of the building hereby permitted shall be finished in timber shingles and the walls of the building shall be finished in dark stained horizontal weatherboarding.**

Reason: In the interests of the character and appearance of the Rural Area, Conservation Area and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 3 **The building hereby permitted shall only be used for purposes incidental to the enjoyment of no. 32 Stocks Road as a dwelling house.**

Reason: In the interests of the residential amenity of adjoining/ nearby dwellinghouses in accordance with Policy CS12 of Dacorum Core Strategy.

- 4 **The existing garage shall be permanently removed from the site before the commencement of the construction of the development hereby permitted.**

Reason: In the interests of the character and appearance of the Rural Area, Conservation Area and Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 5 **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) there shall be no external changes to the building hereby permitted.**

Reason To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity of the locality and the appearance of the building in the locality in accordance with Policies CS11, CS12 , CS24 CS25 and CS27 of Dacorum Core Strategy.

- 6 **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 assessment of significance and research questions; and:**

- **The programme and methodology of site investigation and recording**
- **The programme for post investigation assessment**
- **Provision to be made for analysis of the site investigation and recording**
- **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- **Provision to be made for archive deposition of the analysis and records of**

the site investigation

- **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with adopted Core Strategy Policy CS27.

- 7 **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 assessment of significance and research questions; and:**

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.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence and to accord with adopted Core Strategy Policy CS27.

- 8 **Subject to the requirements of Condition 2 the development hereby permitted shall only be carried otherwise fully in accordance with the following plans, the materials specified by this plan and the application form:**

**EB9(-) SP
EB97 (-) 01
EB 97(-) 02
EB97(-) 03
EB97 -T**

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

NOTE 1: ARTICLE 35 STATEMENT

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 (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)

In the event that bats are unexpectedly found during any stage of the development, work should stop immediately and a suitably qualified ecologist should be contacted to seek further advice'.

Highways

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>.

Construction Hours of Working – (Plant & Machinery)

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.

Construction Dust

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual

monitoring of dust is to be carried out continuously and Best Practicable Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites

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.

195 4/00349/19/FHA - DEMOLITION OF PART SINGLE STOREY REAR EXTENSION. CONSTRUCTION OF TWO STOREY REAR EXTENSION WITH WALL MOUNTED LIGHTING. CONSTRUCTION OF FRONT PORCH WITH WALL MOUNTED LIGHTING (AMENDED SCHEME) - 2 PHEASANT COTTAGE, WINGRAVE ROAD, TRING, HP23 5EZ

Nigel Gibbs introduced the report to members on behalf of the Case Officer, Colin Lecart, and said that the application had been referred to committee due to the contrary view of Tring Town Council.

It was proposed by Councillor Conway and seconded by Councillor Fisher to **GRANT** the application in line with the officer's recommendation.

Vote:

For: 8 Against: 0 Abstained: 2

Resolved: That planning permission be **GRANTED** 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>131-01 131-03 131-04 131-05 131-10 Rev E 131-11 Rev E 131-15 Rev C</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>

3	<p>Source of Illumination</p> <p>The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Engineers in the publication 'Technical Report No 5: Brightness of Illuminated Advertisements'. No part of the source of the illumination shall at any time be directly visible to users of the adjacent public highway.</p> <p>Reason: So that drivers of vehicles along the adjacent public highway are not dazzled or distracted, leading to interference to the free and safe flow of traffic along the highway</p> <p>Article 35 Statement</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 (paragraphs 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>Highways Informatives</p> <p>INFORMATIVES:</p> <p>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.</p> <p>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</p>
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196 APPEALS

That the following appeals were noted:

- A. LODGED**
- B. WITHDRAWN**
- C. FORTHCOMING INQUIRIES**
- D. FORTHCOMING INQUIRIES**
- E. DISMISSED**
- F. ALLOWED**

197 QUARTERLY ENFORCEMENT REPORT

Philip Stanley introduced new member of staff, Olivia Stapleford, to the committee and stated that she was the Assistant Team Leader for Planning Enforcement.

Philip Stanley went through the Quarterly Enforcement Report and noted a number of items. Councillors also queried a number of items.

The Meeting ended at 10.10 pm

5a 4/03026/18/MFA DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE.

LAND AT JUNCTION OF DURRANTS LANE & SHOOTERSWAY, BERKHAMSTED



Item 5a 4/03026/18/MFA DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE AND PROVISION OF AMENITY SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DRAINAGE INFRASTRUCTURE.

LAND AT JUNCTION OF DURRANTS LANE & SHOOTERSWAY, BERKHAMSTED



DURRANTS LANE, BERKHAMSTED - STREET SCENES



PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | WWW.PEGASUSPG.CO.UK | TEAMDRAWN BY: CWT/JHM | APPROVED BY: PM, CW | DATE: 18/02/19 | SCALE: 1:500 B A1 | DRWG: P18-1393_11 | SHEET NO. ___ | REV: D | CLIENT: TAYLOR WIMPEY |

4/03026/18/MFA	DEVELOPMENT OF SITE TO PROVIDE 84 DWELLINGS WITH ACCESS FROM DURRANTS LANE 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 given concerns that members of the committee have previously been misdirected on their appropriate consideration of planning policy.

1. Background

1.1 This application was previously considered at the committee meetings of the 21st February 2019 and of the 4th April 2019. At the last meeting of the committee (4th April 2019) the officers report recommended that planning permission be granted. However, members resolved to refuse the planning application on the basis that:

- The proposed development would result in a loss of open space at the junction of Shootersway and Durrants Lane contrary to Policy CS4, the Berkhamsted Place Strategy and Policy SS1 in the Core Strategy, Policy MU/6 in the Site Allocations DPD, Saved Policy 116 of the Dacorum Borough Local Plan 1991-2011 and the layout principles in the Durrants Lane and Shootersway Masterplan 2012.
- It is considered that local schools are deficient in terms of the quantum and location of school places. The proposed development would not make appropriate provision for education infrastructure in accordance with Policy CS35 of the Core Strategy and the Durrants Lane and Shootersway Masterplan 2012.

1.2 The application has been referred back to the committee as it has been discovered that the masterplan for the site was not in fact adopted, as suggested in the officers report. This is a material change to the policy context that members need to be aware of prior to making a decision. Any refusal of planning permission based on a loss of open land would need to rely on Policies CS4 of the Core Strategy and Saved Policy 116 of the Local Plan and not the Masterplan from 2012.

1.3 In addition, officers have liaised with Hertfordshire County Council on the second reason for refusal. They are the education authority, who would be involved in defending this reason for refusal were it to be appealed. They have confirmed that they could not support this reason for refusal and have provided further information to set out that there is capacity in the Berkhamsted area for the child yield created by the proposed 84 homes.

1.4 Officers' recommendation has not changed and it is recommended that planning permission be granted. However if members resolve to refuse planning permission it is suggested that only reason for refusal no. 1 is included, removing the reference to the Durrants Lane Masterplan and not include the second reason for refusal

which cannot be defended and would open the council up to risk of costs at appeal.

- 1.5 It is officers recommendation to approved planning permission as set out in the officer report below (presented to members on 4th April 2019). However, if members resolve to refuse planning permission a corrected reason for refusal is included below:

The proposed development would result in a loss of open land at the junction of Shootersway and Durrants Lane contrary to Policy CS4 and SS1 of the Core Strategy and Saved Policy 116 of the Dacorum Borough Local Plan 1991-2011

2. Detailed discussion on above points

Policy Context

- 2.1 Members of the committee were previously advised that the Durrants Lane and Shootersway Masterplan 2012 was a Supplementary Planning Document approved by the Council and holding weight in the decision making process. It has come to our attention that this is not the case. Whilst a number of supplementary planning documents were approved and adopted/re-adopted at the time of the approval of the Core Strategy, this document was not among those listed within the associated report to Council.
- 2.2 Members of the committee thus need to be satisfied that its content has been afforded little or no weight in the making of any decision on this application and that in all other respects that the decision is sound and based on adopted planning policy.

The relevant policy considerations are as follows:

Core Strategy

- 2.3 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, dual use playing fields and community playing fields and informal leisure space.
- 2.4 The boundary of Site SS1 includes Phase 1 of the development, the Egerton Rothsay school grounds and an area of woodland to the north of the school buildings and adjacent to Durrants Lane. The site is clearly linked by policy to site L2 which comprises sports pitches to the rear of the Lodge, Durrants Lane.
- 2.5 In relation to such matters it should also be noted that Phase 1 of the development provided playing pitches on the opposite side of Durrants Lane and that these are in the process of being transferred to the County Council.

Proposals Map

2.6 The proposals maps associated with the Core Strategy were altered at the time of the adoption of the Core Strategy to reflect the site masterplan and indicate that the land subject of this application is designated public open space. Open space is protected under Policy CS4 of the Core Strategy and Saved Policy 116 of the Dacorum Borough Local Plan 1991-2011 and the primary planning purpose is to maintain the open character of such sites.

Site Allocations Development Plan Document (DPD)

2.7 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.

2.8 Proposal L2 is linked to the proposal and indicates that site L2 will bring forward formal and informal leisure space elements of Mixed Use Proposal MU/6. Site L2 is located on the opposite side of Durrants Lane to the site.

2.9 It is clear from these allocations that formal leisure space is not expected to form part of the MU/6 site.

Open Space

2.10 The proposals maps associated with the Core Strategy identifies the application site as designated open land. Designated Open Land is protected from development in accordance with Policies CS4 and CS26 of the Core Strategy and under Saved Policy 116 of the Local Plan (although it is also incorporated within the Policy SS1 in the Core Strategy and site MU/6 within the Site Allocations DPD)

2.11 The masterplan identified the site as providing a number of dual use sports pitches replacing those at the adjacent Egerton Rothsay School and housing. The quantum of pitches is not specified however, the associated plan shows three junior pitches and a practice area.

2.12 Policy CS4 states that the primary objective is to maintain the general open character of the area in accordance with open land policies.

2.13 Policy CS26 (Green Infrastructure) states that Green Infrastructure Networks will be protected, extended and enhanced. New development is expected to contribute through the conservation of habitats, strengthening of biodiversity corridors, creation of public access and links through green space and the promotion of a wider range of urban green spaces.

2.14 Proposal SS1 specifies that in terms of open space provision that the layout of residential development will create a soft edge with the proposed leisure space and adjoining countryside, the scheme must secure additional areas of informal and formal leisure space and ensure long term management. All formal leisure space should be made available for public use. Policy SS1 explains that the delivery of the site will be phased to allow for the relocation of school playing fields and that

measures will be put in place to secure long term management of open space including Cox Dell and The Plantation.

- 2.15 Saved Policy 76 (Leisure Space in New Residential Developments) from the Local Plan 1991-2011 explains that residential developments of over 25 dwellings will not be granted planning permission unless public leisure space is provided. This open land should be provided at a standard of 1.2ha (3 acres) per 1000 population or 5% of the development area whichever is greater and should be useable, well located and purposefully designed. Major Developments will also be required to contribute to other recreational needs of the development such as off-site provision of sports pitches or enhancements to other open spaces.
- 2.16 Based on this standard a total of 0.28 ha of open space should be provided in association with this scale of development.
- 2.17 The scheme provides a total of 1.46 ha of open space including public access and management of the Plantation, the provision of a green corridor around the perimeter of the site, attenuation features and the provision of play areas. This builds upon the delivery of sports pitches secured under Phase 1 of the development upon the opposite side of Durrants Lane and on site L2 and significantly exceeds the open space requirements under Saved Policy 76 and Appendix 6 of the Local Plan.
- 2.18 Saved Policy 116 (Open Land in Towns and Large Villages) is relevant to the consideration of the development of open land within towns and villages. Those areas of open space forming part of the urban structure will be protected from building and other inappropriate forms of development.
- 2.19 The proposed plan seeks the residential development of the site rather than the provision of replacement pitches for the school upon an area of designated open land. The applicant is no longer seeking to provide residential development on the site of the current pitches at the rear of Egerton Rothsay School in conjunction with Hertfordshire County Council.

Education Provision

- 2.20 Development should not breach critical infrastructure capacity limits as set out in Policy CS35 of the Core Strategy.
- 2.21 Further information has been requested from Hertfordshire County Council following the discussion at DMC on 4th April 2019 in terms of the provision of education within Berkhamsted and the content of the published education forecasts.

Primary Education

- 2.22 The town of Berkhamsted changed from a three-tier education system to a two-tier system in line with the wider delivery of education services within the County in 2013. This facilitated an increase in capacity at the primary level where there are now 330 reception places available per year. The latest forecasts indicate a surplus of capacity to 2021/22 averaging approximately 2 forms of entry (FE) or 60 pupils per year.

2.23 The nearest schools to the application site are those at Westfield primary school and Greenway/St Thomas More Roman Catholic primary school. These schools currently operate 1FE and may be capable of expansion

2.24 The County Council strategically plan on the basis of 1FE or 30 pupil places per 500 dwellings. The proposal is for 84 dwellings. Therefore $500 \text{ units} \div 30 \text{ pupil places} = 1 \text{ pupil per year group for } 16.6 \text{ homes}$, $84 \text{ homes} \div 16.6 = 5.06$. The child yield for the proposed 84 dwellings would be 5 pupils per year group. This would not have a detrimental impact on the capacity of education infrastructure and Hertfordshire County Council, who are responsible for education provision, has reconfirmed this.

Secondary Education

2.25 In terms of secondary education provision, the County Council are forecasting a deficit in places in Berkhamsted across the forecast period of approximately 1 Form of Entry with peaks of 2 Forms of Entry in 2021/22 and 2022/23. There is only one secondary school in Berkhamsted, Ashlyn's School which was expanded in 2018 to provide an 8FE school.

2.26 The County Council has advised that it is reviewing the further potential of Ashlyns School as part of wave four of its secondary expansion programme. There are also plans to increase capacity in neighbouring school areas beyond 2019 particularly those in Hemel Hempstead. This would mitigate the predicted shortfalls from 2021/22 going forward.

2.27 There would be sufficient capacity for local children in the short term as set out in the Hertfordshire County Council forecasts. The County Council would have accommodated the dwellings proposed at this site as well as other allocated sites across Dacorum in their strategic plans for increasing school places, hence reviewing the capacity for extension of Secondary Schools in the area.

2.28 Therefore as set out above it is not recommended that education is a reason for refusal.

The Role of the Community Infrastructure Levy (CIL) in Delivering Infrastructure

2.29 Policy CS35 of the Core Strategy makes it clear that all development will provide or contribute to the provision of the on-site, local and strategic infrastructure required to support the development and that this can either be provided directly on site or through the payment of financial contributions.

2.30 The Council adopted a Community Infrastructure Levy (CIL) in February 2015 and has been implementing the associated CIL Charging Schedule since June 2015. The Charging Schedule sets out that new residential development will be charged at a rate of £250 per square metre of development. The site is subject to CIL.

2.31 In accordance with Regulation 40 of the CIL Regulations 2010 (as amended) and as per the Council's adopted Charging Schedule we have calculated that a total CIL Liability of some £2,391,134.65 would be due from the residential development of this site.

2.32 The Council has adopted a series of CIL policies alongside the adoption of its Charging Schedule as set out at:

[http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/developer-contributions/community-infrastructure-levy-\(cil\)](http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/developer-contributions/community-infrastructure-levy-(cil))

2.33 Amongst those documents adopted by the Council, there is an indicative list of infrastructure typologies that will be funded by CIL. This is provided in accordance with Regulation 123 of the CIL Regulations 2010 (as amended) and is commonly known as the Regulation 123 list. In the case of the Council, this also provides clarification as to which items of infrastructure will be secured under S106 of the Town and Country Planning Act 1990 (as amended)

2.34 It is clearly set out on our Regulation 123 list that both primary and secondary education provision will be funded from contributions secured under the CIL Charging Schedule.

2.35 The Council has an evolving CIL governance system, to provide a decision-making forum for the determination of spending priorities for the use of CIL. Whilst the spend of CIL is for the charging authority to determine, it will include infrastructure which is a function of the County Council. It is reasonable and appropriate to use CIL for such matters and those infrastructure needs that might extend beyond administrative areas and functions of the charging authority as set out in the NPPF.

2.36 The payment of CIL is mandatory and meets with the requirements of Policy CS35 of the Core Strategy.

2.37 Officers would advise against the refusal of this application on education grounds for the following reasons:

- It is the function of CIL to provide funding for the delivery of infrastructure including school buildings
- The child yield associated with the proposals is capable of being accommodated in the existing local schools as advised by the County Council in their role as education authority
- There is land allocated in the Core Strategy for education zones in Berkhamsted should the need to expand schools be necessary as a result of further growth within the town.

APPENDIX 1 – PREVIOUS DMC REPORT from DMC on 4th April 2018

1 Recommendation

1.1 That planning permission be **DELEGATED** to the Group Manager for Development Management and Planning with a **VIEW TO APPROVAL** subject to 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 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 An alternative access to the site from that shown in the unadopted site Masterplan has been provided in accordance with the previous views of committee members. This has been considered by the highway authority 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 Council's CIL policies.

3 0 Background

3.1 The application was considered by members of the committee at the Development Management Committee meeting of the 21st February 2019. Members requested that the consideration of the application be deferred in order that the applicants and the case officer could;

- a. consider an alternative means of access to the site via Durant's Lane in consultation with Hertfordshire County Council as highway authority (paragraphs 9.16-9.20),
- b. consider the design of traffic calming measures along the current proposed access (paragraph 9.21) ,
- c. provide additional information regards the management of the existing woodland (paragraphs 9.31-9.33),
- d. clarify the position in relation to education provision within the locality (paragraphs 9.40-9.43) and
- e. provide additional time for discussions between the applicants and the County Council in respect to land originally marked for housing in the Masterplan

4. Site Description

4.1 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).

4.2 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.

5. Proposal

5.1 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

5.2 An amended highway report and site layout was submitted to the Council on the 1st

March 2019 and has been consulted upon in full. The application site will now be accessed off Durrants Lane in a location broadly central to this road frontage. A pedestrian and cycle access would be provided between Elizabeth II Avenue and the site to the south of a woodland area between ERS and Shootersway. The remaining elements of the layout remain unchanged.

5.3 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.

6. 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.

7. Policies

7.1 National Policy Guidance

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

7.2 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
CS11 - 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

7.3 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

7.4 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)

7.5 Advice Notes and Appraisals

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

7.6 Other Policy Documents

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

8. Representations

Consultation responses

8.1 New comments have been added in full at Appendix A.

Neighbour notification/site notice responses

8.2 New comments have been added in full at Appendix B

8.3 Previous consultation responses have been included at Appendix C

9. Considerations

Policy and Principle

The Core Strategy

9.1 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

9.2 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)

9.3 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

9.4 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.

9.5 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

9.6 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.

9.7 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.

9.8 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.

9.9 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

9.10 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

9.11 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.

9.12 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.

9.13 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.

9.14 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

9.15 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

9.16 A new transport assessment and site layout (P18-1593_01K) was submitted on the 1st March 2019 superseding the previous proposals to access the site from Elizabeth II Avenue and proposing a new primary vehicle access off Durrants Lane. This access has been proposed to address members' clear preference for a new access to the application site. The amended transport assessment provides details of a new junction onto Durrants Lane approximately 80m from its junction with Shootersway and updated assessments of the impact of development upon a number of junctions

including that at the juncture of Durrants Lane and Shootersway.

9.17 The proposed access has been designed in consultation with the highway authority and is supported by them as set out in their consultation response. It has been designed to achieve appropriate visibility splays of some 43m along the Durrants Lane frontage and provide a safe access point into the development site. Its construction will require the removal of a number of small trees on the Durrants Lane frontage. These are young trees, but ones which would be classified as poor quality, Category C, specimens. The removal of these trees to facilitate the construction of the access is not considered to result in harm to trees of significance nor significant harm to the character and appearance of the Durrants Lane frontage in accordance with Policy CS12 of the Core Strategy and Saved Policy 99 of the Local Plan. The retained amenity corridor around the perimeter of the site and to the Durrants Lane frontage allows space to mitigate the loss with replacement planting, alleviating wider concerns with the erosion of tree cover in this locality.

9.18 The impact of development on the junction of Durrants Lane and Shootersway has also been tested with the Transport Assessment showing that the junction operates within its design capacity. The Transport Assessment provides evidence that the additional traffic associated with the proposed development would not affect the operation of the Shootersway and Durrants Lane junction and will be imperceptible to other road users. The highway authority do not consider it appropriate or necessary to test the impact of works on other junctions in the locality.

9.19 Although the highway authority have historically 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.

9.20 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.

Other Highway Works

9.21 As the proposals are no longer dependant on access via Elizabeth II Avenue, it is not considered to be reasonable or necessary to undertake any works to Elizabeth II Avenue to provide for traffic calming along this route.

Layout, Design and Scale

9.22 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.

9.23 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.

9.24 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.

9.25 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.

9.26 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.

9.27 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 submitted 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.

Impact on Trees, Landscaping and Ecology

9.28 The application is accompanied by an Arboricultural Impact Assessment and Tree Survey. This has been updated to include information on the impact of the new access off Durrants Lane on landscaping and trees to this boundary. The original report 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 a pedestrian and cycle link to Phase 1, although some trees will be removed to facilitate the new access (see 9.17). The loss of this trees 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.

9.29 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.

9.30 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.

Woodland Management

9.31 The applicants have provided the following response to address the concerns raised at the previous committee regards the woodland adjacent to Phase 1

"A site investigation has been completed with regards to the complaints over this matter. The limited waste items observed have been removed. The management company responsible for continual management of the area has been contacted to review its procedures for the site. The current application provides a further opportunity to control and specify the maintenance of this area. We consider that whilst this is a relevant matter locally it is not one which should hold back the positive determination of the planning application. As you are aware the wooded area is included within this planning application boundary and hence approval of this application provides the opportunity to control the future use of this area for the benefit of residents"

9.32 Officers have discussed the claims of anti-social behaviour (ASB) within the woodland with the relevant Council departments. The area is not identified as a particular hotspot for anti-social behaviour suggesting that such activity has not generated complaints to Hertfordshire Constabulary or the Council's ASB team. This issue has however been escalated to the neighbourhood policing team and will be monitored. There is little evidence to suggest that the additional residential use of the site would give rise to any increase in anti-social behaviour and as such there would be little planning grounds for objection.

9.33 It would be reiterated that there are currently no planning requirements in relation to the woodland area and as such there is little onus on the applicants to maintain the area. This application will secure the provision and implementation of a management plan through the associated planning conditions and as such should deliver wider open space benefits for the local community.

Infrastructure

9.34 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.

9.35 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.

9.36 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.

9.37 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 regards 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.

9.38 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)

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

Education Provision

9.40 The County Council have been contacted with regards to the provision of education provision within the settlement of Berkhamsted and the content of the County Council's published education forecasts have been discussed directly with the County Infrastructure planning team. The County Council also publishes regular policy statements on 'Meeting the Demand' both in terms of primary and secondary education provision across the County. The latest published forecasts are from Summer 2018/19 and are based on both demographic data and actual school intake data for the locality.

9.41 The town of Berkhamsted changed from a three tier education system to a two tier education in 2013 in line with the wider delivery of education services within the County. This was accompanied by an enlargement of several schools at primary level including Swing Gate School, Greenway and Victoria C of E in 2012 and St Mary's C of E and Greenway from 2014. The latest forecasts indicate that for the settlement of Berkhamsted that there would be a surplus of primary education places for the period 2019/20 till 2021/22. This surplus would equate to around 2 forms of entry (60 pupils) and is equivalent to the demand arising from some 500 dwellings. A development of this scale is unlikely to have a significant or detrimental impact upon the supply of primary education places within the town. The town appears to be well equipped to deal with the demand for primary education places in the short/medium term.

9.42 In terms of secondary education provision, the County Council are forecasting a deficit in places at Ashlyns secondary school from 2019/2020 despite having increased capacity at the school by a single form as recently as 2018. The school currently operates at around 8 forms of entry (240 year 7 places) although it is understood that around 10 forms of entry could be accommodated at the site. This deficit will reach a peak in 2022/2023 at just below 2 forms of entry before trailing to a deficit of approximately a single form without any further investment of increase in pupil places and capacity. The County Council has indicated that the increased capacity should be sufficient to provide places for local children and there are plans in place to increase capacity in neighbouring school areas in 2019; particularly those in Hemel Hempstead. The child yield associated with the proposals will not dramatically alter the position in relation to secondary education.

9.43 The development is an allocation site within the Core Strategy and Local Plan and as such the growth associated with the proposals has been planned for and accommodated in the local plan process. The Core Strategy and Site Allocations DPD clearly provide reserve sites within the town of Berkhamsted (EZ/2 and EZ/3) for primary education provision and to provides the policy basis and opportunity for the expansion of Ashlyns (a site within the Green Belt) under Site Allocation MDS/3. Members would be reminded that the Council acts as a facilitator in this process of delivering infrastructure and as such it is not appropriate to unreasonably delay the grant of planning process as a result of concerns with the delivery of actual infrastructure by the County Council. The developer will be meeting their obligations in accordance with Policy CS35 of the Core Strategy through the payment of CIL contributions towards such works.

Drainage

9.44 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

9.45 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

9.46 A number of local residents have historically 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.

9.47 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.

9.48 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. These distances are far in excess of our privacy standards.

9.49 Two residents have submitted comments since the previous meeting of DMC. There points are covered above except in relation to the impact on infrastructure (health)

9.50 The Council has determined that it will utilise CIL funding to address any health infrastructure needs arising from development as set out in its Regulation 123 list and it is thus not appropriate to consider such matters further in relation to this application. In doing so it should be noted that no response has been received from the Clinical Commissioning Group to the consultation on the proposals.

10 Conclusions

10.1 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.

10.2 The new access is considered to be safe and the residential development is considered to be acceptable in terms of its layout and design. For these reasons the proposals are considered to be in broad accordance with the Development Plan.

11 RECOMMENDATION – That planning permission be **DELEGATED WITH A VIEW TO APPROVAL SUBJECT TO THE COMPLETION OF A LEGAL AGREEMENT** with heads of terms in 11.1 and subject to the conditions in 11.2.

11.1 Heads of Terms

- 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.

11.2 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><u>Reason:</u> 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><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Borough Core Strategy (September 2013).</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

	<p>construction works;</p> <ul style="list-style-type: none"> • 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><u>Reason:</u> 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 as amended by the Drainage Addendum dated 18th March 2019. 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 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. <p><u>Reason:</u> 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 as amended by the Drainage Addendum dated 18th March 2019. 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.

	<p>3. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features reducing the requirement for any underground storage.</p> <p>4. Incorporate the use of catch pits, interceptors and additional swale features etc. for highway drainage.</p> <p>5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event</p> <p><u>Reason:</u> 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> <p>1. Provision of complete set of as built drawings for site drainage.</p> <p>2. Maintenance and operational activities.</p> <p>3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</p> <p><u>Reason:</u> 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> <p>a) Construction vehicle numbers, type, routing</p> <p>b) Traffic management requirements</p> <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><u>Reason:</u> 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><u>Reason:</u> To ensure the provision of appropriate infrastructure in accordance with Policy CS35 of the Core Strategy</p> <p><u>INFORMATIVE</u> - 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><u>Reason:</u> To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy.</p> <p><u>Unexpected Contaminated Land Informative</u> 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><u>Reason:</u> To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p> <p><u>Informative:</u> 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><u>Reason:</u> 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>
12	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>P18-1593_01L (Site Layout) P18-1593_03.01C (Elevations and Floor Plans for NB52) P18-1593_03.02C (Elevations and Floor Plans for NA44) P18-1593_03.03A (Elevations and Floor Plans for NA44) P18-1593_03.04C (Elevations and Floor Plans for NB41) P18-1593_03.05A (Elevations and Floor Plans for NB41) P18-1593_03.06A (Elevations and Floor Plans for NT41) P18-1593_03.07A (Elevations and Floor Plans for NT41) P18-1593_03.08B (Elevations and Floor Plans for PA44) P18-1593_03.09 (Elevations and Floor Plans for PA44) P18-1593_03.10A (Elevations and Floor Plans for PT36) P18-1593_03.11B (Elevations and Floor Plans for PA34) P18-1593-03.12I (Elevations and Floor Plans for PA30) P18-1593_03.13A (Elevations and Floor Plans for PA25)</p>

P18-1593_03.21A (Elevations and Plans for AA31)
P18-1593_03.22A (Elevations and Floor Plans for AA23)
P18-1593_03.23A (Elevations and Floor Plans for NB52)
P18-1593_03.24 (Elevations and Floor Plans for NT41)
P18-1593_03.31B (Elevations for Block A)
P18-1593_03.32B (Floor Plans for Block A)
P18-1593_03.33D (Apartment Block B)
P18-1593_03.34C (Apartment Block B)
P18-1593_03.35D (Apartment Block B)
P18-1593_03.41I (Single Garage)
P18-1593_03.42I (Double Garage)
P18-1593_03.43I (Extended Double Garage)
P18-1593_03.50I (Bin and Cycle Store)
P18-1593_03.51I (Garden Shed)
P18-1593_08D (Parking Assessment)
P18-1593_11D (Street Scenes)
P18-1593_12C (Refuse Strategy)
P18-1593_13A (Site Location Plan)
P18-1593_15D (Building Heights)
P18-1593_16 (Design and Access Statement)

Reason: For the avoidance of doubt and in the interests of proper planning.

Appendix A

Northchurch Parish Council:

The description of works is no longer accurate as the site is now to be accessed from Durrants Lane.

Berkhamsted Town Council (adjacent Electoral Ward):

Comments: Objection

The Committee object to the application as it is contrary to saved Policy 116 of the Local Plan (Open Land in Towns and Large Villages) and is not in accordance with the Masterplan (Development Brief) for this site, dated 2012. The site is designated as Open Land in the present Local Plan and confirmed in the Masterplan for the site. Policy 116 was not superseded in the Core Strategy and consequently is a 'saved policy' and is still in force.

Policy 116 (Open Land in Towns and Large Villages) states that open land will be protected from building and other inappropriate development. In the supporting text for this Policy it is stated (para 116.24) that, '... Berkhamsted is deficient in terms of leisure space provision, with only 1.5 ha per 1000 population compared with the standard of 2.8 ha per 1000.' The Framework Masterplan Document for this site (adopted in revised form in 2012) identifies this piece of land as Open Land. This site should be retained for

playing fields in accordance with paragraph 2.18 of the Masterplan.

The Case Officer, in paragraph 8.13 of his (old) report states, '...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 this Scheme.' In other words, the Case Officer is arguing that the loss of the benefits of Open Land is outweighed by the benefit of the additional housing. The Town Council strongly disagrees with this view. The Town has a shortage of Open Space as recognised in the statistics quoted.

The proposed taller structures would over dominate and be detrimental to views over the adjoining fields. The lack of a traffic assessment from the development to the town is also a strong concern.

In addition, there was concern that the private driveways in the proposed scheme would make the development a gated community. This was considered to not be good practice as the driveway maintenance would be the responsibility of the residents and would not be able to be adopted as highways in the future.

P116, CS11, CS12, Appendix 3 (v)

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 subject to the following conditions:

1) No development shall commence 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:

- a. Construction vehicle numbers, type, routing;**
- b. Access arrangements to the site;**
- c. Traffic management requirements**
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e. Siting and details of wheel washing facilities;**
- f. Cleaning of site entrances, site tracks and the adjacent public highway;**
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;**
- h. Provision of sufficient on-site parking prior to commencement of construction activities;**

i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;

j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

2) Residential Travel Plan

At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

3 Electric Vehicle Charging Points

Prior to the occupation of the development hereby permitted, each residential dwelling shall incorporate an Electric Vehicle ready domestic charging point.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

I should be grateful if you would arrange for the following notes to the applicant to be appended to any consent issued by your council:-

Informatives

1. The Highway Authority requires the alterations to the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant should apply to HCC Highways (Telephone 0300 1234047) to arrange this, or use link <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

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

Hertfordshire County Council - Lead Local Flood Authority:

We maintain our position as stated in our letter of the 21st December 2018 namely:

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.

Environmental Health - Noise, Pollution and Contamination:

No objection to the proposed development in relation to Air Quality and Land Contamination (see previous response)

Berkhamsted Citizens Association (BCA):

The Group wishes to object to the new access proposed to Durrants Lane, as its impact on the traffic system towards the station and Bridgewater School via Durrants Lane will affect both this narrow land adversely and the Westfield School junction. The group continues to object to the piecemeal development of the Master Plan and a lack of concurrent commitment to new educational infrastructure when places are already lacking at local schools both currently and in projections.

Sport England:

Sport England have no further comments to make on this particular application.

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:

86 Cross Oak Road

I still feel that the entrance/exit onto Durrants Lane will be unsafe and should not be allowed. Cars come too fast to the junction of Durrants Lane and Shootersway and in my view the access is likely to result in accidents in the locality, particularly at school time.

The removal of habitat to facilitate the access will endanger wildlife through the removal of their natural habitat.

Berkhamsted does not have room to accommodate any more houses or flats given insufficient services; particularly doctors, dentists and care homes. It is impossible to get a GP appointment with the current practices overloaded. There are large waiting lists for care homes.

I am also concerned with the extra traffic generated by the development which will result in congestion in the town. The town centre is at a standstill and a number of streets are effectively one way due to the volume of vehicles on street. This is

detrimental to highway safety.

I disagree with the conclusions of the highway assessment for this proposal.

3 Chalet Close

1) The site forms part of Strategic Site SS1 for which there is a Masterplan. This should ensure that the site is considered as a single entity. The Masterplan proposed 180 houses and an area of open space. Waiting in the wings we have HCC's proposals for a further 100 dwellings on the SS1 site which has been deferred until the new local plan is issued and that the educational requirements for the town can be assessed in the light of any new development proposals. With all this uncertainty I would request that the application is deferred until the new local plan is issued so that development of the site can be considered as a whole and in the context of a new Masterplan.

2) At the previous Development Management meeting Councillor Birnie requested information on the impact of this development on school places. Of the nearest schools Westfield and Greenway are full, Thomas More has places but is a catholic faith school. The other primary schools have places but all involve significant car journeys on heavily congested roads and there is little or no parking available around them. Ashlyns secondary school shows a rising deficit and this year not all children in the town who wished for a place at Ashlyns could be accommodated. Ashlyns is a 8 f.e school and there are 11 f.e in the primary schools. This does not add up and requires a drop of 3 f.e to other schools. Traditionally the Collegiate school, Tring school (C of E) JFK (catholic) and Bucks Grammer schools have taken the additional children however there are indications the Bucks County Council will be tightening its criteria for out of area applications. The catchment area for Chesham High school this year was 3.8 miles excluding large areas of Berkhamsted and Northchurch. The catchment area for Tring was just over 5 miles excluding Berkhamsted and half of Northchurch. Another reason to defer the application until after the local plan is issued is that there s a clear need to consider how school places will be met.

3) There is no assessment of the traffic impact on the junction of Durrants Land and the High Street or the roundabout at the junction of Westfield Road and Durrants Lane or the junction of the High Street and Billet Lane. These would be the default route to other primary schools in the town as people head to Bridgewater, St Mary's or Victoria schools via Durrants Lane and the High Street. It would also be the default route for commuter traffic rat running via Billet Lane and Bridgewater Road to the train station.

Appendix C

Original Representations

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 consider 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 consider 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 take note of the applicant 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 Rothersey 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.

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 Rothsay 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 downs 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 where 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 it's 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 respectively 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.

Addendum

Hertfordshire County Council - Highway Section

I have revisited the access and consulted our Road Safety team. There is concern over that the geometry suggests that the dominant route will be into Phase 2 rather than around the curve of the existing Phase 1 highway. The length of the through movement, in addition to the lack of deflection, may result in an increase in speeds. The layout of the access should be amended to include deflection from the Phase 1 route and / or introduce speed reducing features.

On this basis – we can condition amendments to the access and detailed design drawings to reflect the above?

We have no objection to access to Phase 2 being taken from Phase 1; however, the arrangement needs to be safe and suitable.

Conservation and Design

The majority of our suggested improvements to the design of the properties have been incorporated within amended plans.

However, we would continue to recommend that additional chimneys are provided to units 10, 35, 36, 41 and 42 as these units all face the green.

In relation to the block of flats (Block B) we would recommend that the porch to the single storey ground floor central unit be rotated through 90 degrees so that a pitched gable faces the car park. Detailing could be added to this to make it more of a feature. Dwarf walls etc.

Residents

86 Cross Oak Road

I object to these plans as I feel a lot of habitat for wildlife will be destroyed and taken away for them to use thus endangering species.

There are far too many houses round the Berkhamsted area and our surgeries and schools are unable to cope. Do we really need more homes?

There are cars which come too fast along Shootersway and pulling out of these junctions will cause accidents

The proposals will ruin the town of Berkhamsted and our surrounding countryside.

Ms Winmill

I am writing on behalf of the residents of Bearroc Phase 1 and in response to the case officer's report. I will be attending the meeting on Thursday to raise a number of points and concerns, which I have also captured below for ease of reference:

Access

The primary concern of residents in the area and something which is noted in all but one of the public and local council objections to this proposal, is the proposed point of access to Phase 2. This is planned to be via Elizabeth II Avenue, which is a small, narrow road, with a number of blind bends - one at the exact proposed point of access between Phase 1 and 2.

1. Elizabeth II Avenue is home to a large number of young children who ride their bikes and scooters around the circular Elizabeth II Avenue. We have serious concerns about the increased risk to their safety that would come from a doubling of cars using this road as an access point
2. The case officer's file notes that access to Phase 2 was always considered to be via Phase 1. While this may be the case, this is not something that was ever formally agreed - it was only ever a possibility - and we would therefore urge the committee to consider this in their decision making
3. While the Highway Agency has not objected to the overall access point to Phase 1 and 2 being at the junction of Elizabeth II Avenue and Shootersway, it fails to address the appropriateness of the junction that would also need to be created specifically between Phase 1 and Phase 2, which is situated on an already dangerous blind bend.

This needs proper consideration, which has not thus far been looked at by the Highway Agency, given the serious safety implications of putting in a junction on such a narrow and dangerous blind bend

4. Furthermore, in the initial plan where the access point to phase 2 would have been at the back of the estate, traffic to phase 2 would have been able to split across the two sections of road (eastern and western sides of the estate) leading to the access point. Given the proposed placement of the new access point, all Phase 2 traffic will now travel down one small section of Elizabeth II Avenue, driving congestion, noise and safety concerns

5. A number of the reports and objections in the case file cite issues with traffic and congestion at the already busy junction of Shootersway and Elizabeth II Avenue. Traffic and congestion will be exacerbated with a doubling of cars using this junction to access phase 2 and is a particular concern for those using the road at peak times - school run and commuter times. Adequate TRIP data is essential and thus far missing in the Highway Agency report

6. Elizabeth II Avenue is a narrow road. With limited parking on the existing state for the current residents, many residents and guests 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 and passing in the road both difficult and dangerous

7. The proposal fails to consider the significant impact (noise, pollution, dirt, safety) and disruption that HGVs would have on existing residents during the build stage should the access point stay as is

8. Concerns about the access point were raised in all but one of the public and council objections to the proposal. Given the weight and consistency of this argument, irrespective of what policy and regulation says, we would ask the committee to give these concerns due consideration in their decision making. While on Phase 1, we are not against planning per se, we cannot support a proposal that shows such a careless disregard for existing residents

There are a number of clear and obvious alternatives which would mitigate all the above should planning permission 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 (an option suggested by Northchurch Parish Council in fact). For example, a new access point further along Shootersway would not impact any existing residents as no one lives along this stretch of road, it would minimise disruption to existing and neighbouring residents, while also stemming the build-up of traffic at the current junction of Elizabeth II Avenue and Shootersway. We strongly urge the committee to consider the negative impact on local residents that the proposed point of access would create and consider the various common-sense alternatives.

Failure by Taylor Wimpey to meet planning conditions for Phase 1

We also urge the committee to consider that Taylor Wimpey has failed to deliver some of the conditions of the Phase 1 build. Surely we must satisfy ourselves that these have

been met before further development is allowed to take place?

One of the original conditions was the provision of a Woodland area on Phase 1. The case officer, who I can only presume has not visited the Woodland area himself, suggests that this provision “meets and exceeds” conditions. In reality, the Woodland has been left to disrepute by Taylor Wimpey - the area is characterised by fallen, dead trees, overgrown bushes, dumped concrete mix by the builders and unkempt pathways leaving it unsafe for use. Rather than being a place of beauty for existing residents to enjoy, its dilapidated state has encouraged drug dealing and it is, therefore, an unsafe and potentially incredibly dangerous spot for residents and young children. Such is the condition of the woodland, the management company that Taylor Wimpey appointed to manage the estate is refusing to look after the area as it believes Taylor Wimpey is yet to complete work in the Woodland area.

Similarly, Taylor Wimpey has failed to deliver the playing fields it was supposed to as part of Phase 1 planning conditions. As the case officer notes, changing facilities are still yet to be provided and the playing fields have been left incomplete. They are not therefore in use.

Before further planning permission is granted to Taylor Wimpey, we’d urge the committee to ensure that Taylor Wimpey delivers on the conditions it was already supposed to have met.

Drainage and flooding

The case file notes a number of conditions around the flooding and drainage plans for Phase 2 before permission can be granted. Again, the file assumes that flooding and drainage is adequate on phase 1. There had been a number of drainage issues on the site, which have been previously reported to the council and which have also resulted in Taylor Wimpey having to dig up and re-lay dozens of gardens on Phase 1. Furthermore, the soft landscaping screening around the pumping station - as promised to those residents who overlook it - has also not been completed. We urge the committee to ensure that adequate flooding and drainage provision is made for phase 1 and that adequate drainage plans are in place before, rather than as a condition, of future planning permission.

Timing

As the case file notes, Taylor Wimpey had originally planned to develop the land behind the estate, where Egerton Rothsay School currently resides. The document notes that Taylor Wimpey and Herts County Council (the owner of this piece of land) are failing to communicate and reach a conclusion on the “land swap”. Indeed the case officer concedes that “as we understand matters” the conversations are at an impasse, which is why this alternative proposal has been brought forward. The planning and discussion around this feels rushed and fails to consider the broader development discussions taking place on adjacent land (eg Crest homes development, ERS school move).

Surely if we are to build on what is designated open space, this should be for better reasons than Taylor Wimpey and HCC not being able to agree a deal quickly enough? While we appreciate the need for more housing and are not against the principle of more development, the housing target is for 2031 which is some way off. It is critical that we understand the exact position and timeframe of negotiations between Taylor Wimpey and HCC before alternative plans of such magnitude are rushed through and

approved. It would seem sensible and considerate to Berkhamsted residents - albeit not a regulatory requirement - therefore for all neighbouring sites under discussion for development to be properly master planned.

Officer Response

Access – The access roads within the application site have all been designed to adopted highway standards in accordance with *Roads in Hertfordshire*. The internal junction between phases 1 and 2 has relatively recently been objected to by Hertfordshire Highways (see comment above) and will require an amendment or additional plan to be provided providing for a traffic calming feature or alternative alignment. Such matters could be addressed by condition.

Conditions on Phase 1 - An enforcement file has recently been opened (November 2018) seeking to review the approval of phase 1 and compliance with both the planning conditions (landscaping and drainage) and requirements of the legal agreement.

This is despite no breach of the landscaping condition being identified in similar enforcement cases in July 2017. One of these investigations specifically considered the landscaping to the pumping station and concluded that there was no breach of planning control.

Despite the assertion in the commentary above, there does not appear to be any planning conditions or obligations relating to the wooded area; which falls clearly outside the application site area to Phase 1. There is also no requirement to provide ancillary facilities to the playing pitches either under a planning condition or under the legal agreement.

We are aware that the applicants are in breach of the legal agreement in relation to the pitch specification and transfer. This matter is subject to on-going discussions with Taylor Wimpey and Hertfordshire County Council. It is understood that the works to provide the pitches were not properly maintained following delays in the transfer of the site to HCC. Further works will be undertaken to the pitches to bring them up to standard in time for the next football season.

Drainage – The drainage strategy provided is satisfactory in principle and should not prevent the grant of planning permission.

Timing – The decision to pursue this alternative scheme has been taken following a significant period of discussion with the County Council and following a significant delay in the delivery of housing in the locality (some 4-5 years) As indicated in the officer report there are no firm proposals to develop the ERS site nor at present would such a proposal be in accordance with the adopted development plan.

Taylor Wimpey Response

In respect of the phase 1 planning obligations:

- Taylor Wimpey (TW) have not received any notification of enforcement from DBC but they could be seen as being technically not fully in accordance with the S106 because we have not yet transfer the car park or playing pitches.

- TW made the car park available to the school at the end of 2017. It is constructed to the approved standard.
- The transfer to HCC has been agreed and the engrossed version is currently circulating for execution. The car park will therefore be formally transferred shortly.
- The S278 access into the pitches was completed in January 2019. Delivery was delayed considerably by factors outside of Taylor Wimpey's control.
- The pitches have been laid in accordance with the approved method statement. The method statement was agreed by DBC and Sport England.
- Since being laid however, the maintenance regime has not been properly implemented resulting in the pitches becoming over-grown.
- TW has since appointed a new contractor who has produced a programme of works in order to bring the pitches up to the necessary standard. This programme of work includes regular maintenance from March 2019 onwards and will result in the pitches being ready for use in October 2019.
- HCC is fully aware of the programme of works and is expected to take transfer of the pitches in October 2019.

APPENDIX D – REPRESENTATIONS FROM PREVIOUS ADDENDUM

HCC Growth and Infrastructure Team

Further to our email dated 10/12/2018, the Growth and Infrastructure Unit have no further comments.

Local Residents

In favour

Ms Winmill

Speaking on behalf of the residents of Bearroc Park phase 1, we wish to express our support for a second access point for phase 2 being created as part of the amended plans. As the development committee is well aware, there were a number of serious safety concerns with phase 2 traffic being routed via phase 1 so we appreciate that this was reconsidered. Should development therefore be granted, we would just ask the development committee to make it a condition that Taylor Wimpey completes the woodland area, which was supposed to have been finished as part of phase 1. As the committee is aware, the woodland area has been left in a state of dilapidation such that the management company won't manage this area. With falling, decaying trees and overgrowth, it is currently unsafe for use, particularly for the estate's many young children, who would love to enjoy what was supposed to be a beautiful woodland trail.

Taylor Wimpey must also complete the playing fields which was a condition of phase 1 and which as yet, is incomplete.

In objection

The Lodge

I'm writing to you concerning problems I am facing with both the "improved" (widened) junction of Durrants Lane and Shootersway, and also the Taylor Wimpy planning application for the second part of the development of land to the east of the junction.

The Existing Problem

Shortly before Christmas last year a car turned down Durrants Lane from Shootersway at speed and lost control, it smashed through the hedge and fence just in front of the bay window at the front of my home. It destroyed two small trees and only missed the wall of my home by a couple of feet.

Our family have lived at this address since the 1950s and this is the first time that a car has come through this boundary. We have had problems with traffic hitting the brick gatepost at the corner of our boundary but never anything so unnerving as this. What enabled this accident to happen is the widening of the junction that enables cars to sweep around the corner with significantly greater speed than before. It is also made it far more dangerous to use my front access from Durrants Lane because of the speed of traffic coming past. The postman stopped using this access last year saying he wasn't comfortable using it anymore, and others will no longer stop outside my front door because of this, whilst making it more hazardous for those that still do.

In addition to this, there have been at least two bad car collisions here (that I am aware of) requiring ambulance attendance and injured taken to hospital since the widening. For a long time the usual problem here was of drivers on Shootersway approaching from the Berkhamsted direction turning down Durrants Lane across oncoming traffic (even before the changed traffic priorities trialled here from 1994 and abandoned 1998ish). The problem is now more serious after the widening because of the speed and position of the vehicles involved - in spite of the extension to the 30mph limit. Drivers coming along Shootersway from the Berkhamsted direction are no longer forced to slow down to turn the corner as much as they were, and this traffic cuts across the corner carrying far greater speed than it was able to before. Drivers feel they can drive through the junction at greater speed and commit to doing so before being able to see that it is safe to do so. Just over a week ago we had a serious accident of exactly this type and both cars ended up over the curb on the far side of the junction, one car facing the opposite direction to that it had been travelling in. I believe one of the drivers ended up with a severe whiplash and possibly other injuries whilst the other was able to walk away.

The other serious accident which closed the junction for some hours in July last year happened when a car from Shootersway (Northchurch direction) turned down Durrants Lane and hit an oncoming car (head-on) outside my front door on Durrants Lane. A mother with a child in one car and the driver of the other car both needed medical attention. The cause was too much speed. Again, this is the first time there has been a collision at this point on the road (directly outside my front door).

In addition to the hazards for drivers, Shootersway is a very popular walking and running route as well as a national cycleway and crossing this junction can be a hazardous exercise for pedestrians too for exactly the reasons outlined, particularly those with dogs or small children, and those not so nimble on their feet. There is not even a paved footway anymore around the Durrants Lane curb, let alone a dropped curb for pushchairs or the occasional mobility scooters that pass by on the road. This all shows a lack of understanding of pedestrian flows here.

The Taylor Wimpey Proposals

The latest proposed amendments to the Taylor Wimpey plan includes a new access onto Durrants Lane close to the junction which will add to the amount of traffic using this junction with likely consequences for the number of these accidents, as well as insecurity for me or anyone living in this house. It is also proposed that construction traffic uses this access. Most of the construction traffic generated by phase one went off towards the bypass, a lesser proportion passed down Durrants Lane. The new proposals will have the bulk of this traffic grinding its way past within a few foot of my home, in preference to losing a few unremarkable trees on the Shootersway boundary and creating a new access there directly onto Shootersway. Over 10,000 tons of material was removed to create the new attenuation ponds and this and other material came out of the old field entrance immediately adjacent to the junction, it caused chaos but was less disruptive and polluting for me than I expect the latest proposal to be. The proposal for a new access has arisen as residents of Queen Elizabeth Drive have objected to it going past their homes as well as the longer term need for traffic calming within that development.

County Council engineers appear to rely solely on the Taylor Wimpy traffic consultant's report which uses only desktop capacity modelling, and which has been approved. Less reliance on desktop modelling and more practical examination of the issues on site might bring a better result for pedestrians and road users alike, as well as reducing the burden on the NHS. It would also stop me worrying that the next car that squeals around the corner is going to end up in my home. I do not say this jokingly.

I outlined some of these concerns on the application in December and suggested that this was the opportunity to create a better, safer junction, but these have been ignored by the planning committee, who instead thought that a new access very close to my home would be a good idea.

I believe Dacorum Planning Committee should defer approval of the new access proposals until these issues have been properly examined. Dacorum HIT targets are healthy and a little extra time to deal effectively with important detail will be time well spent. I still have a hole in my front hedge and I am considering building a wall of timber sleepers although this is unlikely to fully protect me and my home as debris is likely to propelled towards the house in the event of a heavy impact. I don't think the HCC should sanction "improvements" that necessitate the provision of armco to protect homes, better to build a safer junction whilst there is land available.

Further Comments

The new access onto Durrants Lane is close to the junction and any new street lighting would be a gross intrusion from my point of view. There are enough pressures on good quality sleep without the near daylight of LED street lighting intruding into my home. I strongly object to this and the access would be better moved further back along

Durrants Lane towards ERS school, but far better still to move it to a completely new access onto Shootersway. In suggesting the possible location of the access road on Durrants Lane the Council seems to have forgotten that there are residents there who will be just as impacted as the residents of Elizabeth Avenue with the additional traffic and particularly the construction traffic. At the very least a separate access should be provided from Shootersway for the construction process. It would be inequitable to take into account the views of the residents of Elizabeth Avenue but ignore my own concerns at the noise and pollution of construction traffic passing my home to reach the site from Shootersway.

The proposed access will cause a great deal of noise and disturbance to me as construction traffic passes in both directions in front of my house, within just a metre or two of my front door. Noise, air quality impacts, and the vibration from this traffic will severely impact the internal environment of my home and my garden during the construction phase. There is no need to use Durrants Lane as the construction access, during the construction of phase one more than 10,000 tonnes of spoil was extracted and removed via the field access next to Durrants Lane directly onto Shootersway. The trees on the Shootersway boundary are mostly of little better quality than those on Durrants Lane although there are one or two more mature ones than on Durrants Lane. But this can be done easily and avoiding the severe impact construction traffic could have on the lives of the residents of Elizabeth Avenue or Durrants Lane, the traffic should be routed along Shootersway and not past schools and homes close to the road.

The new access further erodes the quality of the green belt boundary through the combined impacts of the increase in traffic, the effect of such dense development so close to the Shootersway and Durrants Lane frontages together with streetlighting and these will substantially undermine any attempt to disguise this through landscaping, green corridors etc. Furthermore this green corridor shielding the development from the road whilst of benefit to the new residents is at the expense of existing residents, myself in particular, who will suffer from the increase in traffic, proximity of intrusive LED street lighting etc. This is an inequitable arrangement from my point of view and the Council should be working to protect existing residents from the negative impact of development, there is no indication of any attempt to do this in my case so far, and it is not acceptable to diminish the environmental quality of my own home or of existing homes for the benefit of new ones. Furthermore at a time when a housing crisis demands more housing I believe NPPF may provide adequate means to enable the development of a large site for affordable housing which just happens to be closer to existing communities, already in the ownership of Taylor Wimpey, and unhampered by complex ownership issues, or historic policy commitments for open space provision etc. It is prudent to expedite the achievable but this should not be limited to allocated sites, nor should it justify missing opportunities for small but important infrastructure changes or be detrimental to existing homes.

The consultation in respect of phase 1 by Taylor Wimpey included assurances that phase 2 would consist of a development of approximately 60 new homes with two new alternate schemes being proposed depending on the outcome of the village green application. (Taylor Wimpey letter dated 13th of March 2013) The current proposals are far in excess of this number and go against public expectations for the scale of development and policy proposals for open space (as below). The figure of 180 homes is unachievable without the school site, and to abandon the masterplan just when the ERS site might be about to become available through policy decision(s) and enable the housing target to be hit is hard to accept.

Previous proposals maps have included part of the masterplan site for public open space, the earliest that I am aware of being the proposals map adopted in January 1984. The current map continued the ongoing process of preserving this longstanding policy that first assigned this status to the land now occupied by Elizabeth Avenue in a larger scheme to enable its provision. The policy of open space provision within what is now called the masterplan site is merely a continuation of a policy requirement at this location that is approximately 35 years old. Approval of this application would be in breach of this very longstanding policy commitment if there is no prospect of the school site being developed as I believe is being claimed and open space being provided within that site.

The provision of playing fields on Durrants Lane does not fulfil this long standing policy requirement and the council should resolve this by reducing the scale of the development and including greater provision of public open space as originally envisaged, whilst intervening to promote the development of more affordable housing closer to the town in less complicated sites.

I understand that there is now tremendous pressure to enable housing development, but that is not justification for abandoning long held aims to provide for the public good, or to hurriedly approve an application without considering the small details which could make a big differences to both residents, those passing through the town, or those who move here in years to come.

I ask that the committee at the very least withhold approval of the amended application until the highway issues I have highlighted have been reviewed by HCC and that a new access be provided to Shootersway and not Durrants Lane.

Agenda Item 5b

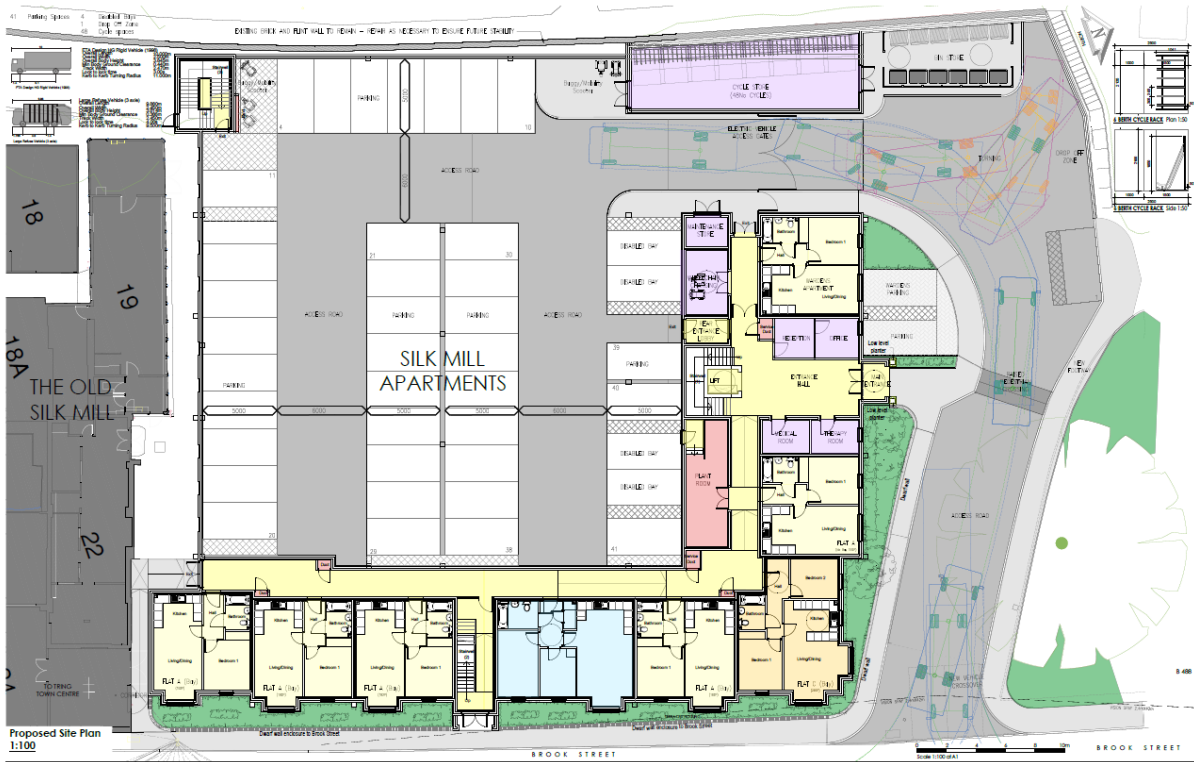
Item 5b 4/02204/18/MFA DEMOLITION OF EXISTING BUILDINGS.
CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS
WITH ASSOCIATED LANDSCAPING AND PARKING

OLD SILK MILL, BROOK STREET, TRING, HP23 5EF



Site Location Plan 1:1250

0 25 50 75 100 125m
Scale 1:1250 at A4



**Item 5b 4/02204/18/MFA DEMOLITION OF EXISTING BUILDINGS.
CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS
WITH ASSOCIATED LANDSCAPING AND PARKING**

OLD SILK MILL, BROOK STREET, TRING, HP23 5EF



4/02204/18/MFA	DEMOLITION OF EXISTING BUILDINGS. CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING.
Site Address	OLD SILK MILL, BROOK STREET, TRING, HP235EF
Applicant	
Case Officer	Andrew Parrish
Referral to Committee	Due to the contrary views of Tring Town Council.

1. Recommendation

1.1 That planning permission be **DELEGATED** to the Group Manager Development Management and Planning **WITH A VIEW TO APPROVAL** subject to:

- agreement of pre-commencement conditions with applicant, and
- completion of a s106 agreement with the following Heads of Terms - 55 years minimum age restriction, meeting medical or health criteria that justify the extra care accommodation categorisation, provision of fire hydrants, financial contribution towards improvements to the two nearest bus stops to provide easy access kerbing of £16,000.

2. Summary

2.1 The application is recommended for approval. The application is for the demolition of a semi-detached pair of houses and the erection of 41 extra care apartments within a 3 storey block with undercroft car parking and access from Brook Street. The site is part of a General Employment area, the majority of which is a vacant, undeveloped site. Together with the two residential properties, it comprises a generally rectangular site which sits substantially below the level of dwellings immediately to the west at Kingsley Walk. The intervening land comprises a steep earth embankment which will be cut back and supported by a retaining wall to enable the development to take place. Landscape margins are proposed to the Brook Street and northern frontages with tree planting at podium level on the western boundary.

2.2 In policy terms, the loss of the employment land is considered acceptable as the majority is not currently in active employment use whilst the loss of the small commercial unit would not have a significant impact on the functionality or viability of the business park or GEA, and should be balanced against a more efficient use of the land for residential purposes, the use for which is appropriate given the dwellings at 21 and 22 Brook Street and the siting adjacent to existing housing.

2.3 The proposed development would not result in any material loss of privacy to dwellings in Brook Street nor, given favourable levels, any material loss of light or overbearing impact. Given the siting on lower land there would be no material loss of light or visual impact on dwellings in Kingsley Walk and, subject to obscure glazing and privacy screens, no material loss of privacy.

2.4 The loss of the two semi-detached dwellings of 21 and 22 Brook Street, having a low level of significance in conservation terms, is not objectionable. There would be no harm to the setting of The Old Silk Mill Grade II listed buildings and in design terms,

subject to details by condition, the Conservation Officer has raised no objection to the height and appearance of the development which would reflect the scale, mass and form of the Silk Mill buildings whilst respecting the design and materials of the terraced dwellings opposite.

2.5 Car parking is acceptable and subject to updated comments from the Highway Authority there would be no material detriment to highway safety. Subject to further details, the proposal would comply with sustainability principles, would cause no material harm to ecological interests and would not be at risk of flooding. The use and age restriction of the extra care development should be secured through an s106 planning obligation.

2.6 The proposal complies with Policies CS8, 10, 11, 12, 13, 27 and saved Policies 51, 58, 99 and 100 and 119. In view of the above the application is recommended for approval.

3. Site Description

3.1 The site is located off the western side of Brook Street in the town of Tring and extends to 0.31 ha. The site comprises a pair of semi-detached C20 Edwardian (Rothschild after 1901) residential properties (Nos. 21 and No. 22 Brook Street) to the east side, together with an existing single storey commercial building to the southern side and an area of overgrown hardsurfacing to the western side. The latter two areas form part of the Old Silk Mill General Employment Area. The hardsurfacing is currently a vacant, undeveloped piece of land which is said to be surplus to requirements. It is accessed via a narrow private unmade driveway from Brook Street which also serves Nos. 21 and 22 Brook Street. The site is generally rectangular and sits substantially below the level of dwellings immediately to the west at Kingsley Walk by the equivalent of a two storey building. The western boundary therefore comprises a steep earth embankment which included a number of mature trees that were felled in 2017. To the south of the site is The Old Silk Mill, a Grade II listed building which is currently used for various small industrial and commercial uses. To the north is an area of public open space that follows the line of the brook. Along the east side of Brook Street are C19 terraced properties set on raised ground.

4. Proposal

4.1 Permission is sought to demolish the commercial unit and the two dwellings and to erect an extra care apartment building on 3 storeys with associated undercroft car parking, landscaping and podium level amenity space. It is proposed to provide a total of 41 No. apartments, under a Class C2 use, comprising 28 No. one bed units and 13 No. 2 bed units. The development would be for those aged 55 years old and over provided as an extra care scheme, where residents would be able to access care provision on site, increasing if necessary as their needs change, whilst benefitting from a full level of independence provided by an owner occupied self-contained flat with own front door. One of the one bed units would be provided for warden/carer's accommodation to ensure that 24 hour access to assistance would be available for future residents.

4.2 The building would incorporate a communal resident's lounge area, a shared flexible therapy room, an office/reception area, a communal raised garden and car, cycle and mobility scooter parking areas. The therapy room would be used to provide

individual and small group therapies, or specific care practices that may require additional equipment to that available inside each apartment. The larger communal lounge area will be used at certain times to provide group sessions, such as yoga, pilates or cinema viewings.

4.3 The apartment block would be formed around a central communal space in a U shaped format on 3 storeys with brick walls under a pitched tiled roof and access to an undercroft parking area. Pedestrian access would be from both Brook Street and the northern (Brook Street Park) frontage at ground floor level. Soft planting is proposed to each of the three frontages with the earth embankment to the Kingsley Walk frontage cut back and supported by a retaining wall and tree planting incorporated along the boundary at podium level.

4.4 The existing vehicular access from Brook Street would be widened with the provision of a new footway to the southern side. The existing public footpath to the northern side would be retained and a new pedestrian ramped access (suitable for mobility scooters) would be provided onto footpath 41 to the rear, enabling convenient access to the town centre and other local facilities for residents.

5. Relevant Planning History

- 4/02221/17/MFA CONSTRUCTION OF FIVE 3-BED TERRACED DWELLINGS AND FIVE 2-BED MEWS STYLE DWELLINGS OVER THREE STOREYS WITH ASSOCIATED AMENITY SPACE, CAR PARKING, CYCLE AND BIN STORAGE AND PRIVATE GATED ACCESS DRIVE. PROPOSED RETAINING WALL. REDUCED GARDEN TO NO. 22 BROOK STREET
Refused
06/02/18
- 4/01977/17/FUL CONSTRUCTION OF 4 NEW DWELLINGS WITH AMENITY SPACE, CAR PARKING AND CYCLE STORAGE. PRIVATE GATED ACCESS DRIVE. PROPOSED NEW RETAINING WALL OF CONTIGUOUS PILING AND STEPOC BLOCK RETAINING WALL WITH GREEN WALL AND NATIVE TREE AND SHRUB SOFT LANDSCAPING.
Refused
05/12/2017
Allowed on Appeal 10/09/18
- 4/00378/17/FUL CONSTRUCTION OF FOUR 4-BED DWELLINGS WITH DOUBLE GARAGE
Withdrawn
09/05/2017

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1, CS2, CS4, CS8, CS10, CS11, CS12, CS13, CS14, CS19, CS27, CS29, CS31,

CS32, CS35

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, 54, 58, 99, 100, 122, 124.

Appendices 1, 3 and 5

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area TCA 15:Brook Street
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Affordable Housing (Jan 2013)

6.5 Advice Notes and Appraisals [include only those relevant to case]

- Sustainable Development Advice Note (March 2011)
- Refuse Storage Guidance Note (March 2015)

7. Constraints

- CIL2
- FLOOD ZONE 2 and 3
- GENERAL EMPLOYMENT AREA

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
- Need
- Impact on employment land and suitability for residential development
- Design, layout and impact on character and setting of listed building
- Impact on trees and landscaping
- Impact on highway safety, access and parking
- Impact on neighbours

- Impact on ecology
- Flood risk and drainage
- Sustainability
- CIL and s106 obligations
- Other Material Planning Considerations

Policy and Principle

9.2 The site lies partly within an existing General Employment Area (GEA) within the urban area of Tring and partly within a residential area. Under Policy CS4 residential development is appropriate within residential areas and in GEAs, appropriate employment generating development is encouraged and, in accordance with Policy CS15, GEAs will be protected for B-class uses. However, the principle of residential development was accepted by the Inspector in considering the appeal in 2018 for 4 No. terraced properties on part of the GEA.

9.3 The site lies in close proximity of The Old Silk Mill, a Grade II listed building where, under Policy CS27 and saved Policy 119, proposals should retain the character and setting of the listed building.

9.4 Subject to Policy CS15, Policy CS17 encourages the development of housing to meet the district housing allocation. Saved Policy 10 of the Dacorum Borough Local Plan 1991-2011 encourages the use of urban land to be optimised.

9.5 Policies CS10, 11, 12 and 13 of the Core Strategy are overarching policies applicable to all development which seek a high quality of design in development proposals. These are relevant to any residential development.

9.6 As set out in NPPF (paragraphs 59 and 61), the need to boost housing supply, including accommodation to meet the needs of different groups in the community (including older people) is a clear Government objective.

9.7 Market towns are able to accommodate much of the housing requirement for the Borough after Hemel Hempstead and developments such as this are important to the housing provision in Dacorum. Core Strategy Policy CS18 states that new housing development will provide a choice of homes including housing for those with special needs, including in the supporting text, for extra care housing places.

9.8 The key issues with this scheme are whether any material circumstances exist that justify an exception being made for residential development of this employment site, the effect of the proposal in terms of the character and setting of the listed building and the appearance of the area, the impact in terms of trees and landscaping, the impact on residential amenities and the acceptability in terms of highway safety.

9.9 Policies CS10, 11, 12, 13 and CS27 are relevant, together with saved Policies 51, 54, 58, 99 and 119 of the Local Plan.

Need

9.10 The Town Council raise a query regarding the need for this type of housing. They question whether there is a need for extra care apartments in Tring, as they would prefer to see additional housing for young people and families.

9.11 The Glossary contained at Appendix 4 of the Core Strategy defines extra care housing as:

'a sheltered scheme with the benefit of care staff on site, or nearby, for 24 hours a day. Tenants have access to care as and when they need it, or in emergencies. Flexicare can avoid the need for residential care for many people.'

9.12 As an extra care scheme, the proposed development is catered specifically for those of advanced years and provides the opportunity for residents to maintain their independence in their own apartments, but with the ability to easily access on-site support, assistance and help as and when they may need it.

9.13 Although now somewhat dated, the Hertfordshire Structure Plan Review (1991-2011), upon which the Dacorum Local Plan was based, identifies that Countywide there is an increasing number of elderly people who continue to live independently, which has an impact upon the overall demand for additional dwellings. The Structure Plan Review also refers to the difficulty that people with specific needs often face in finding suitable accommodation, this includes the elderly.

9.14 The County Council (Health and Community Services) has identified specific requirements, inter alia, for extra care ("flexicare") housing. The Strategic Housing Market Assessment (SHMA) 2016 recognises a need for supported housing for vulnerable groups across south and west Hertfordshire (i.e. London Commuter Belt (West)) and in particular notes the County Council's policy to provide more 'extra care' rather than high level support 'residential care' accommodation, thereby providing a choice between the latter and low level support 'sheltered' accommodation.

9.15 In respect of the size of new dwellings, Policy 18 of the Dacorum Local Plan 2004, specifically seeks smaller sized units of 1 and 2 bedrooms, in part to serve the needs of the elderly population. It is recognised that the number of elderly persons' households has increased across the Borough and therefore at paragraph 18.2 of the Local Plan it states *'Initiatives to provide small units of accommodation, such as blocks of elderly persons' flats, are therefore to be encouraged.'*

9.16 This trend of increasing numbers of elderly residents is reiterated within section 14 of the Dacorum Core Strategy 2013. Here paragraph 14.26 confirms that specific requirements have been identified across the County for extra care housing places and that the Council will permit appropriate schemes for new accommodation. The County and Borough wide need for accommodation to support the needs of the elderly population is therefore well documented and supported.

9.17 At a more localised level, the Dacorum Borough Council Settlement Profiles Paper of October 2017 identifies that 17% of Tring's population is over the age of 65 and that 22.2% of Tring households comprise only people aged 65 and over. This is a similar level to Berkhamsted and Northchurch, but exceeds the levels in Hemel Hempstead, Bovington and Kings Langley.

9.18 Although extra care is classed as a C2 rather than C3 (residential) use and is therefore not technically residential in a use class sense, the SHMA recognises that the provision of smaller units for older people, particularly extra care, plays a role in releasing larger, under-occupied, homes back into the market. In these terms, extra

care can be considered to contribute to the housing requirements of the Borough.

9.19 The development would constitute an extra care scheme and would comply with the above population trends, policy and guidance. Furthermore, the mix of unit sizes comprising 27 one bedroom and 13 two bedroom, plus a one bedroom warden apartment, would help to achieve a number of smaller units as required by Policy CS18.

Impact on employment land and suitability for residential development

9.20 The site forms part of the northern tip of the Silk Mill GEA off Brook Street, Tring. It comprises a small single storey commercial building together with a vacant, underused hardsurfaced area which is understood to be surplus to the requirements of the employment area. In historic terms, the site included a pair of semi-detached properties which followed the same building line as the existing pair of properties at 21 and 22 Brook Street. It is understood that the site was cleared in 1976, parts of the foundation of which were still visible at the case officer's site visit within the area of the earth embankment. A related brick and flint wall forming the boundary of the site exists at the top of the embankment. The site has not been used for any productive employment purposes since demolition of the dwellings in 1976.

9.21 The existing commercial unit to be demolished is of small scale. It is currently occupied although it is understood that the occupier has confirmed their intention to retire. That notwithstanding, it is also understood that there remain a number of unoccupied units within the remainder of the Silk Mill Business Park for which there is said not to be enough demand. In the circumstances the loss of this small commercial unit would not have a significant impact on the functionality or viability of the business park or GEA, and should be balanced against a more efficient use of the land for residential purposes.

9.22 In policy terms, the loss of the employment land is not considered unacceptable in this case as the majority of it is not currently in active employment use. The hard surfaced part of the site historically has not been part of the Old Silk Mill site, being clearly separated from it by an existing commercial building marking the southern edge of the site and there is no clear vehicular or pedestrian access between the two sites. Furthermore, as the site sits adjacent to existing dwellings at Nos. 21 and 22 Brook Street, and shares access, residential development is considered a more compatible and appropriate use for the site than B1 use and, furthermore, in visual terms could be designed to relate better to the character of dwellings in Brook Street and to the adjacent public open space / public footpath than B class buildings. According to the Hounsfield supporting statement on the previous application, marketing attempts for employment have not proved successful and the site has suffered from fly tipping and vandalism. The above notwithstanding, given potential new employment land in Tring on the LA5 site and Dunsley Farm, there is considered to be no major issue about the loss of the employment land in this case given the other supporting factors outlined above.

9.23 It should be noted that the principle of the loss of part of the GEA was accepted in relation to the previous application (4/01977/17/FUL) for 4 No. terraced properties across the hardsurfaced area. Whilst this application was refused by the Committee, it was subsequently allowed on appeal, and the loss of employment land did not form part of the reason for refusal, and was not queried by the Inspector.

9.24 For the above reasons, it is considered that an exception for residential development of this part of the employment site is justifiable.

9.25 The site falls adjacent to existing residential uses, is generally flat and can provide a suitable size amenity area (450 sq m) that would be private and would not cause overlooking to adjacent properties. The site would make use of previously developed land and is sustainably located within the built up area of Tring with respect to services and facilities. It has available vehicle access, and car parking can be provided without impacting materially on the land take or visual amenities of the area. The site is therefore considered suitable for residential development.

9.26 Whilst the overall density of the scheme at 132 dph is relatively high, given the sensitive form and design of the building, its siting at a topographically low level in relation to surrounding dwellings, the small unit sizes and the fact that the development can accommodate all its necessary supporting infrastructure and facilities on site without harm (in particular car parking is unobtrusive), the proposal is not considered to appear excessive or materially out of keeping with the surrounding context of terraced dwellings, and is in line with policy to make good use of urban land. Furthermore, it should be noted that the Character Appraisal states that there is no consistent density to the area and that high density development may be acceptable, dependent upon a scheme respecting and following the development principles. In view of the above, the proposal is not considered to be an overdevelopment of the site and would accord with saved Policy 10 which seeks to ensure the use of urban land is optimised and is in line with paragraphs 117 and 118 of NPPF which encourages policies and decisions to take opportunities to make the most effective use as possible of previously developed or 'brownfield' land, and substantial weight should be given to the value of using brownfield land within settlements for homes and other identified needs. Paragraph 118 also supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

Design, layout and impact on character and setting of listed building

9.27 The site does not fall within a Conservation Area. However, the Conservation Officer has assessed the proposal in terms of the adjoining Old Silk Mill buildings which are listed / curtilage listed and in terms of the impact on the buildings to be demolished and the surrounding character.

9.28 The proposal would result in the loss of a pair of C20 (Edwardian Rothschild) buildings, Nos. 21 and 22 Brook Street. Whilst these have some visual and historic interest, he notes that they are not listed, curtilage listed or locally listed and therefore concludes that these have a low level of historic significance.

9.29 The proposal would result in the loss of some industrial sheds from the second half of the 20th century. However, these are of no particular architectural interest comprising profiled metal roofs over rendered walls.

9.30 With regards to the listed Silk Mill buildings, the Conservation Officer has said that the proposals would have a relatively minimal impact on their setting. *"They do not challenge the scale or massing of the silk mill and it would continue to be able to be read and understood in its own right. The proposal is subservient but responds to some of the details on the main mill site therefore maintaining the general character of*

the area." Accordingly, no objection is raised in relation to the impact of the proposal on the setting of the designated heritage asset or its significance.

9.31 The development should follow the development principles of character area TCA15 Brook Street. This states that there are no special design or type requirements although small to moderate sized dwellings are appropriate and encouraged. The building would be arranged in a U shape set around a communal garden provided at first floor level, above an undercroft car parking area. The garden would be formed on a deck above the parking spaces and would provide level access from the first floor apartments and corridors. The proposed apartment building would comprise small units of accommodation and would be of traditional brick and pitched roof form, adopting a simple fenestration layout, with references to the surrounding context in terms of the chimneys and vertical alignment of fenestration. The three storey height and divided windows would also strongly reflect the character of the existing Silk Mill buildings. The building would show slight variations in roof height, would include two storey entrance porticos for the main entrance from the north and from the secondary entrance from Brook Street. Small areas of render, bay windows, chimneys and brick detailing are also to be included.

9.32 The Conservation Officer has noted that the design and materials are in keeping with the historic environment and the general character of the area. Amendments address concerns in relation to the chimneys that help break up the ridge, to the main entrance doors to add side lights, and in relation to repairs to the flint and brick boundary wall. However it is recommended that a specification and method statement for the repair of this feature be submitted pursuant to a condition. It would also be recommended that details of materials, brick bond, mortar colour, window header, cill details, joinery, etc. as requested by the Conservation Officer be required by condition. In addition, it would be recommended that details of low frontage boundary walls to fit with the character of the street, together with details of the vehicular archway to ensure a satisfactory appearance to this prominent aspect of the building be submitted for approval by condition.

9.33 The Development Principles state that height should not exceed two storeys, unless it can be demonstrated that the character and appearance of the street scene will not be harmed. Despite being 3-storey, given the softening effect of the hipped roof design, the benefit of lower slab levels and the frontage set back, the proposals would comfortably transition with the existing single storey Silk Mill buildings that front directly onto Brook Street such that in street scene terms there would be no abrupt change in height. It should be noted that the Silk Mill itself is some 3 metres higher than the proposed new apartment building. In relation to the existing Victorian terraced dwellings on the opposite side of Brook Street, the proposed height is not considered materially harmful to the street scene, again given the difference in slab levels and the proposed development set back from the frontage. In relation to Kingsley Walk properties to the west, there would be an equivalent two storey difference in levels favouring those properties. As such, the proposal would not appear overbearing or dominant in street scene terms, either from Brook Street Park or from Kingsley Walk. For these reasons, the proposal is considered justifiable in relation to a departure from the Development Principles. It should also be noted in this respect that the Inspector considering the recent appeal against refusal of an application for 3 storey terraced dwellings on this site (4/01977/17/FUL) was:

"satisfied that the proposal while not of the same scale, height, bulk or character as

Nos 21 and 22 would not be materially prominent or obtrusive within the street scene, thereby maintaining the inherent mixed character and appearance of this part of Brook Street."

In this respect he had noted that part of the Silk Mill has three storeys and that there was four/five storey development to the north of the site.

9.34 The Development Principles state that new developments should present front gardens and/or a landscaped verge to Brook Street, that spacing should be provided within the medium range (2 m to 5 m) and, where it exists, the building line should be followed. The proposed development is considered to comply with these requirements. There is a strong building line along this part of Brook Street which the development would maintain whilst a setback of between 1.5 and 2.5 metres would allow for a reasonable landscaped frontage that will help soften the appearance of the development in the street scene. A similar landscaped frontage to the access road is proposed. The nature of the development and the character of the area does not justify lots of wide gaps between buildings. However, the siting of the development would include a small 1.3 metre gap with the adjoining Silk Mill development.

9.35 The proposed development would follow best practice in terms of perimeter block principles with good enclosure of the site, and active frontage, following the mantra of public fronts - private backs which has general advantages in terms of security for residents and the appearance of the street scene for the public realm. In the latter respect, the site is highly prominent in that it adjoins the southern edge of the Brook Street public open space and is also bordered by a frequently used public footpath to its frontage onto that space. There would arguably be an improvement to the Brook Street frontage in replacing the existing blank gable and 1.8 m high close boarded fence with a more activated frontage. As such the layout is considered appropriate to its immediate context and accords with the Development Principles.

9.36 In terms of density, for reasons discussed above, the density of 132 dph is considered acceptable and would not by itself be considered to result in any material harm. It would therefore accord with the Development Principles.

9.37 Subject to details by condition as noted above, it is considered that there would be no harm to the listed Mill buildings or to the character of the area / street scene. The proposal would accord with Core Strategy Policies CS10, 11, 12, 13 and 27, and saved Policy 119 of the Dacorum Local Plan.

Impact on trees and landscaping

9.38 Policy CS12 and saved Policy 99 seeks the retention and protection of visually important trees as part of development proposals where reasonably possible and Policies CS11, 12 and 13 and saved Policy 100 seek soft landscaping as an integral part of new development to help integrate it into the surroundings.

9.39 There are a variety of native and non-native shrubs and trees on the site within the rear gardens of Nos. 21 and 22 Brook Street and on the embankment to the North West corner of the site. Some 35 individual trees and one group of trees were surveyed as reported within the submitted Arboricultural Report. There are no category A trees (highest quality) and only 3 category B trees, all of which are to be retained which lie on the embankment. The majority of the remaining trees are category C

(Unremarkable of very limited merit) with two U class trees.

9.40 A number of residents have raised concerns at the loss of visually prominent trees on the embankment to the western boundary of the site. However, these were not subject to a TPO and were felled by the applicant in 2017. This is unfortunate because it is acknowledged that their loss has resulted in a significant gap in the otherwise treed backdrop to the site in views from Brook Street and has impacted the general character of the public realm and footpath along the top of the embankment.

9.41 The proposal would require the removal of 18 C and 2 U category trees to facilitate the development, many of which are non-native fir trees. All the trees to be felled fall within the curtilage of Nos 21 and 22 Brook Street. Some minor crown lifting and pruning works to 5 other trees are proposed in order to facilitate the development and enable access for piling and construction works.

9.42 Whilst the trees do make some contribution to the visual amenities of the street scene, the losses have been confined to the lower quality trees on the site while better quality trees have been retained. None are the subject of a preservation order whilst the majority of the deciduous trees are only of semi-mature / early mature status and therefore unlikely to be considered of such outstanding amenity value to be considered suitable for TPO status.

9.43 Protective tree fencing for retained trees, together with supervised bank excavations prior to piling, a no-dig area around tree T7 within the Brook Street Park, and supervised work area during road construction is recommended and shown on the Tree Protection Plan within the Arboricultural Survey and Assessment. It is recommended that a suitably worded condition be used to secure tree protection in accordance with the plan and to require an arboricultural method statement including on site supervision of key activities and tree protection during demolition and construction works on site.

9.44 Subject to the above, the proposed development would have minimal impact upon trees and landscaping with the potential to enhance the landscape and amenities of the property and the wider area over the medium to long term. Only low value conifers and shrubbery will be removed from the two residential properties with no significant vegetation removed from the industrial area. The proposal presents an opportunity to replant the western bank and create a landscape residents courtyard and therefore the proposal will have a potentially positive effect in landscape terms.

9.45 In terms of soft landscaping, the landscape proposals have not yet been formulated in detail but the plans indicate that a belt of new trees comprising Japanese Cherry (*Prunus serrulata*) would be planted along the western boundary of the site at podium level above the proposed car park. These would potentially compensate to some extent for the trees that were felled in 2017 although at 5 metres, they would of course not reach the height of the original trees and furthermore would only have a life of 15- 20 years. It is recommended that final details of species be agreed by condition. The development also brings an opportunity to remediate the growing conditions of retained trees, which is a strategy that is unlikely to be implemented if the site remained undeveloped. Remediation of the growing conditions of retained trees can significantly improve tree health and vitality and it would be recommended that these measures are secured through a suitably worded planning condition.

9.46 In addition to the above, there is good opportunity to provide low level planting to the frontages along Brook Street and along the northern elevation onto the public open space at Brook Street Park. This will provide both a pleasant outlook for residents and also an improvement in the overall appearance of this stretch of Brook Street. The removal of the existing blank side elevation to No. 21 and 1.8m high fencing, which immediately abut the edge of the footway, and the creation of a landscaped verge with the building set back from the footway would also assist in creating a more open, welcoming and attractive streetscape.

9.47 Selection of quality hard landscaping materials will be important to this development given the relatively small amount of space for greenery to offset the building and the large amount of hard surfacing in the form of the access road and car parking. Tarmac would not be considered appropriate.

9.48 It would be recommended that full details of hard and soft landscaping be sought by condition.

9.49 Subject to the above, it is considered the planting would in time provide suitable visual continuity with the trees either end of the site and also help integrate and soften the site into the adjoining public open space and surroundings.

Impact on highway safety, access and parking

9.50 The proposal would gain access from Brook Street via the existing private unsurfaced driveway. This would be upgraded and widened to 6.7 metres together with a 1.2 m wide footway to the southern side and retention of the existing public footpath leading to Kingsley Walk. A pedestrian raised table is proposed across the upgraded access to enable easy and level access from the southern side of the driveway over to the northern side and public right of way 39.

9.51 Concerns have been raised by the Town Council and residents regarding the narrow width of footways along Brook Street towards the town centre and concerns that this would prevent those residents from the development with mobility scooters from passing each other and therefore accessing the town centre. Paras 108 and 109 of the NPPF state that in assessing applications for development, it should be ensured that safe and suitable access should be achieved for all users and that applications for development should address the needs of people with disabilities and reduced mobility in relation to all modes of transport. This is also reflected in Policy CS12. The Highway Authority acknowledge that the existing footways on both sides of Brook Street towards the town centre are narrow and in poor condition, although has indicated that there is potential for improvements to be built by the developer under a S278 agreement with the highway authority or funded via Section 106 contributions. The above said, in response to these concerns, the applicant has submitted amended plans that introduce a mobility access ramp connecting directly to footpath (41) running to the rear of the site. The access ramp comprises a direct link from the first floor courtyard garden to the footpath. This would then give safe and unhindered access to the town centre via footpaths 41 and 46. This would also offer important sustainability benefits in terms of access to the local shopping parade off Silk Mill Way as well as public open space. The proposals in this respect are considered to accord with Policy CS12 and the Highway Authority has raised no objection subject to a gradient condition.

9.52 The positioning of No. 21 Brook Street significantly impedes visibility to the south,

but the proposed set back of the development by a minimum of 0.8 metres would significantly improve visibility and allow a 2.8 x 43 metre visibility splay to be achieved in both directions.

9.53 A number of residents and the Town Council have raised concerns about the potential safety issues of pedestrians and the school crossing patrol adjacent to the proposed access. However, the Highway Authority have not raised this as an issue. Furthermore, the school crossing patrol will in any event ensure the safety of pedestrians as vehicles will have to stop, including any vehicles accessing or egressing the site, but as noted below the increase in vehicles during the morning peak is only likely to amount to 6 No. trips.

9.54 An assessment of the TRICS database within the submitted Transport Assessment indicates that an extra care development of the scale proposed would be likely to lead to a total of 8 No. vehicular trips within the AM peak hour and 6 No. trips within the PM peak hour. However, for robustness, this has been increased to 8 and 7 trips respectively given the more active nature of some of the lower aged future residents. Based on the potential lawful use of the existing car park (20-25 vehicles), it is therefore calculated that the number of vehicular movements would be reduced by around 20 in each of the am and pm peaks and therefore that the development would not lead to any significant impact in terms of highway capacity or harm to the network. Although theoretically there may be a lawful use of the hardsurfaced area for car parking, in practice this is considered unlikely to resume and furthermore, no concrete evidence has been submitted to indicate that it regularly accommodated 20-25 vehicles. Anecdotal evidence from residents suggests a maximum 3 - 5 vehicles were parked arriving between 7 and 8 am. Based on the existing two dwellings, the am and pm peak hours would be equivalent to 2 trips each. Therefore, there would be an increase of 6 No. trips within the AM peak hour and 5 No. trips within the PM peak hour.

9.55 As per Paragraph 109 of the NPPF:

"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 be severe."

The Highway Authority has confirmed that it is unlikely that the addition of 6 and 5 two-way vehicle trips in the AM and PM peak hours, respectively, would have a severe impact on the local highway network.

9.56 Parking should accord with saved Policy 58 and the standards set down in Appendix 5. The current standards for C2 uses do not provide a specific standard for extra care developments. However, the car parking that will be provided on site would exceed the requirements for both residential institutions/homes with care staff and elderly persons residential. Based on a theoretical maximum occupancy of 93 bed spaces (2 people per one bed apartment and 3 people per two bed apartment) which in reality would be very unlikely, the parking standards for an institution/care home (category C2 (a)) would be 23 car parking spaces and for an elderly persons residential scheme would be 19 car parking spaces plus spaces for staff.

9.57 The proposed development will provide a total of 45 car parking spaces, including 4 marked disabled access spaces, all of which would be unassigned. Of these, 42

would be provided within the enclosed and gated undercroft parking area for use mainly by residents and 3 would be situated to the front, primarily for visitors. Staff and the on-site warden/carer would be able to park within the undercroft area. The proposed development therefore exceeds the car parking standards and reasonably provides for the likely generated needs of this extra care form of development. Spaces would be 2.4 x 5 m long and swept paths confirm that the spaces would be suitably accessible in accordance with standards.

9.58 Whilst the proposed development falls within Use Class C2, even if a car parking comparison is made with a Class C3 sheltered housing scheme, where there is warden assistance, the proposed development would still exceed the required standard. A sheltered housing scheme has a requirement for 0.75 of a space per unit, including 0.25 of a visitor space giving a requirement of 31 car parking spaces. The proposed provision of 45 spaces would therefore provide a more than adequate level of car parking to serve the development and includes an appropriate capacity for both staff and visitor parking.

9.59 NPPF states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles / buggies in safe, accessible and convenient locations. It is considered reasonable, given the need to encourage a shift to alternative forms of fuel, that a minimum 20% of parking spaces should include active electric charging bays by condition with 20% passive.

9.60 Two areas are proposed for the parking of mobility buggies, scooters and/or wheelchairs within the secure undercroft area. This space would be easily accessible from within the development and provide space for these to be stored and charged as necessary, for residents who are less mobile.

9.61 Although acknowledging that it is unlikely that all residents would wish to cycle, in accordance with Policy CS8, opportunities for non-car based modes of transport should be supported. There are no specific standards within Appendix 5 for extra care development, but the applicant has carefully considered the car and cycle parking provision in respect of the over 55s who may move into the apartments at a stage of life when they are still relatively active and also concerns expressed by local residents and the Town Council during consultation events. On this basis, secure long and short term cycle parking is proposed for 48 No. bicycles within the undercroft area.

9.62 Bin storage would be contained within an enclosed area at the end of the access road, adjacent to the embankment retaining wall. Capacity for 12 No. 1100 litre Eurobins is proposed and considered acceptable. A tracking diagram indicates that a 10 metre rigid refuse lorry could access, turn and egress the site in a forward gear.

9.63 A financial contributions of £16,000 towards improvements to the nearest bus stops to provide easy access kerbing is requested and is considered justifiable. It would be recommended that this be secured via s106.

9.64 The Highway Authority raises no objection on highway safety grounds. Subject to any further comments of the Highway Authority on the amended plans relating to the mobility access ramp, and any additional conditions / s106 requirements, the access, car and cycle parking provision is considered acceptable and in accordance with Core Strategy Policies CS8 and 12, and saved Policies 51, 54 and 58 of the Local Plan.

Impact on neighbours

9.65 A large number of residents have raised concerns around the traffic, access and highway safety impacts of the development, and around the design, height, and appearance of the development and whether it is in keeping with the area. These points have been addressed above.

9.66 The proposal is not considered likely to cause any significant loss of amenity for surrounding properties.

9.67 Nos. 52, 53 and 69 Brook Street have raised concerns regarding loss of light, overlooking and overbearing appearance. It is acknowledged that the distance between facing properties will at just over 11 metres be less than the Council's minimum back to back distance. However, these properties, like others in this row of terraces in Brook Street front onto the existing street and are therefore already overlooked by passing pedestrians. Furthermore, a front to front relationship of dwellings at this sort of distance is not unusual in many older character areas, so the introduction of residential properties fronting onto the street in this case is not considered to cause any material loss of privacy or harm.

9.68 With regards to the potential for loss of light, given the elevated position of the existing dwellings, the proposed development would not subtend an angle greater than a 25 degrees taken from a point two metres above ground level of the window in the affected properties. Accordingly, the BRE guideline (Good Practice Guide for Site Layout Planning for Daylight and Sunlight) says that no further analysis is required as there will be adequate skylight received. With regards to sunlight The BRE test relates mainly to existing living room windows. Sunlight analysis is undertaken by measuring annual probable sunlight hours (APSH) for the main windows of rooms which face within 90 degrees of due south. As none of the windows in the Brook Street terraces face within 90 degrees of due south, a further analysis is not necessary and therefore it is concluded that the development would cause no material loss of sunlight.

9.69 With regards to the visual impact of the development on Brook Street properties, given the favourable ground levels, the proposed development, although 3-storey, would only effectively appear as a two and a half storey development. Therefore taking into account the distance and noting the development would not subtend the former mentioned 25 degrees, the proposal is not considered to result in an overbearing appearance.

9.70 There is some concern from residents of Kingsley Walk (138 and 140) to the west of the site that the proposed development would result in loss of light and overlooking. These properties would at their closest point be some 18 metres from the west face of the apartment block and would be well under 25 degrees to the horizontal from the nearest ground floor window. Therefore it is not considered that there would be any material loss of light, either daylight or sunlight. For the same reason the development would not be considered overbearing.

9.71 With regards to overlooking, the only window likely to affect these properties is a corridor window in the North West facing elevation of the northern wing but this is shown to be obscure glazed. Therefore, subject to an obscure glazing condition, there would be no loss of privacy quite apart from the fact that these properties front onto

the existing public footpath and are therefore already overlooked by passing pedestrians.

9.72 There would be a similar, lower window in the North West elevation of the southern wing that would serve a stairwell and would potentially overlook the rear gardens of 124 and 126 Kingsley Walk. Although there would be screen planting on the boundary this would not prevent overlooking in the winter or at the establishment stage so it would be recommended that this be obscure glazed by condition.

9.73 No. 134 is at its closest point some 20 metres from the northern North West wing of the development and there is the potential for overlooking from second floor living room juliet balconies, albeit at a very oblique angle. There is a similar relationship from the southern North West wing in respect of 130 Kingsley Walk. Although over 23 metres, No. 132 would also be affected. In the circumstances it is considered appropriate to require details of some form of privacy screen by condition to prevent a serious loss of privacy. Other properties in Kingsley Walk would be less affected through overlooking due to the greater distance (over 25 metres).

9.74 It should be noted, notwithstanding the above, that tree planting along the western boundary would in time afford an element of privacy screening.

9.75 Based on the above, it is concluded that there would be no significant harm to adjoining residential amenities as a result of the development.

9.76 The proposal would therefore accord with Policy CS12.

Impact on ecology

9.77 The site is not part of a designated wildlife site or nature reserve, or green corridor, as set out in saved Policy 102. Nevertheless, Policy CS26 (Green Infrastructure) states inter alia that development will contribute towards the conservation and restoration of habitats and species.

9.78 Since the submission of the application, a preliminary Bat Roost Assessment has been submitted in respect of the site as requested by the Ecology Advisor. Although the houses were considered to have moderate potential due to external crevices, no evidence of bats was discovered in respect of both 21 and 22 Brook Street or in respect of the commercial building to be removed. However, the Ecology Advisor has recommended that two further presence / absence surveys be undertaken in May / June 2019. This should be secured by condition. Notwithstanding this, the Ecology Advisor has advised that the LPA can determine that the application has taken bats adequately into account and accordingly has discharged its duties with regards to European Protected Species and the Habitats Regulations.

9.79 Potential enhancements for bats have also been recommended in the form of tree and building mounted bat boxes as well as bat access tiles, details of which can be secured as part of the landscape condition. The proposed landscaping would provide some opportunity for ecological enhancements to the site in compensation for removed trees.

9.80 Subject to the above, there are not considered to be any constraints to the development of the site by reason of harm to protected species.

Flood risk and drainage

9.81 The site ostensibly falls within Flood Risk Zones 2 and 3. However, the applicant's analysis of the Environment Agency's Flood Maps, through their submitted Flood Risk Assessment indicates that the flood zones do not encroach into the site, but rather lie within the carriageway of Brook Street (as they would be diverted by the upstream buildings). The site lies entirely with Zone 1. On this basis it is concluded that the development of the site for housing is acceptable, having regard to Policy CS31 of the Core Strategy, which states that development should avoid Flood Zones 2 and 3. In avoiding these zones it is also clear that the sequential and exception tests do not need to be carried out. The supporting FRA confirms that the development would not be at risk of flooding, or increase flood risk elsewhere. The FRA ensures that the development will accord with Paragraph 163 of the NPPF and it is recommended that the imposition of the recommendations are secured through an appropriate condition, as advised by the Environment Agency, which includes flood resilience measures such as raised floor levels, raised wall sockets (also useful for accessibility reasons given the age-related nature of the development), plasterboard laid horizontally.

9.82 A Sustainable Drainage Statement by BWB demonstrates compliance with local and national standards in order to limit surface water discharge rate to 5l/s to the culverted Marston Brook via permeable paving, silt traps and storage beneath the access road sufficient for 1 in 100 year plus 40% climate change event. This is acceptable and the Environment Agency and Lead Local Flood Authority have raised no objections subject to conditions.

Sustainability

9.83 Policy CS29 of the Core Strategy seeks to ensure that development within the Borough is carried out sustainably and meets a number of criteria, inter alia, in respect of water conservation, SUDS, energy conservation, waste reduction, reuse of materials, etc. The Design and Access statement details in outline some of the sustainability credentials, including renewable energy sources including heat recovery, a possible group heating system involving micro-chip system and rainwater harvesting. A separate Sustainable Drainage Statement has been submitted which is acceptable. A sustainability checklist as required by Policy CS29 has been submitted, although this is vague with regards to some of the measures proposed. Therefore it is unclear if the full sustainability principles of the plan will be met. A condition is therefore recommended to secure this information.

CIL and S106 Planning Obligations

9.84 As a C2 use, the development will not be subject to any Community Infrastructure Levy.

9.85 As an extra care development under Class C2, affordable housing obligations cannot be sought, which is made clear in accordance with the Council's Affordable Housing SPD. The Strategic Housing Officer has confirmed that affordable housing will not be required.

9.86 It has been confirmed that the proposed development will provide the care and communal facilities associated with an extra care development and will be restricted to

those of advancing years (i.e. primary residents being those over 55 at the time of taking up residence) and to meeting certain medical or health criteria that justify the extra care accommodation. Given that CIL and affordable housing cannot be sought on this scheme, it is considered important that the use be appropriately restricted in future for the reason that the Council would not otherwise have granted a general needs housing scheme on this site without such contributions to social and physical infrastructure. The applicant has confirmed agreement to securing this via an s106 planning obligation.

9.87 The Highway Authority seeks improvements to the nearest bus stops at a cost of £8,000 per stop, a total of £16,000. The improvements would include the provision of easy access kerbing at each stop. This should be secured via an s106 planning obligation.

9.88 It is noted that the Herts Fire and Rescue Authority has requested fire hydrants to serve the development via an s106 planning agreement. Whilst such a request could normally be dealt with via a Grampian style condition, given an s106 planning obligation is to be prepared, fire hydrants can be secured at the same time through standard wording. This has been agreed by the applicant.

9.89 Subject to the above, the proposal would comply with saved Policy 13 and CS35 of the Core Strategy.

Other Material Planning Considerations

9.90 The Design Out Crime Officer has noted that the applicants intend to build the development to the preferred police minimum security standard Secured by Design (SBD). SBD housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage.

9.91 The nature of the development is such that the residents will wish to feel secure within their homes and as such access into the building will be controlled to residents, staff and authorised visitors. The applicant intends to meet the requirements to accord with the Secured by Design standards, including the provision of lockable cycle stores and a gated vehicular and pedestrian access to the undercroft car parking area. In addition, in order to achieve a Secured by Design scheme, metal railing gates are to be installed within the recessed access to the undercroft car parking area. These will be set back from the frontage of the building to ensure that both sufficient space for vehicle turning is retained, and also to ensure that the front appearance of the building is maintained. It would be recommended that the details of SBD be secured by condition.

9.92 Thames Water have raised no objections subject to a condition seeking details of a piling method statement in the interests of protecting underground sewerage infrastructure.

9.93 The Council's Scientific Officer has raised no objections on noise or air quality but in view of the location of the development in a radon affected area, has recommended the standard contamination condition. He has also recommended a construction management plan condition, a demolition method statement and an energy source condition.

9.94 The HCC Minerals and Waste Officer has recommended that waste arising from the development process be used and disposed of sustainably in accordance with HCC policies. It is recommended that details of a Site Waste Management Plan (SWMP) be secured by condition.

10. Conclusions

10.1 Exceptional circumstances are considered to exist to justify residential development of this part of the Silk Mill GEA as an extra care development for which such need is supported by policy. The site is suitable for residential development and would provide adequate amenity space, landscaping and car parking to serve the 41 apartments. The demolition of Nos. 21 and 22 Brook Street which have a low level of significance is not objectionable from a conservation aspect. There would be no harm to the setting of The Old Silk Mill listed buildings and in design terms, subject to details by condition, the Conservation Officer has raised no objection to the height and appearance of the development which would reflect the scale, mass and form of the Silk Mill buildings whilst respecting the design and materials of the terraced dwellings opposite. Car parking is acceptable and the Highway Authority has confirmed there would be no material detriment on highway safety grounds. There would be no harm to residential amenities as a result of the development, or adverse impact on flood risk or ecology. The use and age restriction of the extra care development would be secured through an s106 planning obligation. The proposal is therefore recommended for approval.

11. RECOMMENDATION – That planning permission be **DELEGATED** to the Group Manager Development Management and Planning **WITH A VIEW TO APPROVAL** subject to:

- agreement of pre-commencement conditions with applicant, and
- completion of a s106 agreement with the following Heads of Terms - 55 years minimum age restriction, meeting medical or health criteria that justify the extra care accommodation categorisation, provision of fire hydrants, financial contribution towards improvements to the two nearest bus stops to provide easy access kerbing of £16,000.

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><u>Reason:</u> 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 premises hereby permitted shall be operated at all times as an Extra Care scheme under Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and shall retain all communal areas, and wardens apartment, as shown on the approved floorplans.</p>

	<p><u>Reason:</u> For the avoidance of doubt as to the use permitted and because in the absence of affordable housing and other contributions to social and physical infrastructure through CIL contributions, the Council would not have granted a general needs housing scheme on this site.</p>
3	<p>No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until samples of the materials proposed to be used on the external surfaces of the development (including mortar colour, render colour and brick bond - not stretcher bond) hereby permitted shall have been provided on site as a sample panel at least 1 metre by 1 metre and summary details submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
4	<p>The development shall be carried out in accordance with the approved plans and elevations and notwithstanding any details submitted, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until 1:20 details of the design and appearance of the following shall have been submitted to and approved in writing by the local planning authority:</p> <ul style="list-style-type: none"> • all new windows, external doors and openings (including materials, finishes, cills, window headers, surround details). The details shall include vertical and horizontal cross-sections through the openings to show the position of joinery within the openings; • eaves joinery and rainwater goods, including a typical cross profile of the eaves; • chimneys; • balconies / railings / juliet balconies; • vehicle access gates to the undercroft car park; • bin store; • cycle store; • retaining walls; • vehicular archway, including finished appearance of the internal walls and ceiling; • photovoltaic panels. <p>The development shall be carried out in accordance with the approved details.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
5	<p>No development other than demolition, site preparation, groundworks,</p>

	<p>site investigation and remediation shall take place until details of the extent and form (including materials) of the general repairs to the existing brick and flint wall shown annotated on Drg. No. 18-02-P-07 Rev K including details of how the wall is to be protected from damage during construction / piling works, shall have been submitted to and approved in writing by the local planning authority. The approved details shall be carried out prior to the first occupation of the development.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
6	<p>The chimneys shown on the approved plans shall be constructed as a necessary and integral part of the development.</p> <p><u>Reason:</u> For the avoidance of doubt and to ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
7	<p>Prior to the commencement of the development (including demolition works), the trees shown for retention on the approved Tree Protection Plan 170925-P-32 contained within the Arboricultural Report, November 2018, prepared by TMA shall be protected and works supervised by a qualified arboriculturalist in accordance with details contained therein during the whole period of site demolition, excavation and construction. The tree protection measures shall be retained in place, shall not be moved and no materials, plant, soil or spoil shall be stored within the area so protected.</p> <p><u>Reason:</u> In order to ensure that damage does not occur to the trees during demolition works and building operations in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development as if they are deferred until after the development has begun, demolition and buildings works would potentially result in harm to the health and survival of trees to the detriment of the visual amenities of the development and area.</p>
8	<p>Notwithstanding any details submitted, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until full details of the following shall have been submitted to and approved in writing by the local planning authority:</p> <ul style="list-style-type: none"> • hard surfacing materials, to include permeable block paving or similar to the access road; • 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;
- typical section through the proposed tree planter to the Western boundary;
- Irrigation lines;
- trees to be retained and measures for their protection during construction works;
- measures to 'remediate' the growing conditions of retained trees as recommended in the approved Arboricultural Report;
- proposed finished levels or contours;
- biodiversity features such as bat boxes;
- external lighting;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs etc.);
- 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;
- details of a management plan for the ongoing maintenance of the landscaped areas.

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted and the management plan implemented in accordance with the details approved therein.

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.

9 **The development hereby permitted shall be carried out in accordance with the approved sustainability statement and, notwithstanding any details submitted as part of the application, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until further details in respect of the following matters shall have been submitted to and approved in writing by the local planning authority:**

- evidence that building materials and timber will be from verified sustainable sources;
- how water consumption will be minimised during construction;
- plans and details of the proposed rainwater harvesting system;
- plans and details of the proposals to minimise CO2 emissions from the use of the building and maximise the energy efficiency performance of the building fabric;

	<p>The approved measures shall be provided before any part of the development is first occupied and they shall thereafter be permanently retained.</p> <p><u>Reason:</u> To ensure the sustainable development of the site in accordance with the aims of Policy CS29 of the Dacorum Core Strategy September 2013 and adopted Supplementary Planning Guidance.</p>
10	<p>The development shall be carried out in accordance with the relative levels and heights shown in relation to adjoining buildings and land on Drg. Nos. 18-02-P-21 E, 18-02-P-22 C and 18-02-P-24 D and 18-02-P-29 C.</p> <p><u>Reason:</u> For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013.</p>
11	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle, cycle and mobility scooter parking, circulation and access shown on Drawing No. 18-02-P-07 Rev K shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. All residents' parking shall be unassigned. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the carriageway.</p> <p><u>Reason:</u> To ensure the adequate and satisfactory provision of off-street parking facilities, satisfactory access into the site and to avoid the carriage of extraneous material or surface water into the highway in the interests of highway safety in accordance with saved Policies 51, 54 and 58 of the Dacorum Borough local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.</p>
12	<p>20% of the undercroft parking bays hereby permitted shall include provision for Electric Vehicle charging (active external socket) with 20% passive external socket.</p> <p><u>Reason:</u> To ensure a sustainable form of development in accordance with Policy CS29 and NPPF Para 110 and to ensure that options for residents to choose EV are readily available.</p>
13	<p>The development shall not be occupied until a Servicing and Delivery Plan shall have been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading / unloading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.</p> <p><u>Reason:</u> In the interest of maintaining highway efficiency and safety in accordance with Policy 51 of the Dacorum Borough Local Plan 1991-2011 and</p>

	Policy CS12 of the Dacorum Core Strategy September 2013.
14	<p>No development shall take place until a Construction Management Plan shall have been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.</p> <p>The statement shall provide for:</p> <ul style="list-style-type: none"> • construction vehicle numbers, type, routing; • traffic management requirements; • the parking of vehicles of site operatives, contractors and visitors to avoid on-street parking; • loading and unloading of plant and materials; • storage of plant and materials used in constructing the development; • construction access arrangements; • construction and demolition hours of operation; • timing of construction activities to avoid school pick up/drop off times; • siting and details of wheel washing facilities; • cleaning of site entrances, site tracks and the adjacent public highway; • measures to control dust and dirt during construction; • asbestos control measures where applicable; • post construction restoration/reinstatement of the working areas and temporary access to the public highway. <p>The details shall include a plan showing the proposed location of these areas. The approved statement shall be adhered to throughout the demolition and construction period.</p> <p><u>Reason:</u> To minimise danger, obstruction and inconvenience to users of the highway and harm to residential amenities in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011 and Policies CS8 and 12 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as it is necessary to ensure that the measures are planned and in place at the start of construction.</p>
15	<p>The gradient of the ramps to access footpath no 41 shall not exceed 1:12.</p> <p><u>Reason:</u> To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
16	<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</p>

	<p>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><u>Reason:</u> To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.</p>
17	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 13 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><u>Reason:</u> To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013.</p>
18	<p>Prior to demolition works commencing a Demolition Method Statement</p>

	<p>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 demolition of 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 published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.</p> <p><u>Reason:</u> In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8 and 12 of the Dacorum Borough Core Strategy September 2013.</p>
19	<p>No demolition or groundworks shall take place until details of measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, shall have been submitted to and approved in writing by the local planning authority. The measures shall be implemented in accordance with the approved details.</p> <p><u>Reason:</u> To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (September 2013), saved Policy 129 of the Dacorum Borough Local Plan 1991-2011 and Policies 1, 2 and 12 of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to recycle and reduce demolition waste will have been lost to the detriment of sustainability principles.</p>
20	<p>A. With the applicant failing to reference the site energy source in any of the submitted supporting information, should the development have CHP or biomass, the CHP and / or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document.</p> <p>No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until evidence to demonstrate compliance with these emission limits shall have been submitted to and approved in writing by the Local Planning Authority.</p> <p>B. 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%).</p> <p>C. 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 and approved in writing by the local authority prior to installation.</p>

	<p>Reason: To ensure the amenities of the neighbouring premises are protected from increased air pollution arising from the development; in accordance with Policies CS8, 12 and 32 of the Dacorum Core Strategy September 2013.</p>
21	<p>The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by BWB Consulting and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> 1. All finished floor levels of the development to be raised 300mm from existing build levels. 2. The inclusion of proposed flood resilient construction of site levels re-profiled where practicable to encourage pluvial/fluvial runoff and overland flows away from the built development towards the nearest drainage point. 3. The development entrance incorporates flood resilience design in the event of pluvial or fluvial flows from Brook Street 4. Building management and residents to sign up to EA Flood Warning Service and any site evacuation plan 5. Design and construction as per planning drawings and schedule by Hinton Cook Architects of 19/10/18 6. A main river is culverted underneath part of the development site and consideration during development demolition and construction should be made to maintain its function and integrity. <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure that during a flood event there is not an unacceptable risk to the health and safety of the occupants and an increased burden is not placed on the emergency services in accordance with paragraph 163 of the NPPF and Policy CS31 of the Dacorum Core Strategy September 2013.</p>
22	<p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) shall have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Piling could result in the fracture of underground services leading to pollution of soil or water contrary to Policy CS32 of the Dacorum Core Strategy September 2013.</p>

23	<p>The development shall be carried out in accordance with the approved Specification Notes Regarding Approved Document Q / Secured by Design Requirements, and notwithstanding any details submitted, the windows and doors shall be PAS 24: 2016, not PAS 24 2012. The measures included shall thereafter be retained and adequately maintained at all times.</p> <p><u>Reason:</u> To ensure a secure and safe form of development for the residents in accordance with Policies CS11 and 12 of the Dacorum Core Strategy September 2013. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75%. SBD housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage.</p>
24	<p>The development hereby permitted shall be carried out in accordance with the conclusions and recommendations, including the completion of further bat surveys, contained within the submitted and approved Bat Survey Report reference EBD00713 by Ecology by Design dated November 2018. A report of the results of the further bat surveys, and any mitigation, shall be submitted to and approved in writing by the local planning authority in consultation with Herts Ecology before the development is occupied.</p> <p><u>Reason:</u> To ensure that the ecological aspects of the site are properly considered in accordance with Policy CS26 and 29 of the Dacorum Core Strategy September 2013.</p>
25	<p>The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 and the following mitigation measures;</p> <ol style="list-style-type: none"> 1. Provide 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. 2. Implement drainage strategy based on attenuation and discharge into watercourse restricted to 5l/s for all rainfall events up to and including the 1 in 100 year + climate change event. 3. Undertake drainage strategy to include an attenuation tank and porous surfacing as indicated on the proposed drainage strategy drawing. <p><u>Reason:</u> To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS31 of the Dacorum Core Strategy September 2013.</p>
26	<p>No development shall take place until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval in writing in consultation with the Lead Local Flood Authority. The surface water drainage system will be based on the submitted Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA</p>

	<p>dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018. The scheme shall also include;</p> <ol style="list-style-type: none"> 1. Detailed engineered drawings of the proposed SUDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. 2. Detail in relation to culverted watercourse including condition assessment. 3. Silt traps for protection for any residual tanked elements. <p><u>Reason:</u> To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as The details are required before commencement of development as it is necessary to ensure that the measures are planned and in place at the start of construction.</p>
27	<p>Upon completion of the drainage works for each site in accordance with the timing / phasing arrangements, 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 in consultation with the Lead Local Flood 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><u>Reason:</u> To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Core Strategy September 2013.</p>
28	<p>The second floor window in the North West elevation north wing of the development hereby permitted serving the corridor shall be non-opening below a height of 1.7 metres from internal floor level and shall be permanently fitted with obscured glass.</p> <p><u>Reason:</u> In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
29	<p>The upper half landing window in the southern wing of the North West elevation of the development hereby permitted shall be non-opening and shall be permanently fitted with obscured glass.</p> <p><u>Reason:</u> In the interests of the amenity of adjoining residents in compliance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
30	<p>The development shall not be occupied until details of a privacy screen to be affixed on or adjacent to the balconies hereby permitted in respect of second floor apartment Nos. 25 and 41, shall have been submitted to and approved in writing by the local planning authority. The approved</p>

	<p>screens shall be installed as an integral component of the development prior to first occupation of the apartments concerned and shall thereafter be permanently retained in position.</p> <p><u>Reason:</u> In the interests of the residential amenities of the adjacent dwellings at 130, 132 and 134 Kingsley Walk in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
31	<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 14 Class A</p> <p><u>Reason:</u> To enable the local planning authority to retain control over the development in the interests of safeguarding the street scene and the character and setting of the adjoining listed building in accordance with saved Policy 119 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
32	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>18-02-P04 A 18-02-P05 B 18-02-P-07 K 18-02-P-10 B 18-02-P-11 C 18-02-P-12 B 18-02-P-13 A 18-02-P-15 18-02-P-21 E 18-02-P-22 C 18-02-P-24 D 18-02-P-26 18-02-P-27 18-02-P-28 18-02-P-29 C 18-02-P-30 24205_08_020_02</p> <p><u>Reason:</u> 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 pre-application stage and 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</p>

with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES:

Environmental Health

Un-expected Contamination - 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.

Thames Water

Foul Water Drainage - There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

There are water mains crossing or close to your development. Thames Water does NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Lead Local Flood Authority

Long Marston Brook runs in a culvert below properties on Brook Street. The applicant is advised that should any future planning application for the wider Old Silk Mill site come forward, the LLFA will seek the culverted watercourse to be opened up where possible.

<p>Environmental Health</p> <p>Piling Works</p> <p>If piling is considered the most appropriate method of foundation construction, prior to commencement of development, a method statement detailing the type of piling and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.</p> <p>Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with and to comply with Dacorum Borough Councils Policies</p> <p>Noise on Construction/Demolition Sites</p> <p>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. And the best practicable means of minimising noise will be used. Guidance is given in British Standard BS 5228: Parts 1, 2 and Part 4 (as amended) entitled 'Noise control on construction and open sites'.</p> <p>Construction hours of working – plant & machinery</p> <p>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: 0800hrs to 1800hrs on Monday to Friday 0800hrs to 1230hrs Saturday, no works are permitted at any time on Sundays or bank holidays</p> <p>Dust</p> <p>As advised within the application documentation, dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, Produced in partnership by the Greater London Authority and London Councils.</p> <p>Bonfires</p> <p>Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.</p> <p>Highways</p> <p>AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be</p>
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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/development-management/highways-development-management.aspx>

AN2) 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:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3) 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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38 and Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website noted below:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

Appendix A

Consultation responses

Tring Town Council

The Town Council considered this application at the meeting held on Monday 19th November 2018. Whilst recognising the changes that have been made to the plans, it resolved to recommend refusal of the application.

The objection does not stem from the principle of developing the site, but rather from the chosen form of development in that particular location.

Use Class C2 implies an element of care provision for which it enjoys exemption from CIL and contribution towards the provision of affordable housing. Policy CS12 Quality of Site Design section (a) states “on each site development should provide a safe and satisfactory means of access for all users”.

If one considers the proposal from the perspective of a resident who uses a mobility scooter wishing to access shops or other local facilities in the Town:

- The pavement on the same side of Brook Street as the development towards the town centre is too narrow. Passing a baby buggy or another mobility scooter coming the other way would be problematic
- Taking the option to cross the road, the resident faces another very narrow pavement with the effective width reduced by parked cars (present throughout the day and night) and lampposts
- The Co-op or Community Centre on Silk Mill offer alternative facilities. However, it is not possible to access them directly as there are steps to navigate. Installing an inclined path is not acceptable as the gradients exceed the maximum permitted
- This leaves the only option of going down Brook Street to Silk Mill Way

Those using Class 3 scooters intended for road use would face a daunting task to get to town - having to navigate the single lane due to parking along Brook Street of 100m (The traffic study's figure), amongst heavy traffic. This in turn would cause further congestion, travelling at a maximum of 8 miles an hour and highly dangerous for all users.

The factors above mean that residents with mobility problems would be isolated and dependent upon others for access to basic facilities. This, in turn, would increase traffic in and out of the development.

Whilst the amended plan has improved at the junction of Brook Street, drivers, when leaving the proposed site, will face the problem of pulling out into two-way traffic restricted to one lane for a length of one hundred metres.

This is a hazardous situation where the risks are compounded as the development is on heavily used pedestrian route to Tring School, the second largest secondary school in the county. Again the methodology of the traffic study must be questioned – the

survey being undertaken in July when years 11 & 13 were away from school on study leave/taking exams. It is also an important point for other users going to the Silk Mill Community Centre e.g. from the elderly persons dwellings in Shugars Green.

Summarising –

- The location for the proposed development is on a prime route into the town and to access the A41 (then onto the M25 & M1),
- where continuous on-street parking creates a bottleneck along a sizeable length of the busy route
- Access to and from the Silk Mill Industrial Estate is poor
- Pavements are narrow; and many children walking to school.

To this, the intention is to add vehicles for 41 dwellings; the traffic from all the vehicles servicing the complex; and vulnerable adults on mobility scooters.

For these reasons the new development, if permitted, would not contribute to a well-connected and accessible transport system especially through failing to ensure good access for the disabled, and integrating the various types of transport users and movements (Policy CS8).

Finally the Town Council questions the need for this type of accommodation. The need for extra-care dwellings in Tring is unproven.

In their covering letter, the Developer quotes the Hertfordshire Structure Plan Review (1991-2011) and the Dacorum Local Plan 2004. These statements are dated and reflect a national trend. It would be remiss of Dacorum Borough Council not to include a reference to the provision of extra-care dwellings in the Core Strategy. However, the reference is not an indication of unmet need per se. Local evidence – vacancies in local residential retirement properties – tends to suggest that there is not an unsatisfied demand for extra-care dwellings.

The covering letter also quotes age distributions. Again quoting the base facts does not cover the underlying factors behind the statistics. Local house prices are squeezing out the young from the town, skewing the statistics. The Town Council's preference is for housing suitable for young people and young families, including affordable housing to correct this imbalance.

Reference is also made in the covering letter to 'downsizing' to release larger houses. Whilst this does occur, the high cost of family homes in Tring, does not permit movement through the housing chain for young families. This is evidenced by increased planning applications to extend properties, converting roof space, etc. as a cheaper option to moving house.

(21/11/18)

Tring Town Council

The Town Council considered this application at the meeting held on Monday 24th September 2018. It resolved to recommend refusal of the application on the following grounds.

Road Safety

The Town Council acknowledged that the new application had improved visibility relative to prior applications at this site, but still considered the scale of the development and the local conditions on Brook Street made access at this point unsafe. Just looking at the technicalities of the proposals did not take into account the actual traffic conditions at the site – to make a judgement without allowing for the circumstances would be a grave error.

The situation on Brook Street is:

- It is a busy road being an important route into town and through the town to connect to the A41 then onto the M1 & M25. It is also used to go to Tring School, the second largest secondary school in Hertfordshire
- The terrace houses along Wingrave Road and Brook Street do not have garages and residents park on Brook Street. This makes the length of Brook Street from the proposed access to the entrance to the Silk Mill industrial estate a one lane carriageway. This condition persists throughout the day
- The proposed access point is an important crossing point for pupils going to and from Tring School – it warrants a crossing patrol officer. But it is also an important point for other users going to the Silk Mill Community Centre e.g. from the elderly persons dwellings in Shugars Green and residents walking into Town avoiding the narrow pavement that runs beside the Silk Mill. The offer of the developer to fund a crossing at this point acknowledged, but it highlights that there is a problem

To this congestion the proposed development will add vehicle movements for 41 dwellings plus visitors, deliveries and service vehicles. Resident vehicles will be replaced by visits by relatives and carers as they age.

Need

The need for extra-care dwellings in Tring has not been proved. The Town Council's preference would be for housing suitable for young people and young families, including affordable housing, who are currently being squeezed out of the town by the high prices.

No evidence has been presented supporting the case for extra-care dwellings.

Design

The Silk Mill adjacent to the proposed site is a listed building. The current use of the site does not enhance the locality, but the proposed design is a missed opportunity – it appears to be based on a northern workhouse rather than the listed Silk Mill. This and the scale mean that it will dominate the surroundings and be detrimental to the listed Silk Mill. Consequently it would be out-of-keeping and bear no relation to the architecture in the town.

Drainage

There is an ancient water course that feeds the mill under the proposed site – any development must make take is into account.

(25/09/18)

Herts 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:

Hertfordshire County Council (HCC) as Highway Authority wishes to recommend permitting the planning application, subject to conditions.

Conditions

Condition 1: Construction Traffic Management Plan

No development shall commence until a Construction 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:

- 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.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way

Condition 2: Servicing and Delivery Plan

Prior to commencement of the development, the applicant shall submit a Servicing and Delivery Plan. This plan is to be submitted and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements (refuse collection has been agreed) for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to / from the site for delivery and servicing vehicles.

Reason: In the interest of maintaining highway efficiency and safety.

Condition 3: Ramp Gradient

The gradient of the ramps to access footpath no 41 shall not exceed 1:12.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Section 106 Agreement

If developer contributions are being sought, HCC would seek improvements for the

nearest bus stops at a cost of £8,000 per stop, a total of £16,000. The improvements would include the provision of easy access kerbing at each stop.

HIGHWAY INFORMATIVES:

HCC recommends inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

AN1) 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/development-management/highways-development-management.aspx>

AN2) 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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3) 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: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4) Section 106 Agreement. A Section 106 agreement will be required for the following:

- A charge for Residential Development based on the HCC Planning Obligation Guidance (2008) for schemes in the local area that accord with the three tests

AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38 and Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway

Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website noted below:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

Section 278 or 184 Agreement

The applicant will be required to enter into a Section 278, or 184, agreement to agree any alternations or improvements to the public highway. This includes any changes to the existing access arrangements.

Description of the Proposal

The proposals are for the demolition of all existing buildings and the construction of 41 extra care home units, with associated access, car and cycle parking and landscaping, as detailed within the Design and Access Statement.

According to the Design Statement (DS) the proposed development would comprise a mixture of 13 one bedroom units and 28 two bedroom units. The Transport Statement (TS); however, refers to 40 units only. There is no completed application form on the DBC website to resolve this anomaly. However, the different unit mixes would both result in 54 bedrooms.

Site Description

The application site is located west of Brook Street (B488), Tring. The site is currently occupied by a pair of dwellings and an industrial unit measuring 89sqm (B2 land use). An informal car park is also located at the south of the site which caters for the industrial unit and any additional visitors/ deliveries to the site. To the east of the site is Brook Street, to the south is The Old Silk Mill, with residential properties to the west and amenity/ recreation space to the north.

The site has a vehicular access from Brook Street, adjacent to the property of 21/22 Brook Street. Brook Street is a Class B secondary distributor road and is subject to a 30mph speed limit.

The site is located approximately 935m north of the centre of Tring, where there are a variety of facilities and amenities including GP surgeries and pharmacies.

History

Pre-application advice was sought in 2015 for 50 new residential dwellings (Ref: 4/02873/15/PRE). Several comments were provided by HCC as highway authority on the proposed access and parking arrangements which were not deemed to be acceptable to HCC in its current form.

A second application was submitted for four residential dwellings on this site in 2017 (Ref. 4/01977/17/FUL) which was recommended for approval by HCC as highway

authority.

A third application was submitted in 2017 for construction of 10 residential dwellings which was recommended for refusal by HCC Highways for an excessive number of properties served from a private drive.

Analysis

Policy Review

The applicant has provided a Transport Statement (TS) and a Design Statement (DS) but has not provided a policy review of local, regional or national documents. HCC notes that the consideration of the following documents is advised to highlight that they have been considered when developing the proposal:

- National Planning Policy Framework (July 2018);
- Dacorum Core Strategy 2006-2031 (September 2013);
- Dacorum Local Plan 2001-2011 (Saved Policies September 2013); and
- Tring, Northchurch and Berkhamsted Urban Transport Plan

Transport Statement

A Transport Statement (TS) was provided as part of the planning application package for consideration by HCC. This is in line with requirements set out in Roads in Hertfordshire: Highway Design Guide, 3rd Edition (Roads in Herts).

Trip generation

A trip generation profile for the existing site use and proposed site use were provided in the TS.

The TRICS online database was interrogated to obtain trip rates for the trip generation profiles for the existing and proposed land uses. This approach is considered acceptable for the purposes of this application.

Existing traffic

For the existing site, the TRICS database was analysed to find comparable sites with comparable trip rates. For the existing site, the 'Residential/ Houses Private Owned' and 'Employment/ Industrial Use' categories were used to obtain trip rates which is acceptable. The applicant also applied the following TRICS parameters to obtain their trip rates for the existing land use:

- Vehicles;
- England Sites, excluding Greater London;
- 6 to 20 units / 300 to 900sqm;
- Monday to Friday; and
- Suburban Area, Edge of Town, Neighborhood Area, Residential Zone and Village.

The parameters used are considered acceptable. The resultant trip rates and associated trip generation based on 2 units for residential and 89sqm for industrial operations are as follows:

- AM Peak:
- Trip Rate: 0.136 arrivals and 0.408 departures (residential units)
- No. Trips: 0 arrivals and 1 departure resulting in 1 two-way trip (residential units)
- Trip Rate: 0.620 arrivals and 0.155 departures (industrial unit)
- No. Trips: 1 arrival and 0 departures resulting in 1 two-way trip (industrial unit)
- Total No Trips: 1 arrival and 1 departure

- PM Peak:
- Trip Rate: 0.350 arrivals and 0.136 departures (residential units)
- No. Trips: 1 arrival and 0 departures resulting in 1 two-way trip (residential units)
- Trip Rate: 0.000 arrivals and 0.930 departures (industrial unit)
- No. Trips: 0 arrivals and 1 departure resulting in 1 two-way trip (industrial unit)
- Total No Trips: 1 arrival and 1 departure

Proposed Use

The category of 'Residential/ Retirement Flats' was utilised for the purposes of obtaining trip rates for the proposed development. This is a robust and therefore acceptable approach based on the comparison with the 'Health / Care Home' trip rates analysed. The following parameters were used in the interrogation of TRICS for obtaining the trip rates in the TA:

- Vehicles;
- England Sites, excluding Greater London;
- 28-80 units;
- Monday to Friday; and,
- Suburban Area, Edge of Town, Neighborhood Area and Residential Zone.

These are considered acceptable for the purposes of this proposed development. The resultant trip rates per unit, and associated trip generation based on 40 units, are as follows:

- AM Peak:
- Trip Rate: 0.117 arrivals and 0.075 departures
- No. Trips: 5 arrivals and 3 departures resulting in 8 two-way trips
- PM Peak:
- Trip Rate: 0.077 arrivals and 0.096 departures
- No. Trips: 3 arrivals and 4 departures resulting in 7 two-way trips

Net impact

The TS has provided a net trip generation profile which is not considered to be acceptable because it includes an assumption that half of the overspill car park arrives and departs during peak hours without any survey data or factual data to support this. The net trip generation should be compared to the existing site rather than the 'potential'. Therefore, the net trip generation profile should be as follows:

- AM Peak: 4 arrivals and 2 departures resulting in a total of 6 two-way trips
- PM Peak: 2 arrivals and 3 departures resulting in a total of 5 two-way trips

It is unlikely that the addition of 6 and 5 two-way vehicle trips in the AM and PM peak hours, respectively, would have a severe impact on the local highway network.

Highway safety

The applicant obtained Personal Injury Collision (PIC) data for the five-year period between 01/01/2013 to 31/12/2017 on Brook Street from HCC. The results indicated that across the study area eight collisions took place, all but two were slight in nature. The serious incidents occurred at different locations, two years apart and therefore HCC does not anticipate that any existing highway safety issues would be exacerbated by the development proposals.

Proposed Mitigation

The following mitigation is proposed as part of the development proposals:

- Improvements to the site access to provide sufficient visibility splays; and
- 1.8m footway on the access road for pedestrians.

The proposed mitigation is acceptable at a minimum and mitigation on the wider network would be sought due to the nature of the proposed development. Improvements on the wider network may include improvements to the footways, crossing facilities for ease of access to bus stops in the vicinity of the site, etc.

Due to the narrowness of the existing footways along Brook Street leading into the town centre, there was concern that should two wheelchair and/or scooters travelling to/from the site meet at any point along the route, there would be no room to pass safely. Therefore, the applicant has since provided amended drawing, 18-02-P-11C, which provides an illustration of a proposed ramp to access the existing footpath no. 41 at the rear of the property. The ramp would provide direct access to this path. The proposals are considered acceptable in principal; however, they would be subject to detailed design review and the ramp's gradient should not exceed 1:12.

Highway layout

Vehicle site access

Vehicular access to the site would continue to be via the existing dropped kerb; however, a more formal arrangement of the site access road would be provided, which would accord to HCC design guidance. The design drawing provided in Appendix H of the TS has been reviewed and it is considered that the proposed access arrangement is acceptable in principle but would be subject to review as part of any future Section 278 Agreement.

The visibility splays for the site have been designed in accordance with appropriate guidance set out in Manual for Streets.

Pedestrian access

Pedestrian access would continue to be proposed from Brook Street as per the existing arrangement with a 1.8m footway on the proposed access road for pedestrians.

Swept Path Assessment

The applicant had not provided car swept path assessment drawings for the proposed site as part of the original application submission. The swept path assessments are considered acceptable.

Refuse and Servicing Arrangements

The applicant has not provided refuse swept path assessment drawings for the proposed site, although has described that refuse collections would be undertaken via the vehicle entering the site in order to access the bin store area situated along the northwestern boundary.

Without swept path analysis HCC was unable to understand how this could be undertaken. Additional information was requested to support that the refuse collection arrangements are safe and suitable for the purposes of this development. Additional information has since been provided to HCC and is considered acceptable.

Future maintenance of the access road

Due to the nature of the site, it would not be considered that HCC would adopt the internal access network and maintenance would therefore not be the responsibility of HCC.

Parking

Car parking provisions and layout

It is stated in the TS that the applicant would provide 40 off-street car parking spaces that would be accessed from Brook Street. The TS has not confirmed how many bays would be for disabled users or how many bays would be for electric vehicle spaces at the development.

Dacorum Borough Council Car Parking Standards require 20% active and 20% passive electric charging bays for all schemes with sites larger than 10 dwellings.

Dacorum Borough Council Car Parking Standards require 0.75 spaces per unit for sheltered accommodate that is warden controlled and 0.25 spaces per unit for visitors. Therefore, Dacorum's car parking standards require a maximum of 40 car parking spaces. The proposed development car parking provision is in line with these standards. The proposed car parking is considered acceptable to HCC; however, it is ultimately the responsibility of the LPA to determine the suitability of the car parking provision.

Disabled parking provisions

Dacorum Borough Council Car Parking Standards require that for residential use, 1 disabled space is provided for every dwelling built to mobility to standard, and for car parks associated with new employment premises, 5% of the total car park capacity should be blue badge to accommodate both employees and visitors. 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 DBC to determine the suitability of disabled parking provision.

Cycle parking provisions

Dacorum Borough Council Car Parking Standards for residential use state that for warden control sheltered accommodation, 1 short-term space per 3 units plus 1 long-term space per 5 units is required. No reference has been made to cycle parking in the development submission. HCC's Local Transport Plan (LTP) 4 places an emphasis on supporting development where sustainable transport is supported. On this basis, the applicant should provide cycle parking in line with the requirements set out by DBC. However, it is ultimately the decision of DBC to determine the suitability of cycle parking provision.

Accessibility

Public transport

Bus

The public transport infrastructure surrounding the site provides easy access to and from a range of locations.

The closest bus stops are the 'Shugars Green' ones which are located 80m north of the site along Brook Street. The stop on the western side of the highway provides a seated shelter which is signposted with timetable information, and the stop on the eastern side provides a flag-and-stop pole, with signposted timetable information. Both stops are served by the 50, 61 and 164 services.

A summary of the bus services available on Brook Street/ Shugars Green is included within Table 3 of the TS.

The above summary illustrates the variety of bus routes available, including local town services and inter-urban routes and all routes would give access to Aylesbury.

Rail

Tring Railway Station is the closest station to the proposed development site, which is located approximately 2.8km to the east of the proposed development. Tring Railway Station lies on the West Coast Line, which runs from London to Scotland via Birmingham and Manchester. It is served by the London Midland Train Operating Company. It is noted that the station is accessible via car, foot, bicycle or bus.

A summary of the rail services available from Tring station are included within Table 4 of the TS.

Walking and Cycling

A summary of the benefits of suitable walking and cycling infrastructure has been provided within the TS.

It is noted that there are a variety of local facilities within an 800m walking distance of

the site. The TS does not describe the local pedestrian footways and if they are considered to be sufficient. However, it is noted that footways are available on both sides of Brook Street leading to the town centre. Whilst there are footways, they are in poor condition and are narrow. There is potential for improvements to be built by the developer under a S278 agreement with the highway authority or funded via Section 106 contributions.

A review of local cycle routes demonstrated that although there are no National Cycle Routes within close proximity of the site (2km), there are several local routes on road which provide access to Tring Station and beyond.

HCC notes that the site appears reasonably well situated in terms of access to the facilities within Tring.

Travel Plan

Due to the scale of the development, a Travel Plan would not be required.

Construction

A Construction Traffic Management Plan would be required to ensure construction vehicles would not have a detrimental impact on the vicinity of the site and a condition would be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to the highway safety. A Construction Traffic Management Plan would be required for all phases of the construction, including excavation and construction of all elements of the development. Due to the congestion surrounding the proposed development site, it would be expected that an assessment of the impacts of construction traffic on the operation and safety of the local highway network is considered.

Contributions

If developer contributions are being sought, HCC would seek improvements for the nearest bus stops at a cost of £8,000 per stop, a total of £16,000. The improvements would include the provision of easy access kerbing at each stop.

Conclusion

HCC as highway authority has reviewed the application submission and wishes to recommend approval of the planning application, subject to conditions.

(20/05/19)

HCC Historic Environment Advisor - In this instance we consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and we have no comment to make upon the proposal.

(4/04/19)

LLFA

The applicant has provided the Flood Risk Assessment carried out by BWB reference

BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 to support the application.

The proposed drainage strategy is based upon attenuation and discharge into the culverted Long Marston Brook restricted at 5l/s. We note infiltration is not being proposed due to close proximity to other buildings. The existing site currently discharges to the existing sewers within the Brook Street. The drainage strategy comprises of permeable paving and an attenuation tank to cater for the 1 in 100 rainfall event plus 40% for climate change.

The Long Marston Brook stems from the pond to the south of the Old Silk Mill, the pond is fed by wider catchment flows which from this point are routed in culvert through the Old Silk Mill then beneath the site before returning to open channel approximately 55m downstream. The dimensions are approximately 1000mm in diameter and approximately 3.5m from existing ground levels to the invert. We note that it is not being proposed to open up the watercourse due to levels and the scale of the development. Micro-Drainage simulations have been provided to support the proposed scheme for the 1, 30, 100 and the 1 in 100 year +40% climate change event.

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 Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 and the following mitigation measures;

1. Provide 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.
2. Implement drainage strategy based on attenuation and discharge into watercourse restricted to 5l/s for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Undertake drainage strategy to include an attenuation tank and porous surfacing as indicated on the proposed drainage strategy drawing.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018. The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting

pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.

2. Detail in relation to culverted watercourse including condition assessment.
3. Silt traps for protection for any residual tanked elements.

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

Condition 3

Upon completion of the drainage works for each site in accordance with the timing / phasing arrangements, 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.

Informative to the LPA

We note that Long Marston Brook runs in culvert below properties on Brook Street. Should any future planning application for the wider Old Silk Mill site comes forward; the LLFA will seek for the culverted watercourse to be opened up where possible.

(5/03/19)

Design Out Crime Officer

Thank you for the additional information relating to planning application , 4/02204/18/MFA, I can see that the applicants intend to build the development to the police minimum security standard Secured by Design , I can therefore support this application.

I did notice however that the information supplied in the additional info is 4 years out of date, we would ask that the windows and doors are PAS 24 : 2016 , not PAS 24 2012.

Physical Security (SBD)

Layout:

I am content with the layout..

Communal door sets:

Certificated to BS PAS 24: 2016, or LPS.1175

Access Control to block of flats:

For each block that has more than 25 flats off a communal entrance, the SBD standard is for the communal entrance doors to have an Audio Visual access control system . Tradespersons release buttons are not permitted.

Postal delivery for communal dwellings (flats):

Communal postal boxes within the communal entrances , covered by the CCTV or each flat will have post delivered to it via a letter plate fitted in each flat's door., with the local Posta Officer being given an access fob.

Individual front entrance doors:

Certificated to BS PAS 24:2016

Windows:

Flats

Ground floor windows and those easily accessible certificated to BS Pas 24:2016 or LPS 1175 French doors for balconies:

Dwelling security lighting:

Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points..

Bin stores:

The access doors to these should be to LPS.1175, or BS PAS 24: 2016.

Car Parking:

Access control, gates or roller shutters (to stop unauthorised parking & rough sleeping), well-lit area painted white or light colour ‘

Compartmentalisation of Developments incorporating multiple flats.

Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised:

- Controlled lift access, Fire egress stairwells should also be controlled on each floor , from the stairwell into the communal corridors.
- Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift

Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.

From a community safety perspective I am really pleased to see that there has been

an increase in parking.

(09/01/19)

Herts Ecology

1. A Preliminary Roost Assessment for bats has been undertaken in October 2018 of 21/ 22 Brook Street, the main building to be demolished to accommodate the proposals, and also Unit 53 of the Old Silk Mill.

2. The houses were considered to have moderate potential given the external gaps that exist in the structure although no direct evidence was found. Following best practice guidance, at least two further presence / absence surveys are needed confirm or not the presence of bats and these are proposed to be undertaken in May / June 2019 as it was too late in the season to undertake these in 2018. Crevice dwelling bats are those most likely to be present and so an outline mitigation strategy has been provided to demonstrate how bats are likely to be dealt with in the event of their presence being confirmed. This may need amending depending on the results of the 2019 surveys.

However if a roost is found to be present, it is recognised that a further survey and licence will also be needed.

3. Unit 53 had negligible potential and no further surveys are recommended. 4. Potential enhancements for bats have also been recommended in the form of tree and building mounted bat boxes as well as bat access tiles.

5. Guidance is also given regarding any lighting scheme to reduce light pollution and impacts on bats if found to be present and generally in the locality.

6. I consider that the surveys and recommendations represent a sound and acceptable approach to bats at this site. On this basis I can advise that the LPA can determine the application have taken bats adequately into account.

7. To ensure the recommended surveys are undertaken, I advise that if the application is approved, they should be secured as a Condition, with results and revised recommendations as necessary submitted to the satisfaction of the LPA.

(07/01/18)

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 .

The proposed development is located within 15m of a strategic sewer. Thames Water request that the following condition be added to any planning permission.

No piling shall take place until a piling method statement (detailing the depth and type

of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development

doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

(24/12/18)

Environment Agency

The proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the following measures as detailed in the Flood Risk Assessment, dated September 2018 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

We ask to be consulted on the details submitted for approval to your authority to discharge this condition and on any subsequent amendments/alterations.

Condition 1 – Secure Implementation of the Flood Risk Assessment (FRA)

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by BWB Consulting and the following mitigation measures detailed within the FRA:

1. All finished floor levels of the development to be raised 300mm from existing build levels.
2. The inclusion of proposed flood resilient construction of site levels re-profiled where practicable to encourage pluvial/fluvial runoff and overland flows away from the built development towards the nearest drainage point.
3. The development entrance incorporates flood resilience design in the event of pluvial or fluvial flows from Brook Street
4. Building management and residents to sign up to EA Flood Warning Service and any site evacuation plan
5. Design and construction as per planning drawings and schedule by Hinton Cook Architects of 19/10/18
6. A main river is culverted underneath part of the development site and consideration during development demolition and construction should be made to maintain its function and integrity.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure that during a flood event there is not an unacceptable risk to the health and safety of the occupants and an increased burden is not placed on the emergency services. This condition is in line with paragraph 163 of the NPPF and your Local Plan Core Policy CS31: Water Management.

We are reliant on the accuracy and completeness of the reports in undertaking our

review, and can take no responsibility for incorrect data or interpretation made by the authors.

Advice to Local Planning Authority (LPA)

Sequential Test

In accordance with the NPPF paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the LPA to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

Flood Risk - Safe Access and Egress In accordance with paragraph 163 of the NPPF, you must ensure that the 'development is appropriately flood resilient and resistant, including safe access and escape routes where required...' This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test. Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable. Please note we have not assessed the proposed access and egress route.

(13/12/18)

Crime Prevention Advisor

As previously stated from a crime prevention perspective we are unable to support this application . Building to C2 does not meet our minimum security requirements or those detailed in the building regulations Approved Document Q.

(19/12/18)

Lead Local Flood Authority

The Flood Risk Assessment carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 submitted with this application does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the flood risk assessment;

1. Details in relation to culverted Long Marston Brook and options to re-open the channel.

Overcoming our objection

To address the above points, please see the below comments;

The proposed drainage strategy is based upon attenuation and discharge into the

culverted Long Marston Brook restricted at 5l/s. We note infiltration is not being proposed due to close proximity to other buildings. The existing site currently discharges to the existing sewers within the Brook Street.

The Long Marston Brook stems from the pond to the south of the Old Silk Mill, the pond is fed by wider catchment flows which from this point are routed in culvert through the Old Silk Mill then beneath the site before returning to open channel approximately 55m downstream. The dimensions are approximately 1000mm in diameter and approximately 3.5m from existing ground levels to the invert. Please note that this section of the culverted Long Marston Brook is classified as an ordinary watercourse up until the point it joins the Main River.

As this section of the watercourse is an ordinary watercourse, we would expect the applicant to explore opportunities to improve the ordinary watercourse network to decrease flood risk and to meet the Water Framework Directive targets for water quality and ecological purposes. When there is an existing culverted ordinary watercourse section any betterment of the situation should be sought, such as re-opening or diverting the channel. If not achievable, the applicant must provide evidences as to why betterment is not viable.

The layout of the proposed building is position over the culverted Long Marston Brook. In principle the LLFA would accept building over a culvert. Any works taking place within and/or over the culvert or within 3 m of the top of bank of the ordinary watercourse will require prior written consent from the Hertfordshire County Council regardless of any planning permission.

Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission

Informative to the Applicant and LPA

Due to the complicated nature of this site, we recommend that the applicant consults the LLFA directly in relation to drainage strategy. The applicant should note that we charge for pre-application consultation. If the applicant wishes to use this service they should refer to our pre-application guidance which can be found online here:
<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/preappguide/>

For further advice on what we expect to support an planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage
<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/>
Please note if the LPA decides to grant planning permission we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.

(03/12/18)

Herts 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 recommends that permission be refused for the following

reasons:

Decision

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

- No swept path drawings are provided for the car park access or the car park. The purpose of provision of the swept path drawings would be to demonstrate that the site is safe and suitable for its intended use and that vehicles can safely enter the site and manoeuvre within to depart in a forward gear;
- No swept path drawings are provided for servicing and refuse movements. The purpose of provision of the swept path drawings would be to demonstrate that the site is safe and suitable for its intended use and that refuse vehicles can safely enter the site and manoeuvre within to depart in a forward gear;
- No surveys were undertaken at the site access to obtain current vehicle movements into/out of the site, and instead assumptions were made assuming the informal car park would result in 26 vehicle movements during peak hours (excluding the existing residential properties); and
- No information was provided on the existing and proposed number of servicing trips which would also impact on the local highway network.

While not reasons for refusal on their own, the following should be provided as part of any future submission:

- A policy chapter has not been provided in the TS;
- No detail is provided on the provision of cycle parking;
- Incorrect parking requirements have been provided for the care home based on Dacorum's parking standards.

Description of the Proposal

The proposals are for the demolition of all existing buildings and the construction of 41 extra care home units, with associated access, car and cycle parking and landscaping, as detailed within the Design and Access Statement.

According to the Design Statement (DS) the proposed development would comprise a mixture of 13 one bedroom units and 28 two bedroom units. The Transport Statement (TS), however, refers to 40 units only. There is no completed application form on the DBC website to resolve this anomaly. However, the different unit mixes would both result in 54 bedrooms.

Site Description

The application site is located west of Brook Street (B488), Tring. The site is currently occupied by a pair of dwellings and an industrial unit measuring 89sqm (B2 land use). An informal car park is also located at the south of the site which caters for the industrial unit and any additional visitors/ deliveries to the site. To the east of the site is Brook Street, to the south is The Old Silk Mill, with residential properties to the west and amenity/ recreation space to the north.

The site has a vehicular access from Brook Street, adjacent to the property of 21/22 Brook Street. Brook Street is a Class B secondary distributor road and is subject to a

30mph speed limit.

The site is located approximately 935m north of the centre of Tring, where there are a variety of facilities and amenities including GP surgeries and pharmacies.

History

Pre-application advice was sought in 2015 for 50 new residential dwellings (Ref: 4/02873/15/PRE). Several comments were provided by HCC as highway authority on the proposed access and parking arrangements which were not deemed to be acceptable to HCC in its current form.

A second application was submitted for four residential dwellings on this site in 2017 (Ref. 4/01977/17/FUL) which was recommended for approval by HCC as highway authority.

A third application was submitted in 2017 for construction of 10 residential dwellings which was recommended for refusal by HCC Highways for an excessive number of properties served from a private drive.

Analysis

Policy Review

The applicant has provided a Transport Statement (TS) and a Design Statement (DS) but has not provided a policy review of local, regional or national documents. HCC notes that the consideration of the following documents is advised to highlight that they have been considered when developing the proposal:

- National Planning Policy Framework (July 2018);
- Dacorum Core Strategy 2006-2031 (September 2013);
- Dacorum Local Plan 2001-2011 (Saved Policies September 2013); and
- Tring, Northchurch and Berkhamsted Urban Transport Plan

Transport Statement

A Transport Statement (TS) was provided as part of the planning application package for consideration by HCC. This is in line with requirements set out in Roads in Hertfordshire: Highway Design Guide, 3rd Edition (Roads in Herts).

Trip generation

A trip generation profile for the existing site use and proposed site use were provided in the TS. The TRICS online database was interrogated to obtain trip rates for the trip generation profiles for the existing and proposed land uses. This approach is considered acceptable for the purposes of this application.

Existing traffic

For the existing site, the TRICS database was analysed to find comparable sites with comparable trip rates. For the existing site, the 'Residential/ Houses Private Owned' and 'Employment/ Industrial Use' categories were used to obtain trip rates which is acceptable. The applicant also applied the following TRICS parameters to obtain their

trip rates for the existing land use:

- Vehicles;
- England Sites, excluding Greater London;
- 6 to 20 units / 300 to 900sqm;
- Monday to Friday; and
- Suburban Area, Edge of Town, Neighborhood Area, Residential Zone and Village.

The parameters used are considered acceptable. The resultant trip rates and associated trip generation based on 2 units for residential and 89sqm for industrial operations are as follows:

- AM Peak:
- Trip Rate: 0.136 arrivals and 0.408 departures (residential units)
- No. Trips: 0 arrivals and 1 departure resulting in 1 two-way trip (residential units)
- Trip Rate: 0.620 arrivals and 0.155 departures (industrial unit)
- No. Trips: 1 arrival and 0 departures resulting in 1 two-way trip (industrial unit)
- Total No Trips: 1 arrival and 1 departure
- PM Peak:
- Trip Rate: 0.350 arrivals and 0.136 departures (residential units)
- No. Trips: 1 arrival and 0 departures resulting in 1 two-way trip (residential units)
- Trip Rate: 0.000 arrivals and 0.930 departures (industrial unit)
- No. Trips: 0 arrivals and 1 departure resulting in 1 two-way trip (industrial unit)
- Total No Trips: 1 arrival and 1 departure

Proposed Use

The category of 'Residential/ Retirement Flats' was utilised for the purposes of obtaining trip rates for the proposed development. This is a robust and therefore acceptable approach based on the comparison with the 'Health / Care Home' trip rates analysed. The following parameters were used in the interrogation of TRICS for obtaining the trip rates in the TA:

- Vehicles;
- England Sites, excluding Greater London;
- 28-80 units;
- Monday to Friday; and,
- Suburban Area, Edge of Town, Neighborhood Area and Residential Zone.

These are considered acceptable for the purposes of this proposed development. The resultant trip rates per unit, and associated trip generation based on 40 units, are as follows:

- AM Peak:
- Trip Rate: 0.117 arrivals and 0.075 departures
- No. Trips: 5 arrivals and 3 departures resulting in 8 two-way trips
- PM Peak:
- Trip Rate: 0.077 arrivals and 0.096 departures
- No. Trips: 3 arrivals and 4 departures resulting in 7 two-way trips

Net impact

The TS has provided a net trip generation profile which is not considered to be acceptable because it includes an assumption that half of the overspill car park arrives and departs during peak hours without any survey data or factual data to support this. The net trip generation should be compared to the existing site rather than the 'potential'. Therefore, the net trip generation profile should be as follows:

- AM Peak: 4 arrivals and 2 departures resulting in a total of 6 two-way trips
- PM Peak: 2 arrivals and 3 departures resulting in a total of 5 two-way trips

It is unlikely that the addition of 6 and 5 two-way vehicle trips in the AM and PM peak hours, respectively, would have a severe impact on the local highway network.

Highway safety

The applicant obtained Personal Injury Collision (PIC) data for the five-year period between 01/01/2013 to 31/12/2017 on Brook Street from HCC. The results indicated that across the study area eight collisions took place, all but two were slight in nature. The serious incidents occurred at different locations, two years apart and therefore HCC does not anticipate that any existing highway safety issues would be exacerbated by the development proposals.

Proposed Mitigation

The following mitigation is proposed as part of the development proposals:

- Improvements to the site access to provide sufficient visibility splays; and
- 1.8m footway on the access road for pedestrians.

The proposed mitigation is acceptable at a minimum and mitigation on the wider network would be sought due to the nature of the proposed development. Improvements on the wider network may include improvements to the footways, crossing facilities for ease of access to bus stops in the vicinity of the site, etc.

Highway layout

Vehicle site access

Vehicular access to the site would continue to be via the existing dropped kerb; however, a more formal arrangement of the site access road would be provided, which would accord to HCC design guidance. The design drawing provided in Appendix H of the TS has been reviewed and it is considered that the proposed access arrangement is acceptable in principle but would be subject to review as part of any future Section 278 Agreement.

The visibility splays for the site have been designed in accordance with appropriate guidance set out in Manual for Streets.

Pedestrian access

Pedestrian access would continue to be proposed from Brook Street as per the existing arrangement with a 1.8m footway on the proposed access road for

pedestrians.

Swept Path Assessment

The applicant has not provided car swept path assessment drawings for the proposed site.

Refuse and Servicing Arrangements

The applicant has not provided refuse swept path assessment drawings for the proposed site, although has described that refuse collections would be undertaken via the vehicle entering the site in order to access the bin store area situated along the northwestern boundary. Without swept path analysis HCC is unable to understand how this could be undertaken. Additional information is required to support that the refuse collection arrangements are safe and suitable for the purposes of this development.

Future maintenance of the access road

Due to the nature of the site, it would not be considered that HCC would adopt the internal access network and maintenance would therefore not be the responsibility of HCC.

Parking

Car parking provisions and layout

It is stated in the TS that the applicant would provide 40 off-street car parking spaces that would be accessed from Brook Street. The TS has not confirmed how many bays would be for disabled users or how many bays would be for electric vehicle spaces at the development.

Dacorum Borough Council Car Parking Standards require 20% active and 20% passive electric charging bays for all schemes with sites larger than 10 dwellings.

Dacorum Borough Council Car Parking Standards require 0.75 spaces per unit for sheltered accommodate that is warden controlled and 0.25 spaces per unit for visitors. Therefore, Dacorum's car parking standards require a maximum of 40 car parking spaces. The proposed development car parking provision is in line with these standards. The proposed car parking is considered acceptable to HCC; however, it is ultimately the responsibility of the LPA to determine the suitability of the car parking provision.

Disabled parking provisions

Dacorum Borough Council Car Parking Standards require that for residential use, 1 disabled space is provided for every dwelling built to mobility to standard, and for car parks associated with new employment premises, 5% of the total car park capacity should be blue badge to accommodate both employees and visitors. 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 DBC to determine the suitability of disabled parking provision.

Cycle parking provisions

Dacorum Borough Council Car Parking Standards for residential use state that for warden control sheltered accommodation, 1 short-term space per 3 units plus 1 long-term space per 5 units is required. No reference has been made to cycle parking in the development submission. HCC's Local Transport Plan (LTP) 4 places an emphasis on supporting development where sustainable transport is supported. On this basis, the applicant should provide cycle parking in line with the requirements set out by DBC. However, it is ultimately the decision of DBC to determine the suitability of cycle parking provision.

Accessibility

Public transport

Bus

The public transport infrastructure surrounding the site provides easy access to and from a range of locations.

The closest bus stops are the 'Shugars Green' ones which are located 80m north of the site along Brook Street. The stop on the western side of the highway provides a seated shelter which is signposted with timetable information, and the stop on the eastern side provides a flag-and-stop pole, with signposted timetable information. Both stops are served by the 50, 61 and 164 services. A summary of the bus services available on Brook Street/ Shugars Green is included within Table 3 of the TS.

The above summary illustrates the variety of bus routes available, including local town services and inter-urban routes and all routes would give access to Aylesbury.

Rail Tring Railway Station is the closest station to the proposed development site, which is located approximately 2.8km to the east of the proposed development. Tring Railway Station lies on the West Coast Line, which runs from London to Scotland via Birmingham and Manchester. It is served by the London Midland Train Operating Company. It is noted that the station is accessible via car, foot, bicycle or bus.

A summary of the rail services available from Tring station are included within Table 4 of the TS.

Walking and Cycling

A summary of the benefits of suitable walking and cycling infrastructure has been provided within the TS.

It is noted that there are a variety of local facilities within an 800m walking distance of the site. The TS does not describe the local pedestrian footways and if they are considered to be sufficient. However, it is noted that footways are available on both sides of Brook Street leading to the town centre. Whilst there are footways, they are in poor condition and are narrow. There is potential for improvements to be built by the developer under a S278 agreement with the highway authority or funded via Section 106 contributions.

A review of local cycle routes demonstrated that although there are no National Cycle

Routes within close proximity of the site (2km), there are several local routes on road which provide access to Tring Station and beyond.

HCC notes that the site appears reasonably well situated in terms of access to the facilities within Tring.

Conclusion

HCC as highway authority has reviewed the application submission and wishes to object to the proposed development based on the points detailed within this response letter.

(09/11/18)

Herts Ecology

The Hertfordshire Environmental Record Centre does not have any biological data related to this specific property. Despite this, and its urban location, there are extensive areas of semi-natural habitats nearby, including Tring Park Local Wildlife Site (LWS) and the Chilterns Beechwoods Special Area of Conservation (SAC) which are likely to provide foraging opportunities for bats.

Whilst an adverse effect on the LWS and SAC can be ruled out, it is likely that bats will forage around the Mill and, given its age, design and condition, may exploit opportunities to roost or shelter within it; there are records of bat activity in the locality.

As demolition is proposed, bats that depend on the property to roost or shelter could be harmed. Bats are protected under domestic and European law and in general terms, it is an offence to disturb or harm a bat, or, damage or obstruct access to a roost or place of shelter. Without evidence of the presence or absence of bats, the Local Planning Authority (LPA) cannot be certain that demolition won't lead to an offence being committed and, therefore, is unable to determine this application.

Therefore, the LPA should request the completion of a 'Preliminary Roost Assessment' (PRA) by an appropriately qualified and experienced Ecologist to evaluate whether bats are (or evidence of them is) present and will be affected by the proposals. Such surveys can be undertaken at any time of year but must follow established best practice (Bat Conservation Trust Good Practice Guidelines, 3rd edition, 2016).

The outcomes should be considered by the LPA before the application is determined. If evidence or potential is found, further surveys will probably be required which can only be carried out in summer (ideally between May and August).

Given that adverse effects on the SAC can be ruled out, there is, therefore, no need for the LPA (as the competent authority) to carry out a Habitats Regulations Assessment.

Notwithstanding the outcome of the PRA, 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 (and designed by a suitably experienced ecologist) should form part of any consent. Enhancements suitable in this case could include integrated bat roost and bird nesting units within the fabric of the new building of a type

and in a location appropriate to species of local importance.

Given that adverse effects on the SAC can be ruled out, there is, therefore, no need for the LPA (as the competent authority) to carry out a Habitats Regulations Assessment.

(11/10/18)

Conservation

We have reviewed the amended proposals and would comment as follows: (These comments should be read in conjunction with our earlier comments.)

The proposals would be acceptable. We welcome the further revisions to the elevations and believe that the scheme would sit more comfortably within the built environment than before. The chimney details are acceptable as are the other revision to the entrance area. However it would appear that the first floor side lights to the entrance area whilst shown on the floor plans are not on the elevations. This should be corrected.

We note that repairs to the flint and brick boundary wall are mentioned and we would welcome its repair and retention. However a specification and method statement for the repair of this feature should be submitted as part of any application.

Recommendation: The proposals are acceptable in principle and would be fully supported by the conservation and design dept. The permission should be conditioned as noted in the previous comments with regards to sample panels of the brickwork and details of external materials, joinery and finishes. Hard and soft landscaping should also be conditioned. Ideally a revised elevation should be submitted to confirm the additional windows to the entrance area.

(29/11/18)

Scientific Officer

Please be advise that we have no objection to the proposed development in relation to Noise, Air Quality and land contamination.

However, with the proposed development located on a radon affected area where 1-3% of homes are above the action level as well as on a landmark historic land of electricity production and distribution (in large transformers) of medium risk and former contaminated land use i.e. electric power station, the following planning conditions and informative are recommend should planning permission be granted having given adequate consideration to the submitted Design and Access Statement and Planning Statement.

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).

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 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, in accordance with Core Strategy (2013) Policy CS8.

3). Demolition Method Statement

Prior to demolition works commencing a Demolition Method Statement 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 demolition of 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 published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8.

4). Energy Source Condition

a. With the applicant failing to reference the site energy source in any of the submitted supportive information; should the development have CHP or biomass, the CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the development commencing, evidence to demonstrate compliance with these emission limits will be submitted to the Local Planning Authority for approval.

b. 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%).

c. The CHP must have a discharge stack which is at least 3m above any openable windows or ventilation air inlets within a distance of 5U_m. Details to demonstrate compliance with this condition must be submitted to the local authority for approval prior to works commencing.

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).

5). 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.

Should you have any further query in respect of the application, please do not hesitate contact me on Ext 2719 quoting Flare reference 563606.

(03/10/18)

Conservation

The proposal involves the demolition of two dwellings. These were part of a complex of two pairs of cottages the other pair having been demolished in the second half of the 20th century. They appear to date from the Edwardian period, The pair are constructed of 2 storeys in brickwork with a tiled roof. There are 3 large dormer windows and to the front (rear garden) There are bay windows under a porch. Detailing includes the visible rafter feet, cruciform windows and ornately detailed chimney stacks. It has had a two storey side extension to Brook Street. These details copy the detailing of the original building.

The proposed site is located close to the silk mill. This is a grade II listed industrial complex relating to the Georgian silk mill with associated support structures. Between this and the development site are a number of industrial sheds of lesser interest dating from the second half of the 20th century. To the roadside one is of superior quality and has some interesting brick detailing.

In relation to the existing dwellings they have some visual and historic interest. However, they are not listed, curtilage listed or locally listed. Therefore, we believe that these have a low level of historic significance. The rest of the site has been cleared and is of lesser interest. Adjacent are Victorian terraced houses to Brook St and post war housing to Kingsley Walk. The other site is bound by an area of open space.

We believe that the overall design solution would sit comfortably with the surrounding heritage assets. They do not challenge the scale or massing of the silk mill and it would continue to be able to be read and understood in its own right. The proposal is subservient but responds to some of the details on the main mill site therefore maintaining the general character of the area. The construction on this area of previously developed land would not impact on the significance or understanding of the proposals. As per the act we would give great weight to the protection of the setting of the silk mill. However, we believe that any impact to its setting caused by this scheme would be negligible and therefore would not object to the proposed scheme in relation to its impact on the setting of the designated heritage asset.

The proposed design and materials are in keeping with the general character of the area. The principle elevations to Brook St and the Park would appear to be in keeping with the character of the historic environment. The elevations are in brick with slate roofs and constructed to domestic proportions and fenestration (rather than those of civic structures) broken up with rendering to the bay windows. Overall we believe that they

would be acceptable but would recommend some minor changes to the detail. Ideally the chimneys should be double the depth shown at present. Further chimneys should be added to the Brook Street elevation to retain provide a suitable traditional character and help break up the long sweep of the ridge. The only other minor change we would recommend would be that to the main entrance door (opposite the park) that side lights be added to the ground floor and could be considered for the first floor.

Otherwise we believe that the proposals would be acceptable. As with all large schemes of this style it would be particularly important to ensure that the detailing is in keeping with the character of the building. Therefore, we would recommend that the bricks, brick bond (not stretcher bond) mortar colour window header and cill detail, joinery details, eaves details and chimney details, rainwater goods and metal work and finish and render colour be agreed. It may be helpful to reduce conditions to agree some of these details prior to the application being determined. The landscaping materials and details should also be agreed.

We note that there appears to be a lack of information about the brick and flint boundary wall at the top of the bank. This feature is of historic importance, adds to the character of the area and should be preserved and restored rather than rebuilt. Therefore, it would be recommended that its repair be conditioned through a method statement.

Recommendation: The proposals are acceptable in principle and with minor changes noted above would be fully supported by the conservation and design dept. The permission should be conditioned as noted unless further details are submitted.

(3/10/18)

Design Out Crime Advisor

With regard to crime prevention and security , I do not have enough information to make an informed comment. At present I am liaising with Architects- Hinton Cook , my question is :

Is this development being built to C2 or C3 and if it is C2 will it be built to the security requirements set out in the building regulations , Approved Document Q , or Secured by Design.?

(01/10/18)

Strategic Housing

Extra care development are not subject to affordable housing obligations.

(20/09/18)

Environment Agency

In the absence of a flood risk assessment (FRA), we object to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted.

Reasons

The application site lies partially within Flood Zone 3 defined by the Environment Agency Flood Map as having a high probability of flooding. Paragraph 163, footnote 50 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit an FRA when development is proposed in such locations. An FRA is vital if the local planning authority is to make informed planning decisions.

In the absence of an FRA, the flood risk resulting from the proposed development are unknown. The absence of an FRA is therefore sufficient reason in itself for a refusal of planning permission. This is also in line with your local plan policy; CS31 – Water Management which states that all developments within a flood zones 2 and 3 must be accompanied by a Flood Risk Assessment.

Overcoming our objection

The applicant can overcome our objection by undertaking an FRA which demonstrates that the development is safe without increasing risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

Please make the applicant aware that in February 2016 we published our new climate change allowances, and these will therefore need to be taken into account within the FRA. Further details can be found at <https://www.gov.uk/guidance/flood-riskassessments-climate-change-allowances>. End 2

We ask to be re-consulted with the results of the FRA. We will provide you with our comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

Advice to Local Planning Authority – Sequential Test

In accordance with the NPPF paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework.

(18/09/18)

HCC Minerals & Waste

I am writing in response to the above planning application insofar as it raises issues in connection with waste matters. Should the council be mindful of permitting this application, a number of detailed matters should be given careful consideration.

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the county council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage districts and boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its National Planning Policy for Waste (October 2014) which sets out the following: 'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;
Policy 2: Waste Prevention and Reduction: &
Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application, the council is urged to pay due regard to these policies and ensure their objectives are met.

The county council would expect detailed information to be provided separately for the demolition, site preparation and construction phases of development. The waste arisings will be of a different composition from each of these phases. Good practice templates for producing SWMPs can be found at:
<http://www.smartwaste.co.uk/> or
http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings and so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented. It will also help in determining the costs of removing waste for a project.

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted and provide comments to the two councils.

(17/09/18)

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.

(17/09/18)

Strategic Housing

To meet the affordable housing policy requirements 35% of the dwellings should be agreed for affordable housing.

Therefore, 14 units should be provided for affordable housing. We would specify that the tenure mix of the affordable housing provision is 75% affordable rented and 25% shared ownership in line with our Affordable housing SPD.

(12/09/18)

Appendix B

Neighbour notification/site notice responses

Objections

62 Brook Street - Limited access on an already busy and dangerous street. School crossing point and increased traffic will affect safety of children. Pavement running down Brook St not suitable for older people as very narrow with heavy traffic. Not enough parking already on street and as the new flats along Brook street have already shown residents are parking on roads instead of using provided car parking spaces which causes additional bottlenecks. When high street is closed this is the only route through town and more flats mean more traffic which affects emergency services .

(9/05/19)

2 Fog Cottages - I object because there isn't sufficient parking available for 41 flats. Also Tring doesn't have enough doctors or schools to support any more population. We are a small market town and by building more and more flats you are turning it into an ugly big concrete jungle of a town.

(6/05/19)

54 Brook Street - I strongly object to the proposed application.

The road is already an extremely busy road with cars travelling at a great speed.

Parking is extremely limited, with visitors to the industrial complex and the flats further along the road, which were built without adequate parking. 41 flats would make parking for Brook St residents extremely hard. 41 flats would bring probably 82 cars, plus any visiting cars - where would overflow parking be?

Parking in inappropriate places will cause danger.

Services (Ambulance/Police/fire brigade) already struggle to pass along the road, more cars will cause delays to response times.

Daylight into Brook St houses is going to be reduced massively with the height of flats. Is this right?

I note comments about refuse lorries and tree roots being damaged, which endorse my objection.

How do flats fit in with the property already in the road?

(6/05/19)

36 Kingsley Walk - I would strongly object to this application - reasons being:

- This is already being an excessively busy road, including traffic build up and parking from the flats built just along the road, the traffic from Silk Mill Industrial Area
- 1. This is the location of the school crossing - the road opposite leads up to the school
- 2. Children's play area/courts within meters of the location

3. People currently struggling to park and driving all over the grass (recently saw a child nearly hit by a car driving on the grass by one of the residents of the houses that are potentially to be demolished, so if 45 additional spaces are provided for 41 care homes - this is increasing traffic build up and potentially not enough parking therefore increasing potential for further incidents and accidents).
4. The flats built along the road provide underground parking, but they continue to park on the road/pavement outside the flats because of flooding in the underground car park, therefore increasing congestion on this road.
5. Parking is already made on pavements and the grass by local residents and people working in the local businesses so the increase in traffic for 'new' residents is going to further increase the pressure.

In my view, this planning application is very poorly thought out for the location.

(4/04/19)

124 Kingsley Road – We are writing in connection with the above planning application. We have examined the plans and we know the site well. We wish to object strongly to the development of these houses in this location as the proposal's impact on our property and surrounding area would be effected. Using Dacorum's Local Planning Framework's, Adopted Core Strategy 2013, CS12 of the core strategy our objections are the following:

• CS12 f and g: integrate with the streetscape character and respect adjoining properties in terms of: height, landscaping and amenity space:

The proposed three storey development will have an impact on amenity as a change of use from an occasionally used car park to a housing development with a different architectural style, not in keeping with the existing 2 storey surrounding area and character to that of the Grade II listed Old Silk Mill Industrial Estate and terraced cottages of Brook Street. It is our belief that the proposal **constitutes over development**. The proposed site has been vacant for 40 years.

The Statement, Figure 5, clearly shows the height of the proposed apartments which have a higher roof ridge line than the Brook Street cottages which are built at a raised height from the pavement. The apartments are higher than the surrounding Silk Mill Industrial units, dominating the 2 storey street scape, and out of character with the nearby Grade 2 listed Old Silk Mill and the two storey Kingsley Walk – constituting over development of Brook Street.

• CS12 d: retain important trees or replace them if their loss is justified, CS12 e: plant trees and shrubs to assimilate development and softly screen settlement edges:

We are concerned about the retention of trees along the boundary of the site

alongside the public footpath on the edge of Kingsley Walk as they provide a green corridor for wildlife linking the Bulbourne chalk stream to other green areas, including the parkland. The trees also provide natural screening and privacy to residents on our existing estate. During the site preparation there have been a number of these trees cleared already along the steep sided slope at the boundary of the site next to the public footpath by the Kingsley Walk estate.

Proposed screening on the north west aspect, facing Kingsley Walk appears to be planted on top of the ground floor. Trees will require a good depth of soil, Urban, 1992, Tree size to soil volume relationship's table show a tree with a 202mm trunk diameter and 32m squared crown cover just over 11m cubed volume of soil. *this table can be seen in supporting information at the end of the objection letter. If the proposed trees are to act as a screen, they will need to be of considerable height, in order to screen the Kingsley Walk properties they will require an adequate soil depth to support the trees' root system and anchor the trees securely.

- **CS12 a: Provide a safe and satisfactory means of access for all users.**

The Statement provided within the amended application refers to the National Planning Policy Framework (NPPF), July 2018, referring to paragraph 109, 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. Within this context, Paragraph 110 advises that developments should give priority to pedestrians and cycle movements, address the need of disabilities or reduced mobility, and minimise the scope of conflicts between pedestrians, cyclists and vehicles.

The applicant, **Hounsfeld Limited commissioned M-EC Traffic Report, August 2018** fails to mention conflicts of road use at the site entrance to the apartments, omitting completely that the access point is situated on the site of the school crossing patrol point, at the point where the road narrows due to parking on the Tring bound lane to single file for a distance of approximately 100 metres and that the crossing point is used by many throughout the day, including the elderly people who live in Shugars Green opposite the site entrance. Visibility for pedestrians at this point is very poor and restricted crossing from Shugars Green, as there are parked cars obscuring the view. There is only a passing comment of the parking, which creates a single lane along the entire length of the proposed apartments and the Silk Mill Industrial Estate.

The M-EC Traffic Report collected their survey data 17-23 July 2018, with a site visit 20 July 2018 at an unspecified time. It must be noted that Tring schools year 11 and Upper Sixth pupils had already left school and road use would have a

shown a reflection of this. No surveys of pedestrians crossing usage were taken.

TRIP calculation rates (Table 7) showed no reflection of trip numbers of visitors, delivery vehicles, refuse vehicles and carers to the site. Table 7 draws comparisons between (theoretical) half occupancy numbers of previous vehicle TRIPs with the proposed apartments, concluding during peak hours of 0800-0900hrs and 1700-1800hrs, 28 trips were made in each of these times in previous use and 8 trips would be made between 0800-0900hrs and 7 trips between 1700-1800hr by the apartments. As residents who overlook the car park, vehicle numbers were on average most days between 3 and 5 vehicles which generally were parked, without being moved all day, arriving between 0700-0800hrs in the morning. (We have never witnessed the car park at half parking occupancy) Therefore the Table 7 stated 'Net change (+/-) between the half occupancy and extra care apartments of -20 trips (0800-0900hrs) and -21 trips (1700-1800hrs) is inaccurate.

Section 5.7 in the Statement, 'The site can be easily accessed by foot or cycle ...' excluded from the statement are the ease of access of mobility scooter and wheelchairs, which no doubt some of the apartments' potential residents will use, especially as the architect has made provision for their parking and storage within the plans. The pavement directly outside the development along Brook Street is particularly narrow with lamp posts and drainage pipes on the sides of Silk Mill Industrial Estate, narrowing the pavement and causing obstacles for wheelchairs and Class 2 scooters. Class 3 scooters intended for road use would have to navigate the single lane, (due to parking along Brook Street), which would cause further congestion, travelling a maximum of 8 miles an hour, not to mention safety, as the road is very busy and narrow.

The footpath which would be used to access the Co-op is a steep slope and stepped path from the development which would mean residents with mobility issues would not be able to access, leaving limited options; walking a longer distance along busy narrow pavements to access Tring town centre, catching unreliable buses, or becoming stranded, and unable to live independently. Section 5, page 9 refers to the NPPF 'deals with sufficient supply of homes and the governments continued commitment to boosting the supply of homes, including homes to meet the needs of groups with specific housing requirements.' It is our belief that the site will inadequately provide access for its intended extra care residents, offering limited access to Tring, stranding its residents,

The proposed development plans have provided 45 car parking spaces. Cars will require access in and out of Brook Street daily. **Road safety is at risk.**

Traffic through Brook Street can be very heavy, as it is an important route towards the B488 and B489. The point of site access from Brook Street is where

a busy school crossing is located and just as the road narrows due to parking on the Tring bound lane in front of the terraced houses numbering 50 upwards. This road is particularly congested at school start and finish times and during rush hour. Children wishing to cross the road outside of school start and finish times will have to negotiate this very busy crossing alone, as with elderly residents of Shugars Green (opposite site entrance).

There will be poor visibility at the point of access from Brook Street at an already congested bottleneck section of the road. It must also be noted that Tring Fire Station and paramedic response is located on Brook Street near to the site which may compromise their emergency response. It must also be noted that large vehicles such as refuse collection vehicles, and delivery vehicles will need to gain access to the site, all increasing the site T.R.I.P. numbers. The 'extra care scheme' will require staff and residents will no doubt receive visitors, who will require parking, of which there is already inadequate numbers of parking areas/spaces along Brook Street.

During the construction there will be site traffic: large construction vehicles, construction delivery vehicles and site worker traffic to be accommodated along the already narrow Brook Street.

• **The Charter Appraisal Tring Design Objectives relating to the proposal 1. Conserve the historic core.**

The designs are not in keeping with the surrounding Old Silk Mill Industrial Estate or the Victorian and Edwardian properties of Brook Street. The map showing Tring Character Areas (page 333 of Area Based Policies) outlines the Old Silk Mill Industrial Estate as a likely development potential as one of 'minimal change'.

5. Maintain low rise characteristic of the town.

i.e. to **not be more than 2 storey** - the plans are for a 3 storey development, **constituting over development** of the Brook Street area.

The National Planning Framework, paragraph 127, as referred to in the Statement, 'developments should optimise the potential of a site to accommodate and sustain an appropriate amount of development. Paragraph 130 confirm that developments should take opportunities to improve the character and quality of an area and the way it functions.'

• **Dacorum's Core Strategy Charter Appraisal** lists Brook Street as **TCA15** with an approach to 'Improve and develop defined character. Infilling may be acceptable according to the Development Principles'. We believe that this development is contrary to the above.

(3/04/19)

140 Kingsley Walk - Could you please add these photographs to your portfolio in order to discount the claims of the developer of the site being used by fly tippers. Can these photographs please be displayed along with the ones that you will show on the screen to disprove these fictitious claims. As you can clearly see the site is locked and the staff on site are tipping their own waste. The site is still a mess in order for the proposal to be approved. I have also noted that they have suggested that the site has been burglarised - another claim that is easily disproven I have searched the police records back to 2016 and am unable to find any burglary that has been reported on these premises?

(2/04/18)

59 Brook Street – Objects

(1/04/19)

5 Beech Walk - I object to the proposed development of these flats. Brook Street is already congested with traffic and very difficult for pedestrians. The parking is already inadequate for the current residents and crossing the road close to where this development is proposed is very dangerous. I do not live in this road but use it regularly. I understand that housing is required but the original proposal for 4 houses would have been much more appropriate for the limited space. (1/04/19)

25 Hunters Close - Tring Town Council has already strongly refused the development. The proposed development is next to a busy school crossing patrol point cutting through from Shugars Green and the footpath parallel to Brook Street by Kingsley Walk. The single file traffic, due to parking in front of the cottages opposite the industrial estate has created a bottle neck on Brook Street, where users of Brook Street are regularly encountering difficulties/conflicts crossing Brook Street or driving through the single lane in front of the Silk Mill industry estate.

The development will have parking for the 41 apartments plus visitor spaces, which will all enter and exit from the existing drive to 21 and 22 Brook Street, onto Brook Street at the point of the school crossing patrol point and onto Brook Street where the single lane traffic begins. THIS WOULD BE EXTREMELY HAZARDOUS!

The development is not fit for purpose, positioned in an area where those with comprised mobility are unable to safely leave the development, having to negotiate very narrow pavements.

I am very concerned about children going to Tring school crossing and the extra amount of traffic. Brook Street is almost impassable at present and the additional traffic we make it completely unmanageable.

Tring does not have the road or local infrastructure (e.g. Drs) to copy with this development. Also please note a similar development on the same road at the petrol station was recently refused for similar reasons.

(01/04/19)

86 Cross Oak Road, Berkhamsted - I object as i feel that the natural habitats are being ruined, looking at all these green trees and all the greenery they have, it is being taken

over by housing. Do we need more houses for humans or more homes for the wildlife? We need to protect our wildlife as in some species there is already a decline. Also the amount of traffic will be more. More families will bring more cars, therefore the amount of traffic in Tring is unbearable to think about.

(11/03/19)

86 Cross Oak Road, Berkhamsted - Brook street when i have driven down it is a busy street with cars sometimes parked on one side. Do we really need these to cause more traffic congestion. More houses will mean more traffic and pollution added in the air.

(12/02/19)

134 Kingsley Walk - After reviewing the recently amended plans for the above application we would like to amend our objection accordingly, whilst still including our original objections.

*Amended objection are added in green throughout the original letter.

We are writing in connection with the above planning application. We have examined the plans and we know the site well. We wish to object strongly to the development of these houses in this location as the proposal's impact on our property and surrounding area would be effected. Using Dacorum's Local Planning Framework's, Adopted Core Strategy 2013, CS12 of the core strategy our objections are the following:

6. CS12 f and g: integrate with the streetscape character and respect adjoining properties in terms of: height, landscaping and amenity space:
The proposed three storey development will have an impact on amenity as a change of use from an occasionally used car park to a housing development with a different architectural style, not in keeping with the existing 2 storey surrounding area and character to that of the Grade II listed Old Silk Mill Industrial Estate and terraced cottages of Brook Street. It is our belief that the proposal constitutes over development. The proposed site has been vacant for 40 years.

The Statement, Figure 5, clearly shows the height of the proposed apartments which have a higher roof ridge line than the Brook Street cottages which are built at a raised height from the pavement. The apartments are higher than the surrounding Silk Mill Industrial units, dominating the 2 storey street scape, and out of character with the nearby Grade 2 listed Old Silk Mill and the two storey Kingsley Walk – constituting over development of Brook Strret.

- CS12 d: retain important trees or replace them if their loss is justified, CS12 e: plant trees and shrubs to assimilate development and softly screen settlement edges:

We are concerned about the retention of trees along the boundary of the site alongside the public footpath on the edge of Kingsley Walk as they provide a green corridor for wildlife linking the Bulbourne chalk steam to other green areas, including the parkland. The trees also provide natural screening and privacy to residents on our existing estate. During the site preparation there

have been a number of these trees cleared already along the steep sided slope at the boundary of the site next to the public footpath by the Kingsley Walk estate.

Proposed screening on the north west aspect, facing Kingsley Walk appears to be planted on top of the ground floor. Trees will require a good depth of soil, Urban, 1992, Tree size to soil volume relationship's table show a tree with a 202mm trunk diameter and 32m squared crown cover just over 11m cubed volume of soil. *this table can be seen in supporting information at the end of the objection letter. If the proposed trees are to act as a screen, they will need to be of considerable height, in order to screen the Kingsley Walk properties they will require an adequate soil depth to support the trees' root system and anchor the trees securely.

- CS12 a: Provide a safe and satisfactory means of access for all users.

The Statement provided within the amended application refers to the National Planning Policy Framework (NPPF), July 2018, referring to paragraph 109, 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. Within this context, Paragraph 110 advises that developments should give priority to pedestrians and cycle movements, address the need of disabilities or reduced mobility, and minimise the scope of conflicts between pedestrians, cyclists and vehicles.

The applicant, Hounsfield Limited commissioned M-EC Traffic Report, August 2018 fails to mention conflicts of road use at the site entrance to the apartments, omitting completely that the access point is situated on the site of the school crossing patrol point, at the point where the road narrows due to parking on the Tring bound lane to single file for a distance of approximately 100 metres and that the crossing point is used by many throughout the day, including the elderly people who live in Shugars Green opposite the site entrance. Visibility for pedestrians at this point is very poor and restricted crossing from Shugars Green, as there are parked cars obscuring the view. There is only a passing comment of the parking, which creates a single lane along the entire length of the proposed apartments and the Silk Mill Industrial Estate.

The M-EC Traffic Report collected their survey data 17-23 July 2018, with a site visit 20 July 2018 at an unspecified time. It must be noted that Tring schools year 11 and Upper Sixth pupils had already left school and road use would have a shown a reflection of this. No surveys of pedestrians crossing usage were taken.

TRIP calculation rates (Table 7) showed no reflection of trip numbers of visitors, delivery vehicles, refuse vehicles and carers to the site. Table 7 draws comparisons between (theoretical) half occupancy numbers of previous vehicle TRIPs with the proposed apartments, concluding during peak hours of 0800-0900hrs and 1700-1800hrs, 28 trips were made in each of these times in previous use and 8 trips would be made between 0800-0900hrs and 7 trips between 1700-1800hr by the apartments. As residents who overlook the car park, vehicle numbers were on average most days between 3 and 5 vehicles which generally were parked, without being moved all day, arriving between

0700- 0800hrs in the morning. (We have never witnessed the car park at half parking occupancy) Therefore the Table 7 stated 'Net change (+/-) between the half occupancy and extra care apartments of -20 trips (0800-0900hrs) and - 21trips (1700-1800hrs is inaccurate.

Section 5.7 in the Statement, 'The site can be easily accessed by foot or cycle ...' excluded from the statement are the ease of access of mobility scooter and wheelchairs, which no doubt some of the apartments' potential residents will use, especially as the architect has made provision for their parking and storage within the plans. The pavement directly outside the development along Brook Street is particularly narrow with lamp posts and drainage pipes on the sides of Silk Mill Industrial Estate, narrowing the pavement and causing obstacles for wheelchairs and Class 2 scooters. Class 3 scooters intended for road use would have to navigate the single lane, (due to parking along Brook Street), which would cause further congestion, travelling a maximum of 8 miles an hour, not to mention safety, as the road is very busy and narrow.

The footpath which would be used to access the Co-op is a steep slope and stepped path from the development which would mean residents with mobility issues would not be able to access, leaving limited options; walking a longer distance along busy narrow pavements to access Tring town centre, catching unreliable buses, or becoming stranded, and unable to live independently. Section 5, page 9 refers to the NPPF 'deals with sufficient supply of homes and the governments continued commitment to boosting the supply of homes, including homes to meet the needs of groups with specific housing requirements.' It is our belief that the site will inadequately provide access for it's intended extra care residents, offering limited access to Tring, stranding it's residents,

The proposed development plans have provided 45 car parking spaces. Cars will require access in and out of Brook Street daily. Road safety is at risk. Traffic through Brook Street can be very heavy, as it is an important route towards the B488 and B489. The point of site access from Brook Street is where a busy school crossing is located and just as the road narrows due to parking on the Tring bound lane in front of the terraced houses numbering 50 upwards. This road is particularly congested at school start and finish times and during rush hour. Children wishing to cross the road outside of school start and finish times will have to negotiate this very busy crossing alone, as with elderly residents of Shugars Green (opposite site entrance).

There will be poor visibility at the point of access from Brook Street at an already congested bottleneck section of the road. It must also be noted that Tring Fire Station and paramedic response is located on Brook Street near to the site which may compromise their emergency response. It must also be noted that large vehicles such as refuse collection vehicles, and delivery vehicles will need to gain access to the site, all increasing the site T.R.I.P. numbers. The 'extra care scheme' will require staff and residents will no doubt receive visitors, who will require parking, of which there is already inadequate numbers of parking areas/spaces along Brook Street.

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the already narrow Brook Street.

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5. Maintain low rise characteristic of the town.
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The National Planning Framework, paragraph 127, as referred to in the Statement, 'developments should optimise the potential of a site to accommodate and sustain an appropriate amount of development. Paragraph 130 confirm that developments should take opportunities to improve the character and quality of an area and the way it functions.'

- Dacorum's Core Strategy Charter Appraisal lists Brook Street as TCA15 with an approach to 'Improve and develop defined character. Infilling may be acceptable according to the Development Principles'. We believe that this development is contrary to the above.

We would be grateful for your consideration regarding these concerns.

(19/11/18)

6 The Pightle, Pitstone - Adding any type of additional residential properties that will further add to the weight of traffic and therefore an even higher risk of accidents is simply ludicrous.

The council have done nothing to think about or manage road safety on this stretch of road. Would suggest paying some thought to this first is of higher priority to existing residents than allowing planning for yet more flats and people.

As raised by others the nature and character of the buildings appear to have been given little care or thought.

(07/10/18)

40 Longbridge Way - As a Tring resident and regular user of Brook Street. Brook Street is already a congested busy road, any additional housing will almost certainly exacerbate the situation, given the applications "garage accommodation" will almost certainly be inadequate (given the consequence of the recently built flats at Massey House), thus resulting in more street parking. This will aggravate what has already developed into a serious hazard with the exit to Silk Mill Trading estate entrance combined with existing overflow and resident parking creating a situation where an accident waiting to happen.

(07/10/18)

96 Roseberry Way - additional congestion with no provision to add more facilities (doctors, parking etc)

(07/10/18)

10 Brookfield Close - This development is wholly inappropriate for the proposed site. Brook Street is a very busy thoroughfare which is already heavily parked with vehicles using the industrial estate and residents who do not have any off street parking. The visibility exiting the site is a concern, particularly as it is near a very busy pedestrian crossing point. Pupils for Tring School and Grove primary school cross here in large numbers. The proposed development has inadequate parking which will exacerbate already serious problems on the road. The proposed development is of such large scale and height that it will dominate the surroundings and is not at all in keeping with the Victorian cottages in the immediate area. Tring needs affordable housing for the younger generations, not retirement properties.

(04/10/18)

82 Mill View Road - Brook street cannot sustain a development of this size. It is already too built up and struggles with existing traffic

(4/10/18)

40 Longbridge Close - Brook Street is already a very congested and heavily used road. The most recent development was built with totally inadequate parking thus adding to part pavement parking, and there is no reason to suppose the same shortcoming will be repeated, also it would appear that absolutely no consideration is to be given to our already overburden local medical facilities, and town car parking, given the other local applications /developments that are being proposed. Finally if we are being "obliged courtesy of HM Government to accept developments, surely Affordable homes for the younger generation, school capacity, doctors etc. should be the priority.

(04/10/18)

1 Hobson Walk - This would be a major development in an already a saturated apartment area. The impact of 44 flats being build with a potential occupancy of double that would have a enormous impact On the pedestrian and road traffic. Brook Street is already the busiest road in Tring. Many many children cross the road at this point , escorted by a lollipop lady heading for Tring School. I also feel strongly that we need more affordable housing for young families in Town in order for them To stay in Tring so the town can remain a healthy balance of ages.

(04/10/18)

53 Brook Street - I am concerned about the volume of traffic that this will make on entering and exiting on to a very congested Brook street which is already taking a lot of cars from the silk mill units as there is a lack of parking spaces. There is also a school crossing patrol at the new access to the proposed extra care apartments, also the road is used by older people crossing the road to visit the co-op shop from shugars green. I am also concerned about being overlooked as the apartments are quite close to the

houses in Brook street and feel we will get a loss of light. Could I also point out that there is a culvert which runs under the disused car park and makes its way to the brook further down the road.

(01/10/18)

52 Brook Street - We are increasingly concerned over the excessive size of the proposed scheme. In terms of its siting, density and relationship to the surrounding buildings indicate that the scheme is too big for the site and being three stories high will be overbearing to the existing houses in Brook Street.

I would have thought a Highways / transport statement would have been submitted as part of the application as the proposals would materially add to local congestion. There is no indication on the drawings (autotrack) of how a refuse lorry would enter and exit the site and how they would turn within the site to collect the refuse. I am sure this would affect the on-street parking at the end of Brook Street opposite the proposed vehicle access. Also, we know that a speed survey was carried out (albeit during the school holidays !!) and this has also not been included as part of the application. Cars travel along Brook Street at crazy speeds and proposing more traffic movements will only make the situation more dangerous.

The application does not include a topographical survey, Arboricultural Survey, ecology report (phase 1 habitat survey), Planning Statement and sustainability statement.

During the public exhibition back in June The Architects promised that they would investigate the possibility of a crossing further up Brook Street as currently the junction is used as a school crossing and a busy crossing for pedestrians walking to the coop from Shugars Green.

Although the scheme now provides 1 for 1 parking, there is no indication on the drawings on how visitors parking will be accommodated. The existing parking along Brook Street is already at a premium and with the customers visiting Silk Mill also parking along Brook Street, any further overflowing parking will just exacerbate the situation.

The proposed new vehicle access and path is extremely close to the existing tree. (within the root protection). No information has been provided on how the new access road will be constructed to an adoptable standard while protecting the roots of the existing tree. Also it seems to me that the refuse lorry will be higher than the oversailing branches of the existing tree.

Rights of light to the houses in Brook Street and future residents of the development, particularly on the ground floor need to be investigated, this is to ensure the 'Vertical Sky Component' measurement is adhered to. The Street frontage of the proposed apartments should be set further back from the pavement to allow plenty of landscaping.

(01/10/18 and 04/10/18)

4 Fog Cottages, Tring Station - This site is not suitable for so many dwellings. Brook street is already busy and even if the residents are all supposedly elderly with no cars they will require visitors parking for relatives, deliveries, medical staff and waste removal etc.

(27/09/18)

69 Brook Street - To be concise:

- * safety of the pedestrians as this is a key crossing area
- * an increase in traffic on an already busy road
- * this site does not offer provision for enough parking for the number of residents, where will the overflow park? The recent change in use at the Mill has resulted in more residential parking being used which has already created a strain for residents
- * there is no detail on the proposed style, the property is surrounded by Victorian terrace houses and a historical silk mill - modern is not appropriate
- * if the development is right on the road, this will result in opposite houses being overlooked, resulting in loss of privacy. It is a narrow road so this will feel very imposing.

The planning application of 41 dwellings is completely inappropriate for the location.

(25/09/18)

138 Kingsley Walk - I'd like to object on these points and would be grateful if you would bring up some of them at the meeting.

1. Loss of Light.... Once again, Hounsfild Ltd feel the need to construct a 3 story site, the roof line of which will partially block out more light to the front of our home. The only reason they keep proposing 3 story plans is to get as much profit as they can from the site and with no consideration to all of us that over look it on both sides of Brook street.

2. Parking and Turning.... I'm sure you are already well aware of the parking issues on Brook Street, this will only be made worse by this large proposed build. The new block of flats just a bit further along Brook Street (the one with the leisure centre style roof, how that ever got approved is simply farcical) already park on the street and they have underground parking plus access onto Brook Street is already a suicide exit and of course the school crossing is right there, the traffic build up would be horrendous, the street is already becoming a "single track road with passing places".

3.Overlooking.... We would be over looked due to the height of the building, I believe they are proposing to plant a tree line along the wall but it seems to me the wrong way about it, trees need space and there will be no space looking at those plans and if planted will again impact on the loss of light issue.

4. The Demolition of the two homes already there.... These two homes must be listed or at least have a preservation order on them, the aesthetics of them are very much in keeping with Tring and in particular, Brook Street....Just on the demolition alone I'm very much against this planning application.

I'm not opposed for something to be built on this site and I will keep objecting to any plans that involve cramming a 3 story high number occupancy build on this site, none of us that look out onto this site and want see an elevation like that for the rest of our time spent in Kingsley Walk, as I mentioned earlier the developer is only interested in maximum profit for himself and could not give two hoots about the local area (as much

as he says he cares), If Hounsfield Ltd would submit something sensible with no dwelling higher than 2 stories they might find they get a warmer reception, but 3 stories....NO and NEVER please.

(23/09/18)

134 Kingsley Walk - We are writing in connection with the above planning application. We have examined the plans and we know the site well. We wish to object strongly to the development of these houses in this location as the proposal's impact on our property and surrounding area would be effected. Using Dacorum's Local Planning Framework's, Adopted Core Strategy 2013, CS12 of the core strategy our objections are the following:

- CS12 f and g: integrate with the streetscape character and respect adjoining properties in terms of: height, landscaping and amenity space:
The proposed three storey development will have an impact on amenity as a change of use from an occasionally used car park to a housing development with a different architectural style, not in keeping with the existing 2 storey surrounding area and character to that of the Grade II listed Old Silk Mill Industrial Estate and terraced cottages of Brook Street. It is our belief that the proposal constitutes over development and. The proposed site has been vacant for 40 years.
- CS12 d: retain important trees or replace them if their loss is justified, CS12 e: plant trees and shrubs to assimilate development and softly screen settlement edges:
We are concerned about the retention of trees along the boundary of the site alongside the public footpath on the edge of Kingsley Walk as they provide a green corridor for wildlife linking the Bulbourne chalk steam to other green areas, including the parkland. The trees also provide natural screening and privacy to residents on our existing estate. During the site preparation there have been a number of these trees cleared already along the steep sided slope at the boundary of the site next to the public footpath by the Kingsley Walk estate.

Proposed screening on the north west aspect, facing Kingsley Walk appears to be planted on top of the ground floor. Trees will require a good depth of soil, Urban, 1992, Tree size to soil volume relationship's table show a tree with a 202mm trunk diameter and 32m squared crown cover just over 11m cubed volume of soil. *this table can be seen in supporting information at the end of the objection letter. If the proposed trees are to act as a screen, they will need to be of considerable height, in order to screen the Kingsley Walk properties they will require an adequate soil depth to support the trees' root system and anchor the trees securely.

- CS12 a: Provide a safe and satisfactory means of access for all users. The proposed development plans have provided 45 car parking spaces. Cars will require access in and out of Brook Street daily. Road safety is at risk. Traffic through Brook Street can be very heavy, as it is an important route towards the B488 and B489. The point of site access from Brook Street is where a busy

school crossing is located and just as the road narrows due to parking on the Tring bound lane in front of the terraced houses numbering 50 upwards. This road is particularly congested at school start and finish times and during rush hour. Children wishing to cross the road outside of school start and finish times will have to negotiate this very busy crossing alone, as with elderly residents of Shugars Green (opposite site entrance).

There will be poor visibility at the point of access from Brook Street at an already congested bottleneck section of the road. It must also be noted that Tring Fire Station and paramedic response is located on Brook Street near to the site which may compromise their emergency response. It must also be noted that large vehicles such as refuse collection vehicles, and delivery vehicles will need to gain access to the site, all increasing the site T.R.I.P. numbers. The 'extra care scheme' will require staff and residents will no doubt receive visitors, who will require parking, of which there is already inadequate numbers of parking areas/spaces along Brook Street.

During the construction there will be site traffic: large construction vehicles, construction delivery vehicles and site worker traffic to be accommodated along the already narrow Brook Street.

- The Charter Appraisal Tring Design Objectives relating to the proposal 1. Conserve the historic core.
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- 5. Maintain low rise characteristic of the town.
i.e. to not be more that 2 storey - the plans are for a 3 storey development, constituting over development of the Brook Street area.

Dacorum's Core Strategy Charter Appraisal lists Brook Street as TCA15 with an approach to 'Improve and develop defined character. Infilling may be acceptable according to the Development Principles'. We believe that this development is contrary to the above.

(21/09/18)

60 Brook Street - I object to this application. Brook street cannot sustain further development and the negative impact it will have for residents. The impact of construction alone but also parking for residents directly opposite the proposed site should it go ahead. Families with young children live here and the road is already dangerous, further development and increased traffic will make it more dangerous

(20/09/18)

61 Brook Street - The proposal of building 41 retirement homes and knocking down two existing character Rothschild houses is outrageous. The proposal is completely out of context to the local area and will have a detrimental effect on listed Silk Mill buildings. The proposal only provides one car parking space per apartment which i see

as inadequate. Parking along Brook Street and the surrounding area has become even harder recently due to new businesses trading in the Silk Mill. On the basis that each apartment will have two cars, the surrounding area does not have sufficient parking to provide this additional stress.

Brook Street is also a very busy through road and becoming more and more dangerous with users reaching speeds in excess of 60mph+. An increase in the number of cars in the immediate surrounding area will have a severe effect on all residents. Road users on a daily basis clearly show their road rage and frustration by arguing in the middle of the road. I cannot see how this proposed development will help road safety with HGV supplying the site.

The access proposed for the entrance to the site is used by local children on a daily basis and i am worried that with increased numbers of residents and cars, road and child safety has not been taken into account.

I trust this provide you with enough evidence that the local and surrounding area cannot cope with an additional load on the infrastructure.

(20/09/18)

6 Nursery Gardens - I fail to see how this latest proposal for part of the Old Silk Mill site is an improvement on the application for 4 houses refused on scale & mass grounds and; the application for 10 houses, refused due to the proposed access being inadequate and dangerous. This proposal with similar access but more potential vehicle movement in and out of the site and a much greater scale is surely a step in the wrong direction? Added to that it will require the demolition of two attractive properties.

(18/09/18)

140 Kingsley Walk - I am writing in order to object to the proposal of the demolition of existing buildings. Construction of extra care scheme comprising 41 no apartments with associated landscaping and parking at Old Silk Mill, Brook Street, Tring HP23 5EF.

The reasons for my objection below:

The site will be massively overdeveloped and overbearing. 41 apartments with carers, nurses, receptionist and visitors and 45 car parking spaces 4 of which are disabled bays. The road is already significantly congested and the latest block of flats has added to the problem of parking on the road due to there not being enough spaces allocated and the fact they flood. The site is also a flood plain which showed up on my property survey also the two houses that were on the site in the 70s were demolished due to flooding. This is on the notice board by the site.

The access point is only one lane due to the cottages residents parking outside of their properties. This already has an impact on emergency services trying to navigate the road. This will be horrendous for those needing emergency services in the proposed site as the road is a blind spot and access is tight.

The entrance of the site is the School crossing for the only high school in Tring and is

also directly opposite Shugars Green. This road houses the elderly in council owned bungalows. They would be at risk crossing the road to go to the local shop.

There is no planting scheme and as such we can not ascertain the height of the proposed trees. We would not be screened, we do not know how much room there will be for the roots of the trees. If there is not enough room they are at risk of falling.

The flats are three storey and the height of them is higher than the ridge of the existing houses and the cottages on Brook Street. They will be overlooking the properties on Brook Street and will be as high as the bedroom window on Kingsley Walk. There will be loss of light in the properties on either side of the planned proposal.

The residents agree that the site is an eyesore and something will be built on the site. It should be in keeping with the area and not so overdeveloped and three storey. The access point is also a huge concern as the local school children cross the road here and the potential of 80 plus car movement a day in comparison to none puts theirs and others lives in jeopardy.

(16/09/18)

Supporting

21 Brook Street - This development will improve the access on/off of Brook Street as it will remove the front/side wall of 21 Brook Street and the new properties will be set back from the current line that 21 occupies. The land to the side use to be a car park and traffic on/off was very compromised by the wall. The developer of this proposed project already owns the Old Silk Mill so anything built on this land will be in keeping with the finish and high standard that he has set on the much improved Silk Mill. This area is currently overgrown and scruffy and this development will greatly enhance the approach up to the Community Centre and Kingly Walk. The road safety in Tring is poor and not just on Brook Street, a pedestrian crossing set slightly further along would make crossing much safer rather than having an unofficial crossing at the pinch point. This is a chance to have an attractive, unified development that sits next to the Old Silk Mill and fully utilises the space available with homes built to a high standard for older residents.

(02/10/18)

21 Brook Street - We are in support of this application for the following reasons:

- The current road issues are longstanding and have nothing to do with the proposed plans and is an issue for the Highways Agency. This proposal will allow for better flow of traffic as the blind turn point at the corner of 21 Brook Street will be removed, no longer obscuring and causing issues for joining traffic. The proposed properties will be set further back with small front gardens which will also help with current very narrow pathway . If a proper pedestrian crossing was installed further along from the unofficial crossing point this risk could be removed entirely.

- The parking space allowance is in line with with the council requirements. There are plenty of properties that have on road parking, so the fact that this will have underground parking at a sufficient level.

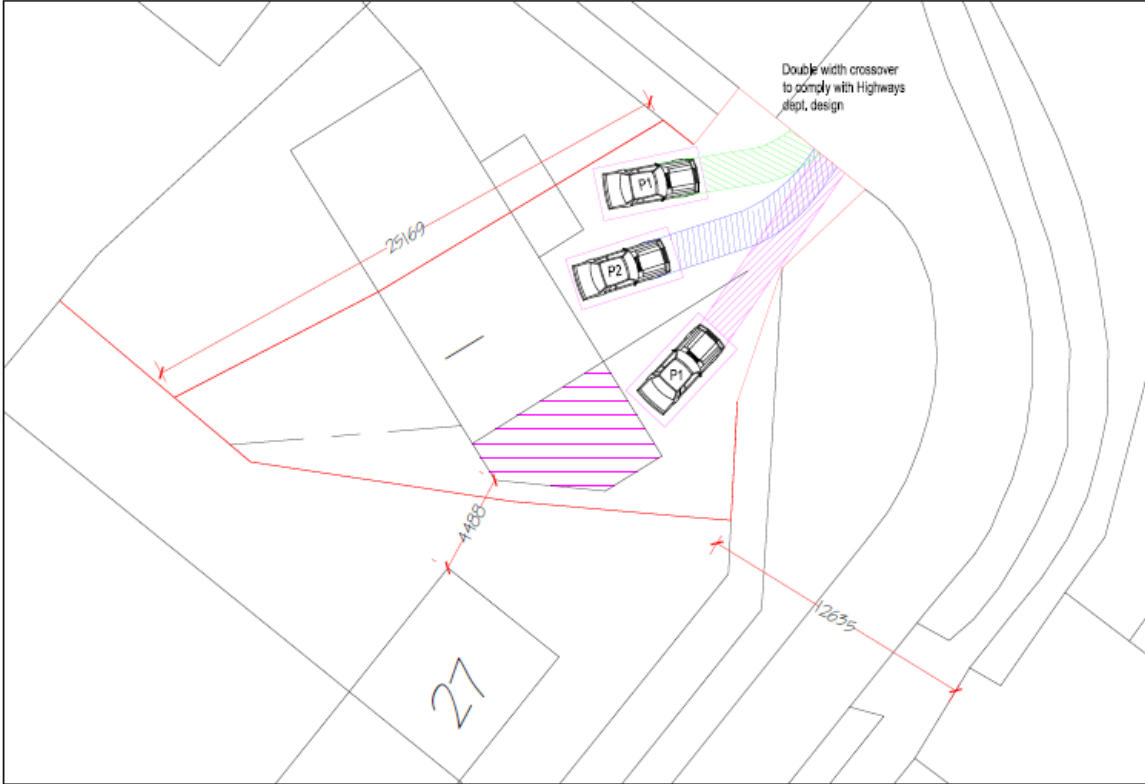
- The land is already a car park so cars will always be allowed into this site regardless.
- The land is currently regularly being fly tipped on which encourages vermin and some of the units have been burgled as the land is sitting vacant.
- The land is Brownfield and the Government is actively encouraging that we build on these spaces before Greenbelt. Regardless of our personal views, houses are needed and each council has a target to meet. If losing two houses to create 41 and underground parking enables that, surely that must be a positive. It will be beneficial to the area and be far more aesthetically pleasing than a disused car park being used as a dumping ground. The developer for this project also is the owner of the Old Silk Mill and specialises in working on period properties. He has made huge improvements in the Silk Mill and the design of the proposal will be in keeping with his properties in the area which are now attractive.
- If this proposal doesn't go ahead, there is already granted plans for the previous four house build. So whatever happens this land is going to be utilised. The four house build would mean that the road would remain the same and so would the all the current obstructions. They would be positioned higher up by Kingsley walk and all parking will be overground and likely to have more vehicles as they would be family homes.

(27/09/18)

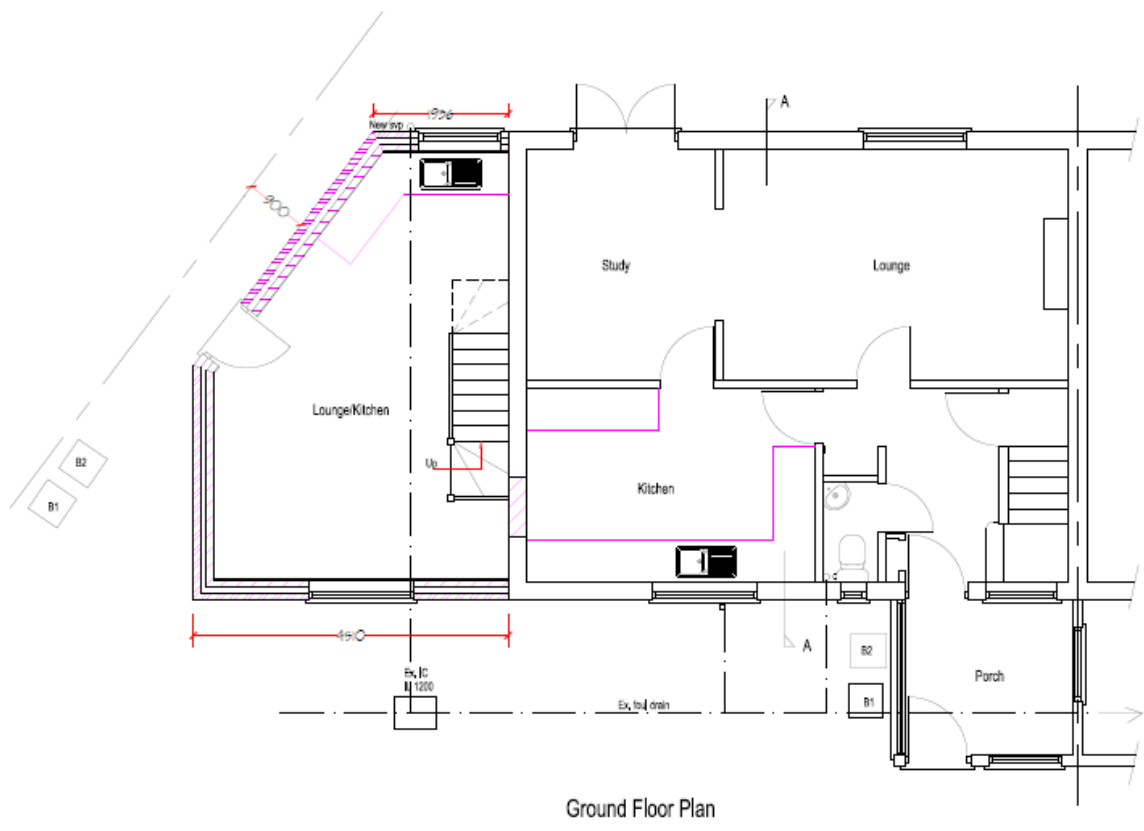
**Item 5c 4/01863/18/FUL DEMOLITION OF EXISTING GARAGE AND
CONSTRUCTION OF TWO STOREY EXTENSION AS A SEPARATE DWELLING**

1 AUSTINS MEAD, BOVINGDON, HP3 0JX

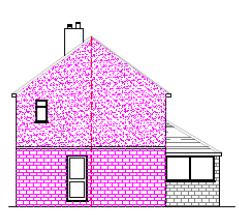




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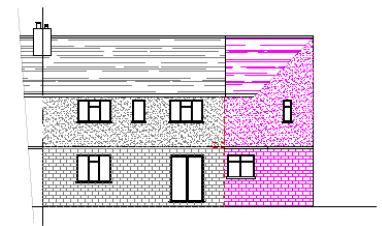
Ground Floor Plan



L/H Side Elevation



Front Elevation



Rear Elevation

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 - object on the grounds of overdevelopment, lack of amenity area.

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 subdivision 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 (2019), 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 (2004)

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 (2019) 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 (2019) 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 (2019).

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 32 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 The Council's Conservation and Design Officer has been consulted and commented, "Whilst the design for the front of the extension would be acceptable, the two-storey canted corner to the new dwelling exposes the extremely limited and awkward amenity space and proximity to the gable end of the adjacent building." The Conservation and Design Officer's comments have been taken into consideration, however as the scale, form and design of the proposed dwelling has been approved under application ref. 4/03075/17/FHA, it is not considered that there are sufficient grounds to refuse the application on the basis of the design. As discussed above, the amenity space is modest, however this is considered to be acceptable for a small starter home.

9.14 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 (2019).

Impact on Residential Amenity

9.15 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.

9.16 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.

9.17 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.

9.18 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 (2019), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Impact on Trees and Landscaping

9.19 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.

9.20 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.

9.21 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

9.22 Policy CS12 of the Core Strategy (2013) seeks to ensure that developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) 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.

9.23 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 Bovington village centre. As such, it is not considered that the proposed development would have a negative impact on local parking provision.

9.24 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.

9.25 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

9.26 Local residents have raised concerns regarding the following:

- Car parking and access

- Proposed terraced dwelling out of character
- Overdevelopment of such a small plot
- Loss of existing view, adversely affect residential amenity

9.27 These points have been addressed above other than concerns regarding overdevelopment. The subdivision of the plot would result in a modest garden area for the proposed dwelling. It is however considered that this is commensurate with other dwellings on Austins Mead, which includes flats and maisonettes. The proposed dwelling would be one bedroom and it is therefore considered that the resultant plot size would be appropriate. 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 (2019), 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

9.28 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><u>Reason:</u> 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on No.1 Austins Mead, Bovingdon (as indicated in section 7 of the application form submitted with this application).</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Borough Core Strategy (September 2013).</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>

	<p>a) Hard surfacing materials b) All on site vehicular parking areas c) Details of surface water interception and disposal d) Means of enclosure e) Boundary treatment f) Soft landscape works g) Refuse storage.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development, to safeguard the visual character of the immediate area and 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>
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><u>Reason:</u> 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><u>Reason:</u> 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><u>Reason:</u> 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>The development hereby permitted shall not be occupied until the double width crossover has been constructed in accordance with approved drawing 2018-3 Rev.B (04 April 2019).</p> <p><u>Reason:</u> In the interests of highways safety in accordance with Policy CS12 of the Dacorum Core Strategy (September 2013).</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 permanently fitted with obscured glass and non-opening below a level of 1.7m above internal floor level.</p>

	<p><u>Reason:</u> 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><u>Reason:</u> 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 (received 4 April 2019) 2018-4 REV. A</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p><u>Article 35 Statement</u> 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><u>INFORMATIVES</u></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</p>

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

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 location plan:

Subject to the informatives the highway authority would not wish to restrict the grant of planning permission.

HCC as Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery 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/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN2) 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

AN3) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular 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. 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, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

Comment / Analysis The proposals consist of the demolition of existing garage and erection of two storey extension as a separate dwelling. The Highway Authority has commented on a similar application. Austins Mead is designated as unclassified and provides a local access function in the road hierarchy. It is subject to a speed limit of 30mph and maintainable at public expense. There have been no recorded accidents in a rolling 5 year period. The application confirms the existing crossover to be extended to a double which is acceptable and to retain the existing 3 parking spaces. Accordingly, the proposal has no highways implications therefore, this level of development is unlikely to generate any extra movements which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity therefore; subject to the informatives the highway authority would not wish to restrict the grant of planning permission.

Amendment

Subject to the informatives the highway authority would not wish to restrict the grant of planning permission. HCC as Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery 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/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

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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.

4. Conservation Officer:

Whilst the design for the front of the extension would be acceptable, the two-storey canted corner to the new dwelling exposes the extremely limited and awkward amenity space and proximity to the gable end of the adjacent building.

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.

Comments on amended location plan:

Further to the amendments to the proposed application, chiefly concerning the double width crossover to comply with Highways Dept, design, this exacerbates the parking and access issues around this congested tight bend on Austins Mead.

The proposed double width crossover actually decreases the amount of public road parking for residents in favour of the residents of No 1 Austins Mead and the proposed new development.

As previously stated, 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 with many families with children who have to negotiate parked and moving vehicles. Removing existing public road parking access by increasing the crossover area to the proposed development is a regressive step to the residents of Austins Mead.

Missed bin collections with a smaller vehicle having to be sent and access for emergency vehicles are valid concerns and the amended proposal does not alleviate these issues.

Proposed parking space P1 at No 1 Austins Mead is sited on the extreme boundary of No 1 and No 2. P2 is also very close. This would mean that No 2 Austins Mead will have toxic exhaust fumes entering the house when cars are using the parking spaces. This is a health hazard and is not acceptable.

The proposed amendments do not alleviate the detrimental appearance of reducing garden land and which is out of character with the other properties 2 -5 Austins Mead.

The proposed development is an unacceptable, incongruous over-development of the site involving the loss of garden land and the open aspect of the neighbourhood. Valid parking and access concerns have not been addressed and have been exacerbated by the proposed development and amendments.

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.

Comments on amended location plan:

Further to the amendments to the proposed application, chiefly concerning the double width crossover to comply with Highways dept. design; this exacerbates the parking and access issues around this congested tight bend on Austins Mead.

The proposed double width crossover actually decreases the amount of public road parking for residents in favour of the residents of no 1 Austins Mead and the proposed new development.

As previously stated, 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 with many families with children who have to negotiate parked and moving vehicles. Removing existing public road parking access by increasing the crossover area to the proposed development is a regressive step to the residents of Austins Mead.

Missed bin collections with a smaller vehicle having to be sent and access for emergency vehicles are valid concerns and the amended proposal does not alleviate these issues.

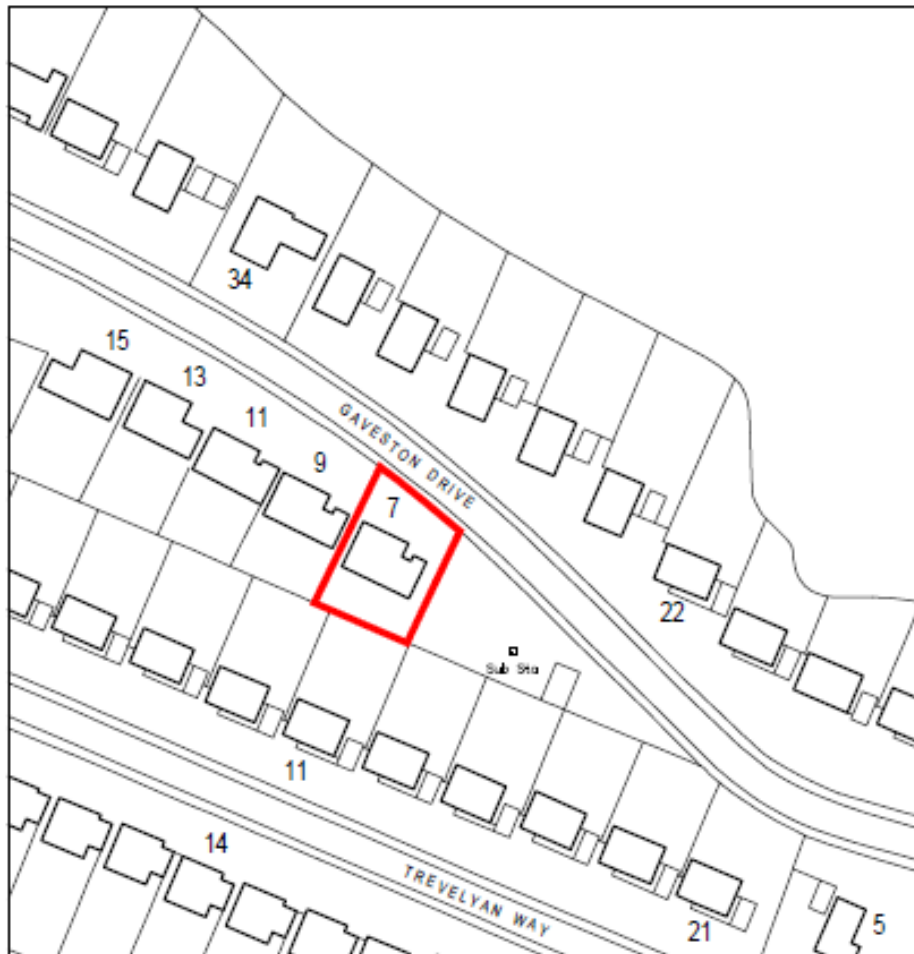
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Item 5d 4/02980/18/FHA NEW REAR DORMER AND ALTERATIONS TO
TERRACE

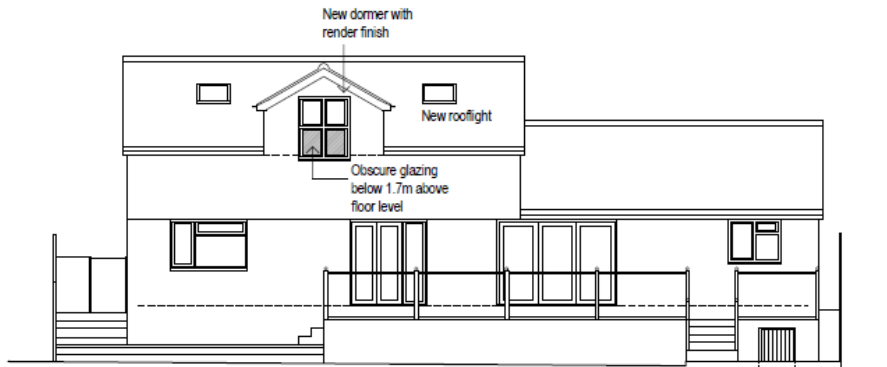
7 GAVESTON DRIVE, BERKHAMSTED, HP4 1JF



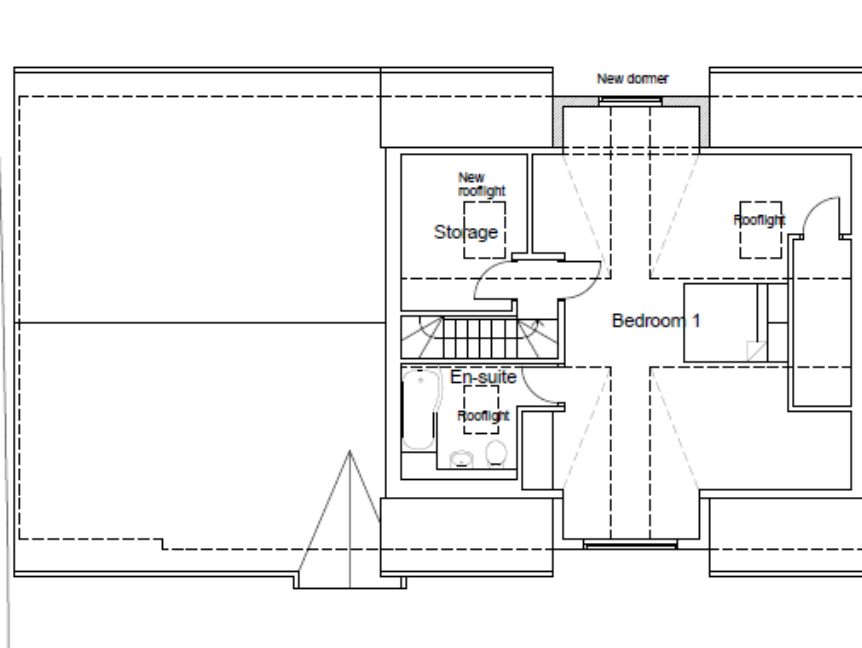
Item 5d 4/02980/18/FHA NEW REAR DORMER AND ALTERATIONS TO TERRACE
7 GAVESTON DRIVE, BERKHAMSTED, HP4 1JF



NORTH



SOUTH



4/02980/18/FHA	NEW REAR DORMER AND ALTERATIONS TO TERRACE
Site Address	7 GAVESTON DRIVE, BERKHAMSTED, HP4 1JF
Applicant	Mr S Dowling, 7 Gaveston Drive
Case Officer	Robert Freeman
Referral to Committee	The application has been referred to the committee in view of the recommendation of Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed dormer window is consistent in scale and design with that to the existing property and as such is not considered to result in significant harm to the character and appearance of the property in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Local Plan 1991-2011

2.2 The proposed dormer window will be fitted with obscure glazing to ensure that there is no adverse impact upon the privacy of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Local Plan

3. Site Description

3.1 The site comprises a chalet bungalow located on the southern side of Gaveston Drive.

4. Proposal

4.1 The proposals involve the provision of a rear dormer window to serve the current bedroom within the roof space of the property. The proposals also involve a reconfiguration of the existing steps and terrace at the rear of the property and providing access to a modest garden area. This would increase the overall width of the terrace but significantly decrease its depth adjacent to the kitchen.

5. Planning History

Planning permission was granted in 2013 (4/00285/13/FHA) to raise the roof height of the proposed building and provide additional accommodation within the roof space and a front dormer window. This followed an unsuccessful attempt to increase the height of the property in 2010 (4/01051/10/FHA)

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
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport and
CS12 - Quality of Site Design and
CS27 - Quality of the Historic Environment

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 13 - Planning Conditions and Planning Obligations
Policy 51 - Development and Transport Impacts
Policy 118 - Important Archaeological Remains
Appendix 5 - Parking Provision and
Appendix 7 - Small Scale House Extensions

6.4 Supplementary Planning Guidance / Documents]

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Environmental Guidelines (May 2004)

7. Constraints

The site is located within an Area of Archaeological significance

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

9.1 The main issues to consider are:

- Policy and principle
- Design
- Impact on Neighbouring properties

Policy and Principle

9.2 The site is located within a residential area within the town of Berkhamsted. In accordance with Policies NP1, CS1 and CS4 of the Core Strategy there would be no objection in principle to extending existing dwellings.

Design

9.3 The proposed dormer window is considered to be acceptable in terms of its design,

bulk, scale and use of materials, reflecting that in-situ at the front of the dwelling and provides a small increase in habitable floor space to the existing first floor bedroom. The dormer window reflects the design advice set out in Saved Appendix 7 of the Local Plan. The dormer window is set in from the margins of the roof space in excess of the recommended 1m and does not dominate the roof space to the property. The retaining walls to the proposed terrace would be constructed in a matching brick to the parent building and would not detract from the appearance of the property. Overall the design of the proposed works would be acceptable in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Local Plan 1991-2011.

Impact on Neighbours

9.4 Amended plans have been submitted to provide obscure glazing and a high level opening to the new dormer window thus alleviating any concerns with a loss of privacy to properties in Trevelyan Way in accordance with Policy CS12 and Saved Appendix 7 of the Local Plan 1991-2011. It would also be concluded that there would be no material change in the extent of overlooking from the modified terrace area in accordance with Saved Appendix 7 of the Local Plan 1991-2011. The application site already provides oblique views to neighbouring gardens and property. This is not exacerbated by the current proposals. Indeed arguably the reconfigured terrace provides less opportunity to sit outside in an elevated position.

9.5 The applicant has made the following comment in relation to the neighbours concerns:

"7 Gaveston Drive can already see into the rear rooms and dining area of 9 Trevelyan Way and can already see into some of the upstairs rear rooms of 11 Trevelyan Way. These rooms are also visible from the pavement to Gaveston Drive and I suspect from 9 Gaveston Drive. The proposals will not exacerbate a loss of privacy to these properties".

Other Considerations

9.5 Given the nature of the proposed works, there is likely to be little disruption to ground levels around the site and as such any impact on archaeology will be negligible. In such circumstances a condition to address these matters is not considered to be appropriate and is not required to address the requirements of Policy CS27 of the Core Strategy.

9.6 There will be no change in the size of the property and as such the proposals do not raise any issues of access and highways safety.

9.7 The proposals are not considered to raise any other significant planning issues.

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

Conditions

No.	Condition
1	The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

	<p><u>Reason:</u> 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy</p>
3	<p>The dormer window hereby approved shall be permanently fitted with obscured glass (Pilkington Privacy Level 3 or equivalent) to a height of 1.7m above finished floor level unless otherwise agreed in writing by the local planning authority.</p> <p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 of the Core Strategy and Saved Appendix 7 of the Dacorum Borough Local Plan 1991-2011.</p>
4	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>201 Revision B 202 Revision C 203 Revision A</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p><u>Article 35</u></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

Berkhamsted Town Council

Objection - The rear dormer is over dominant. There is loss of amenity and privacy to adjoining properties in Trevelyan Way. This would be contrary to Saved Appendix 3 of the Local Plan 1991-2011

Hertfordshire County Council Archaeology Unit

In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.

Appendix B

Neighbour notification/site notice responses:

ORIGINAL PLANS

Objections

9 Trevelyn Way

The proposed rear dormer window will result in a material increase in the degree of overlooking of the properties to the rear. The new dormer window will look directly into all of the rooms at the rear of 9 Trevelyan Way, two bedrooms, bathroom and w/c, the main dining room, the lounge and the kitchen, and into part of our rear garden. If approved, this will be a gross invasion of our privacy.

The planning application appears to offer only a minimal increase in first floor floorspace but it will afford a direct line of sight, particularly into the main dining room, of 9 Trevelyan Way. To retain privacy we will need to keep our curtains drawn, leading to a material loss of light.

We have no objection to the ground-floor proposals

11 Trevelyn Way

We have no objection to the ground-floor proposals.

However, the proposed rear dormer window will result in a material increase in the degree of overlooking of the properties to the rear, particularly 11 Trevelyan Way. The new dormer window will look directly into all of the rooms at the rear of our house, two bedrooms, two bathrooms, the lounge and the kitchen, and into part of our rear garden. If approved, this will be a gross invasion of our privacy.

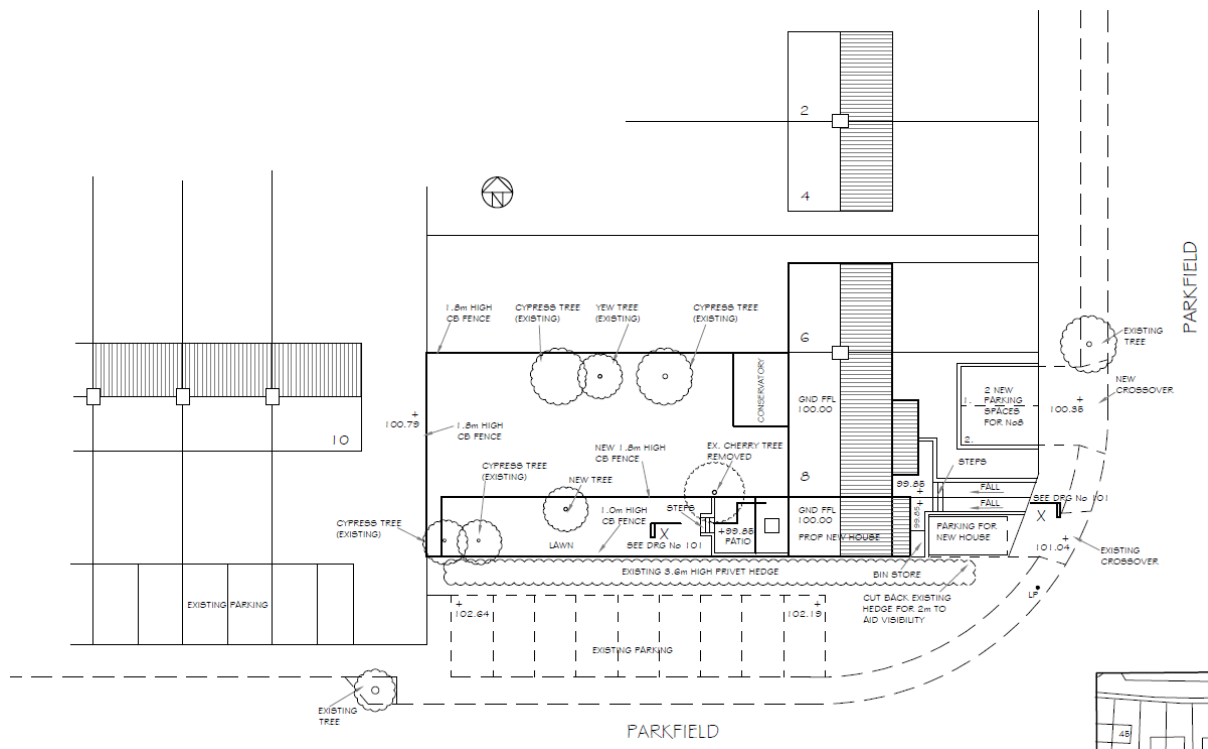
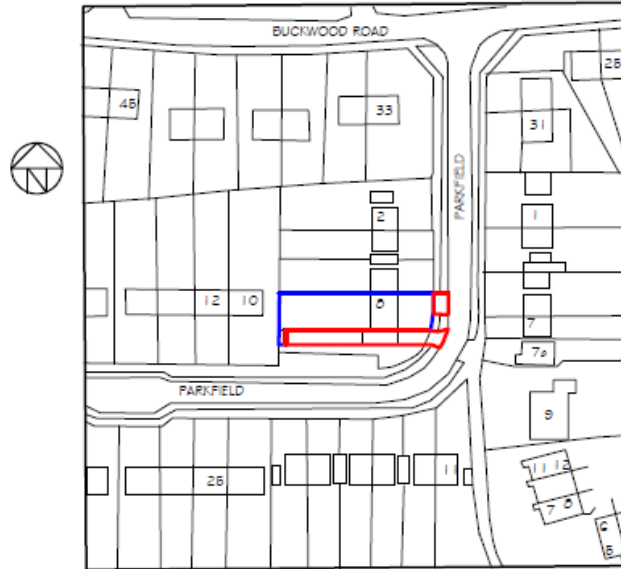
The planning application appears to offer only a minimal increase in first floor floorspace but it will afford a direct line of sight, particularly into the main bedroom, of 11 Trevelyan Way. To retain any privacy we will need to keep our bedroom curtains drawn, leading to a material loss of light.

AMENDED PLANS

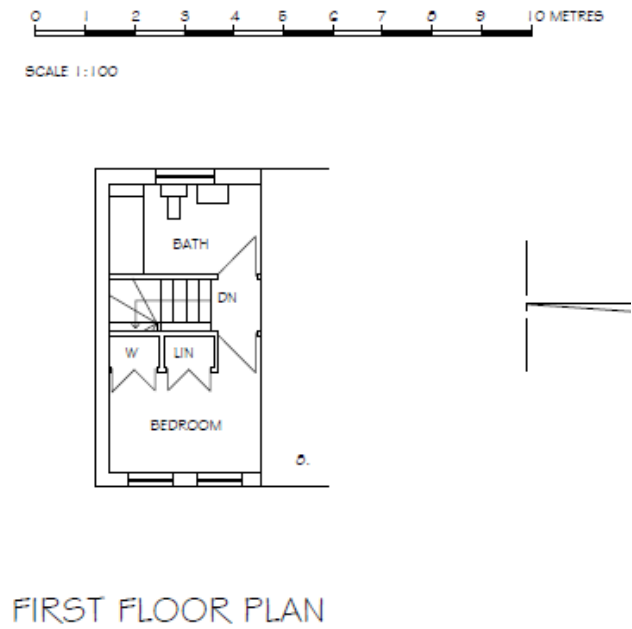
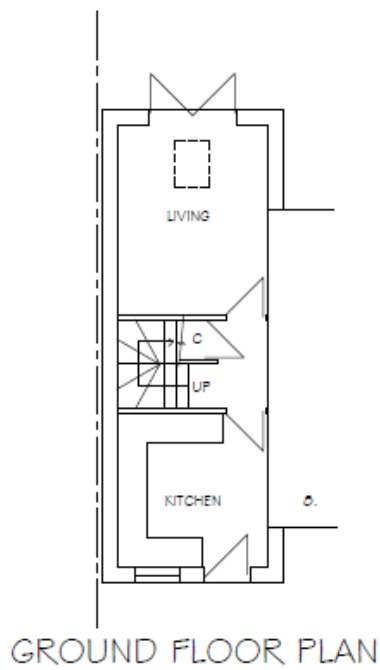
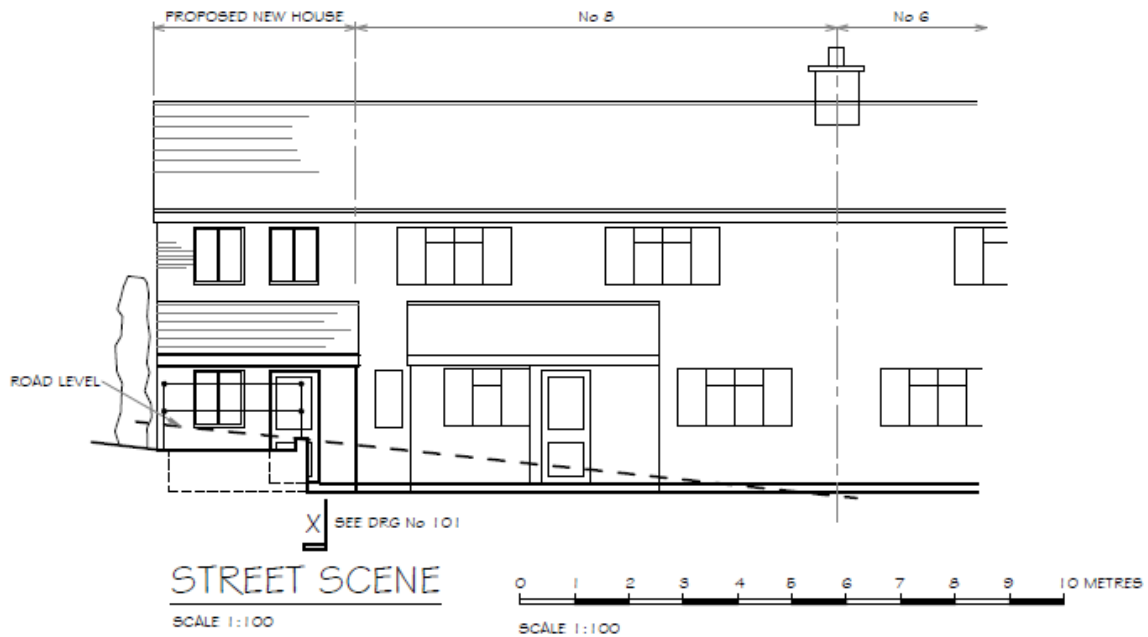
No comments received.

Agenda Item 5e

Item 5e 4/00177/19/FUL CONSTRUCTION OF 1 X ONE-BEDROOM DWELLING TO THE SIDE OF 8 PARKFIELD (AMENDED SCHEME)
ADJACENT TO 8 PARKFIELD, MARKYATE, AL3 8RD



Item 5e 4/00177/19/FUL CONSTRUCTION OF 1 X ONE-BEDROOM DWELLING TO THE SIDE OF 8 PARKFIELD (AMENDED SCHEME) ADJACENT TO 8 PARKFIELD, MARKYATE, AL3 8RD



4/00177/19/FUL	CONSTRUCTION OF 1 X ONE-BEDROOM DWELLING TO THE SIDE OF 8 PARKFIELD. (AMENDED SCHEME).
Site Address	ADJACENT TO 8 PARKFIELD, MARKYATE, ST ALBANS, AL3 8RD
Applicant	Mr & Mrs Greer, 8 Parkfield
Case Officer	Rachel Marber
Referral to Committee	Contrary views of Markyate Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

1. Recommendation

2. Summary

2.1 The principle of residential development in this area is considered acceptable in accordance with the NPPF (2019), Policies CS1, CS2, CS4 and CS17 of the Core Strategy (2013) and Saved Policy 10 of the Local Plan (2004). The proposal has also been assessed in terms of its impact on the character of the area, on the living conditions of the occupants of surrounding units and on other relevant material considerations. The application is considered policy compliant in these regards.

3. Site Description

3.1 The application site is located in a residential area of the large village of Markyate. It is located to the west side of Parkfield, which is situated on a corner plot within the street scene. The site forms a semi-detached dwellinghouse to which the application site concerns the side curtilage.

3.2 The immediate street scene is characterised by groups of similarly designed semi-detached and terraced dwellinghouses, with several properties of different appearance immediately opposite the application site.

4. Proposal

4.1 The application seeks permission for the construction of a new 1 bed dwelling with associated off street parking attached to the side of the existing property.

4.2 The previous planning application (withdrawn) sought a new dwelling to the rear of the site with parking to the side of the existing property. The scheme has now been altered to form the new property in line with Nos.6 and 8 Parkfield and to have the standard arrangement of parking to the front and a garden extending to the rear in line with the property.

5. Relevant Planning History

4/00841/18/FUL	CONSTRUCTION OF ONE DETACHED TWO BEDROOM DWELLING TO THE REAR OF 8 PARKFIELD. Withdrawn 07/06/2018
4/01828/00/	TWO STOREY SIDE AND SINGLE STOREY FRONT EXTENSIONS Granted 10/01/2001

6. Policies

6.1 National Policy Guidance

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
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS29 - Sustainable Design and Construction

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 51 - Development and Transport Impacts
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Policy 100 - Tree and Woodland Planting
Appendix 3 - Gardens and Amenity Space
Appendix 5 - Parking Provision

Supplementary Planning Guidance / Documents

Markyate Urban Design Assessment (updated 2010)

7. Constraints

Established residential area of Markyate

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

9.1 Main issues

The main issues to consider are:

- Policy and Principle
- Impact on Street Scene
- Impact on Residential Amenity
- Impact on Trees and Landscaping
- Impact on Highway Safety
- Consultation Response

9.2 Policy and Principle

9.2.1 The application site is a windfall site located within the residential large village of Markyate. 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.

9.2.2 Overarching Policies CS1 and CS4 of the Core Strategy (2013) supports developments within towns and large villages. Decisions on the scale and location of development are made in accordance with the settlement hierarchy outlined in Table 1. Markyate is identified as an area of development restraint where the rural character is to be retained and the settlements to keep their individual identities. The large villages will accommodate new development for housing that is of a scale commensurate with the size of the settlement and the range of local services and facilities; helps to maintain the vitality and viability of the settlement and the surrounding countryside and causes no damage to the existing character of the settlement or its adjoining

countryside.

9.2.3 Furthermore, the National Planning Policy Framework (NPPF) and Policy CS2 of the Core Strategy (2013) 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.

9.2.4 Taking all of the above into account, the proposal would make a small, but 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 on a brownfield site and contribute to Dacorum housing targets, the principle of development is acceptable in accordance with the NPPF (2019), Policies, CS1, CS2, CS4 and CS17 of the Core Strategy (2013) and Saved Policy 10 of the Local Plan (2004).

9.3 Impact on Street Scene

9.3.1 Paragraph 127 of the NPPF (2019) 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).

9.3.2 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.'

9.3.3 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.

9.3.4 The application site is located within the semi-rural zone where in accordance with the Markyate Urban Design Assessment the semi-rural zone should provide quality low-rise, medium density housing which accentuates the existing street morphology and topography. New development should be semi-detached or terraced dwellings with a maximum two storey height. The recommended densities should generally be medium to high density (40-60 dwellings per hectare). Much of this enhanced density would be gained by reducing the plot size and rear garden area.

9.3.5 The application site comprises the side curtilage of No. 8 Parkfield Road, which slopes southwards, following the gradient of the street scene. More recent infill

developments are evident opposite the application site such as, 7a Parkfield Road (4/00354/02/FUL).

9.3.6 The new unit would form the end of the terrace row encompassing Nos. 6 & 8 Parkfield Road. Terrace units are characteristic of the street scene. The proposed new dwelling would have the same gable roof form and pitch as the adjacent pair of semi-detached properties to which it would adjoin. The proposed width of the new dwelling, fenestration proportions and architectural detailing would also be similar to that of other properties within the street scene. Although, the new unit would appear smaller in width than the neighbouring semi-detached pairs (3.65 metres vs average 5.5 metres), it is not considered that in terms of design and appearance the proposed dwelling would appear overtly incongruous within the street scene.

9.3.7 Integration of the development within the street scene would also be assisted through the retention of boundary planting and landscaping to maintain the verdant aspect characteristic of the area; this is evident within the submitted street scene drawing.

9.3.8 The new dwelling would maintain the build line of No.8 Parkfield Road and the front elevation of the property would be orientated towards this street scene. The new dwelling would be built immediately adjacent to the side boundary line. However, due to the 6.7 metre wide grass verge which creates a soft edge to the corner of the street scene, the open, verdant aspect character of the area would be retained.

9.3.9 The new unit would utilise the existing parking area and a new double bay parking area would be created for the existing dwelling. A raised parking area would be created given the change in land levels. Many properties within the immediate street scene feature hardstanding front garden and therefore the loss of the front garden is not considered to be incongruous within the immediate street scene.

9.3.10 It is therefore considered that the architectural style and spatial form of a proposed new dwelling would not result in a detrimental impact upon the visual amenity or built form of the street scene.

9.4 Impact on Residential Amenity

9.4.1 The NPPF (2019) 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.

9.4.2 The new unit would not breach the 45 degree line from the rear of front habitable windows of No.8 Parkfield Road. The new unit would also be located approximately 26

metres away from the flank elevation of No.10 Parkfield and front elevation of Nos. 15 and 13 Parkfield Road. These separation distances are considered more than acceptable. A 22 metre approximate separation distance would also be retained to the front elevation of properties Nos. 7 and 7a Parkfield, which is also considered an acceptable relationship between properties across a street. As such, it is not considered that the proposal would result in a significant loss of daylight or outlook to neighbouring residents.

9.4.3 No loss of privacy is considered to result from the proposed new dwelling due to the absence of any flank elevation windows in the proposals.

9.4.4 Turning to the living conditions the proposal would afford future residents. Sufficient levels of sunlight and outlook would be achieved to internal habitable rooms. A 19 metre deep garden would serve the new unit which would meet the 11.5 metre deep external amenity standard outlined in Saved Appendix 3 of the Local Plan (2004).

9.4.5 Overall, the proposed new unit would not detrimentally impact the residential amenity of neighbouring properties, or future occupiers.

9.5 Impact on Trees and Landscaping

9.5.1 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.

9.5.2 The application would result in the removal of one tree within the site. This tree is considered of low visual amenity and Trees and Woodlands have not raised an objection to its removal. The proposal also seeks to plant a replacement tree. The south boundary hedge would be retained as part of the proposal, which is considered an important feature of the immediate area. A new 1.8 metre high close boarded wooden fence would border the site boundary which is considered appropriate. Multi-coloured block paviors would be used for the hard surfacing of the parking area. The proposed hard and soft landscaping is considered acceptable.

9.6 Impact on Highway Safety

9.6.1 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) 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.

9.6.2 The application seeks permission for a new one bed dwelling which would require 1.25 parking spaces. The proposed dwelling would utilise the existing parking area which would provide sufficient provision to accommodate 1 car. A new two bay parking area would be created to serve the existing property. The existing property is a three bedroom house which would require 2.25 off street parking spaces. Therefore, off street parking provision for both properties would fall 0.5 spaces short of maximum standard. There is also on street parking provision available and the application site is a 5 minute walk away from Markyate high street. This level of off street parking provision is therefore considered acceptable.

9.6.3 Hertfordshire Highways were consulted on the new vehicle crossover and concluded that the proposal would not have a severe residual impact on the safety and operation of the adjoining highway.

9.6.4 Due to Highways raising no objection and satisfactory level off street parking provision, the proposed development would not result in significant impact to the safety and operation of adjacent highway.

9.7 Consultation Response

9.7.1 Several concerns were received as a result of the application. The main concerns are addressed below:

- *Loss of privacy*- The proposed dwelling would retain sufficient separation distances to adjacent properties so as not to result in a loss of privacy to neighbouring residents. Further no flank elevation windows are proposed and first floor rear windows would be obscure glazed.
- *Child Health and Safety* - A violation of children rights and the rights of their families under Article 8 of the European Convention on Human Rights as incorporated by the Human Rights Act 1998 must be taken into consideration when determining a planning application. Each case is judged on its own merits. In this instance the proposal is not considered to result in a significant contravention of human rights, the disruption caused during the construction of the new unit would be marginal and temporary. No loss of privacy or significantly further noise disturbance would result from one additional unit. An informative has been attached to the grant permission outlining Environmental Health set construction hours. This will allow the LPA to ensure construction methods cause the least amount of noise and disruption possible.
- *Loss of sunlight* – No loss of sunlight to neighbouring residents would result from the proposed new dwelling due to large separation distances to surrounding properties and orientation of the application site, which is not southwards facing.
- *Additional noise and disturbance* – One additional dwelling would not result in significant increase in noise and disturbance to the local area.
- *Lack of parking in area* - this has been address within the Impact of Highway

Safety and Parking Provision section.

- **Overdevelopment-** Overdevelopment is the amount of development that is excessive in terms of demands on infrastructure and services, or impact on local amenity and character. Over development can therefore be assessed by way of parking provision, external amenity space and separation distances of the proposed development to site boundaries. In accordance with the above assessment, the proposal complies with policy in this regard and therefore would not constitute overdevelopment. The density of the scheme would be 50 dwellings per hectare; this is in-line with national and local policy guidance which seeks to maximum site density and the Markyate Urban Design Assessment (2010) for the area in which the application site sits.
- **Out of character with area** – This has be addressed within the Impact on Street Scene section.

10. Conclusions

10.1 The principle of residential development in this area is considered acceptable in accordance with the NPPF (2019), Policies CS1, CS2, CS4 and CS17 of the Core Strategy (2013) and Saved Policy 10 of the Local Plan (2004). The proposal has also been assessed in terms of its impact on the character of the area, on the living conditions of the occupants of surrounding units and on other relevant material considerations. The application is considered policy compliant in these regards.

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><u>Reason:</u> 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>100 Rev A 101 Rev A Design and Access Statement</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The materials to be used in the construction of the external surfaces of the dwelling hereby permitted shall match in size, colour and texture those used on the existing building, as detailed in the submitted application form.</p>

	<p><u>Reason:</u> To ensure a satisfactory appearance to the development; in accordance with Policy CS12 of the Core Strategy (2013).</p>
4	<p>The window at first floor level in the rear elevation of the dwelling hereby permitted shall be permanently fitted with obscured glass.</p> <p><u>Reason:</u> In the interests of the residential amenities of the occupants of the adjacent dwellings and application site; in accordance with Policy CS12 of the Core Strategy (2013).</p>
5	<p>Prior to occupation of the dwelling hereby permitted details of new tree planting works shown on plan ref: 100 Rev A shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include details of species, plant sizes and proposed numbers/densities where appropriate.</p> <p>Planting works should be carried out prior to occupation of the dwelling permitted.</p> <p>Any trees, hedges or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><u>Reason:</u> 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 (2013).</p> <p><u>Article 35 Statement</u></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

Building Control

Part M access to and use of building

- Note/specification mentions threshold, steps & handrail , but there is no disable WC on the ground floor which is a requirement.

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. Prior to the commencement of the use hereby permitted the proposed onsite 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 area, in the interests of highway safety.

2. The development shall not be brought into use until the new access has been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use.

3. Prior to first use, pedestrian visibility splays of 2m x 2m shall be provided, and thereafter maintained, on both sides of the new vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interest 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. 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

4. 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 Construction of 1 x one-bedroom dwelling to the rear of 8 Parkfield. (amended scheme).

PARKING

The proposal is to create two new parking spaces in the front garden for the existing house, while the proposed new property will use the existing parking space. I notice from the drawing supplied that the measurements of 2.4 x 4.8 for minimum parking space size have been met.

ACCESS

The new parking spaces will require a new double vxo, while the existing vxo will be used by the proposed new property. The maximum size for a double width VXO is 7.2m (6 standard kerbs plus two dropped kerbs). I notice that there are a number of utility covers in the footpath in the vicinity of the proposed new vxo. The applicant should be advised that if these require alteration to facilitate the construction of the

new vx0, this will likely be at the applicant's cost. Parkfield is an unclassified local access road with a speed limit of 30 mph, so vehicles are not required to enter and exit the site 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.

Trees and Woodlands

According to the information submitted no trees of significant landscape value or amenity will be detrimentally affected by the development. Subsequently I have no objections to the application being approved in full.

Markyate Parish Council

Objection

As stated in our previous objection, this is an over-development of site. Very little amendments have been made from the original plan.

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
10 PARKFIELD,MARKYATE ,ST ALBANS,,AL3 8RD	I would like to object to this property being built, it is an intimidation of privacy from my own property which is 10 parkfield, I have children in my property with learning needs and server anxiety to have this property outside there back door is not fair on their emotional well being, adding this property will also add to relevant parking issues upon the street as well. Having this property put at the bottom of 8 parkfield garden will also block sunlight to my property.. it will also add added noise pollution to my housing area being that close to my properties back entrance.
10 PARKFIELD,MARKYATE ,ST ALBANS,,AL3 8RD	I object to this property being agreed due to the following it will block sun light to my property 10 parkfield, it will take up a extra parking space when parking is already over stretched in this area. The plans that have been submitted are false as it states there is parking opposite 10 parkfield when in fact there isn't any parking there.
10 PARKFIELD,MARKYATE ,ST ALBANS,,AL3 8RD	Re looking at the plans are the exsisting parking space marked out by number 10 is that classified as driveways?

<p>15 PARKFIELD,MARKYATE ,ST ALBANS,,AL3 8RB</p>	<p>The proposed development does not protect or enhance the local environment and amounts to infilling, cramming and overdevelopment. It does not respect the local context and street pattern of a village and so will alter the fabric of Parkfield. For example the scale and proportions of the surrounding houses and plots (See floor Plan). The development will therefore be out of character to the area and would be detriment to the local environment.</p> <p>Under the Human Rights Act, Britton VS SOS concluded that private and family life not only encompasses the home but also the surroundings. The council has a duty to allow a person to have the right to peaceful enjoyment of all their possessions which includes the home and other land.</p> <p>"A3.1 Proposals should be guided by the existing topographical features of the site and its immediate surroundings. They should respect the character of the surrounding area, and in particular there must be adequate space for the proposed development without creating a cramped appearance."</p> <p>Vehicle through traffic and limited parking is a particular issue in Parkfield and it affects the whole village with congestion and pollution. It compromises the health and safety of pedestrians and the environment. Markyate is a remote village, its infrastructure is very constrained with limited public transport links. Many people rely on cars which impacts the environment in a village that is surrounded by green belt land. This proposed development will increase car usage and parking. Only one off road parking space is provided and potentially the house could have two occupants each using a car, plus their visitors and deliveries. In addition, the proposed two vehicle off road parking area to the front of No 8 Parkfield will reduce the on road parking space therefore placing a burden on the already limited parking spaces in Parkfield.</p>
<p>15 PARKFIELD,MARKYATE ,ST ALBANS,,AL3 8RB</p>	<p>There has been confusion caused by the wrong wording of the application documents. I see this has now been amended in the title and states 'rear and 'adjacent' now. This has not helped people to fully consider the application. I have also reported to the planning department that I can not open up two of the application documents and I am awaiting emailed copies to arrive.</p> <p>I want to add that the residents of Parkfield have all been sent three letters over the years, including one end of last year, regarding parking problems in Parkfield. Two were</p>

	from the council and one was from the local community police officer.
MARKYATE VILLAGE HALL,CAVENDISH ROAD,MARKYATE,ST ALBANS,AL3 8PS	As stated in our previous objection, this is an over-development of site. Very little amendments have been made from the original plan.

Supporting

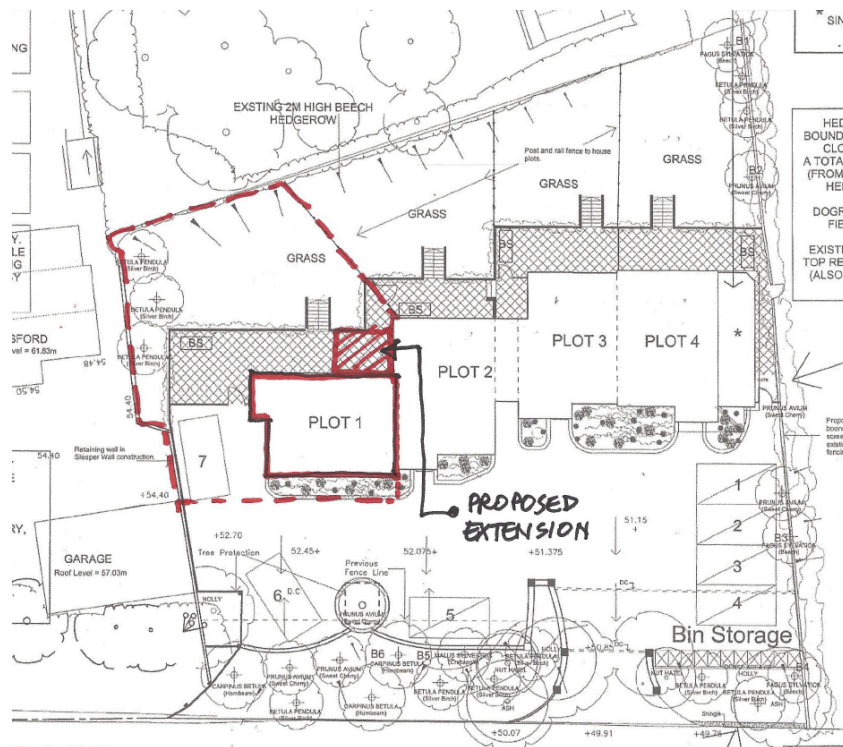
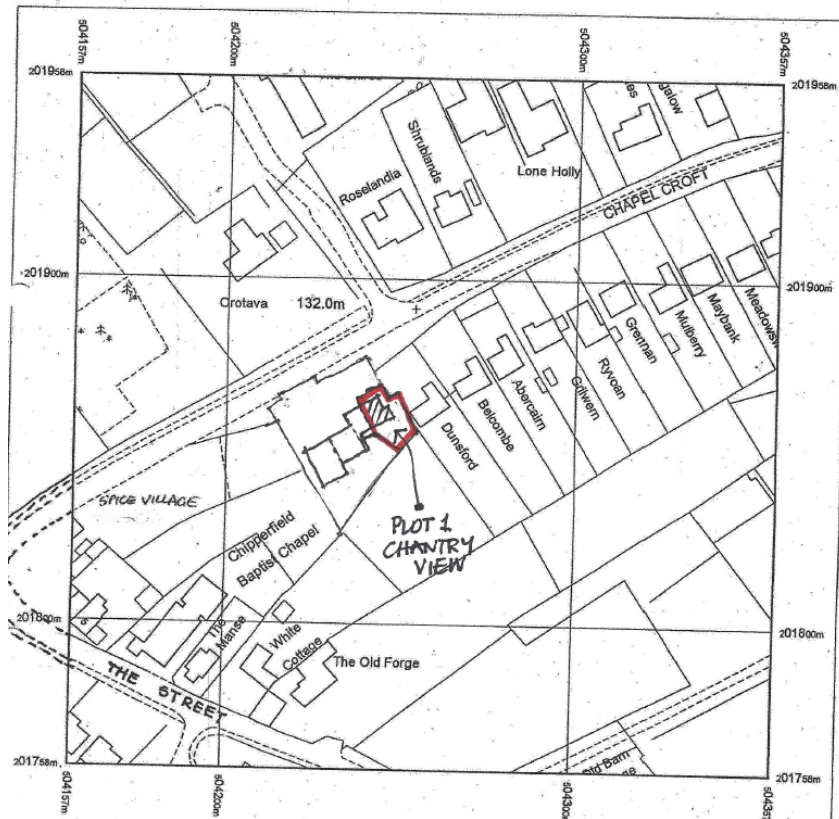
Address	Comments
8 PARKFIELD,MARKYATE ,ST ALBANS,,AL3 8RD	Dear No10 Please look at the revised plans, the house proposed is to be built next door to no8, the council incorrectly stated rear of, they have been told to amend it. The location of the property will be in line with 8 and not affect you in anyway. It will also have its own parking space, along with number 8 having spaces relocated in their own front garden. If you look at all the documents on the proposal it clearly states this.

Commenting

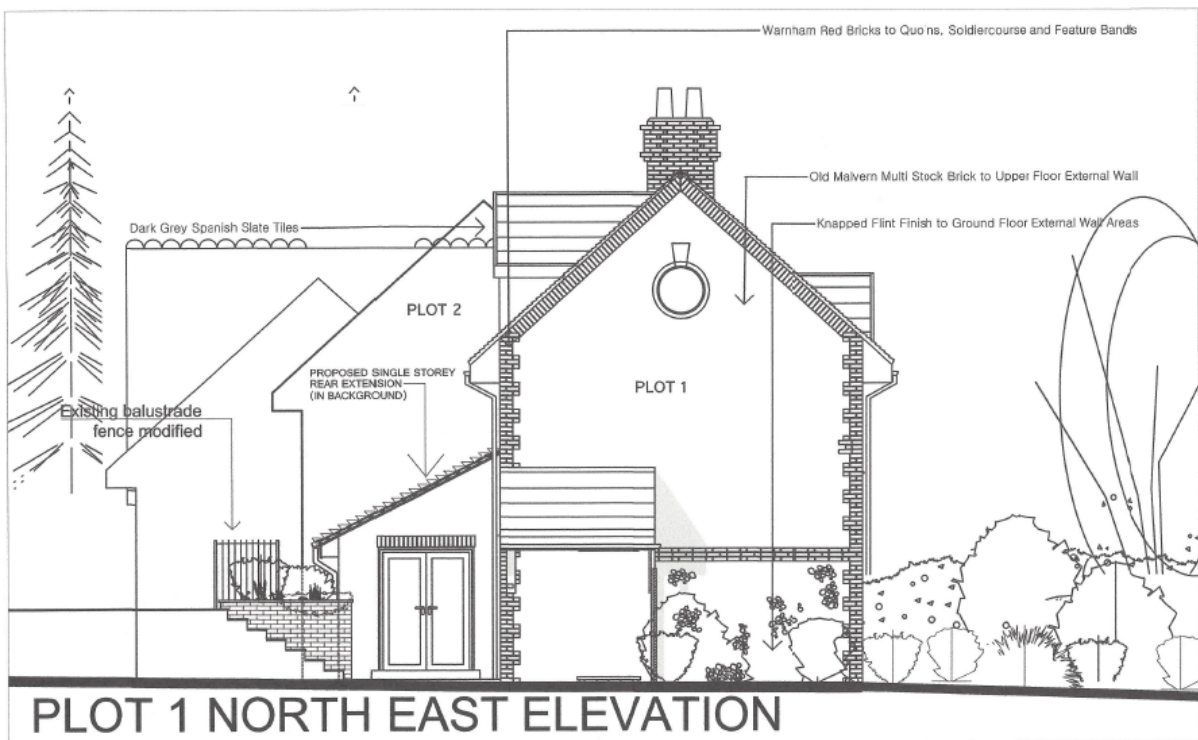
Address	Comments
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Agenda Item 5f

Item 5f 4/00182/19/FHA SINGLE STOREY REAR EXTENSION
1 CHANTRY VIEW, CHIPPERFIELD, WD4 9EH



1 CHANTRY VIEW, CHIPPERFIELD, WD4 9EH



4/00182/19/FHA	SINGLE STOREY REAR EXTENSION
Site Address	1 CHANTRY VIEW, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EH
Applicant	Mr & Mrs Bryan, 1 Chantry View
Case Officer	Sally Robbins
Referral to Committee	Contrary view of Chipperfield 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 site resides within Chipperfield Conservation Area and a 'Selected Small Village' within the Green Belt. The proposal comprises a single storey rear extension that will not have a detrimental impact upon the character and appearance of the parent dwelling, surrounding area or residential amenity of surrounding properties. The proposed extension will preserve the character of Chipperfield Conservation Area. The proposed development therefore complies with the National Planning Policy Framework (2019), Policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policy 120 and Saved Appendix 7 of the Local Plan (2004).

3. Site Description

3.1 The application site is located on the southeast side of Chapel Croft in Chipperfield, close to the centre of the village. The application dwelling forms part of a new development of four terraced houses. The site is located within Chipperfield Conservation Area. The surrounding area is varied in terms of dwelling type, size and architectural style.

4. Proposal

4.1 The application seeks full planning permission for a single storey rear extension.

5. Relevant Planning History

5.1 Planning permission for the application dwelling was granted in April 2017 (ref. 4/00228/17/FUL) and subsequent Non-Material Amendment (ref. 4/02286/17/NMA) and 'Variation of Condition' applications (ref. 4/02428/17/ROC and 4/01728/18/ROC).

4/01728/18/ROC VARIATION OF CONDITION 14 (APPROVED PLANS) OF PLANNING PERMISSION 4/02428/17/ROC (VARIATION OF CONDITION 6 ATTACHED TO PLANNING PERMISSION 4/00228/17/FUL - CONSTRUCTION OF 4 TWO/THREE BED DWELLINGS IN A TERRACED BLOCK WITH PARKING PROVISION FOR 7 CARS. ASSOCIATED LANDSCAPING)
Granted
22/10/2018

4/02428/17/ROC VARIATION OF CONDITION 6 ATTACHED TO PLANNING PERMISSION 4/00228/17/FUL - CONSTRUCTION OF 4 TWO/THREE BED DWELLINGS IN A TERRACED BLOCK WITH PARKING PROVISION FOR 7 CARS. ASSOCIATED

	LANDSCAPING Granted 19/10/2017
4/02286/17/NMA	NON MATERIAL AMENDMENT TO PLANNING PERMISSION 4/00228/17/FUL - CONSTRUCTION OF 4 TWO/THREE BED DWELLINGS IN A TERRACED BLOCK WITH PARKING PROVISION FOR 7 CARS. ASSOCIATED LANDSCAPING Granted 22/09/2017
4/02031/17/DRC	DETAILS REQUIRED BY CONDITIONS 2 (MATERIALS), 3 (WINDOWS, DOORS AND OPENINGS), 4 (TREE SURVEY), 5 (HARD AND SOFT LANDSCAPING), 9 (SOIL INVESTIGATION) AND 10 (REMEDATION SCHEME) OF PLANNING PERMISSION 4/0228/17/FUL (CONSTRUCTION OF 4 TWO/THREE BED DWELLINGS IN A TERRACED BLOCK WITH PARKING PROVISION FOR 7 CARS. ASSOCIATED LANDSCAPING) Granted 13/10/2017
4/00228/17/FUL	CONSTRUCTION OF 4 TWO/THREE BED DWELLINGS IN A TERRACED BLOCK WITH PARKING PROVISION FOR 7 CARS. ASSOCIATED LANDSCAPING Granted 21/04/2017
4/02832/16/OUT	FOUR 3-BEDROOM TERRACED HOUSES WITH ASSOCIATED PARKING Withdrawn 03/05/2017
4/02970/15/FUL	CONSTRUCTION OF DETACHED DWELLING AND CAR PORT AND DETACHED GARAGE (REVISED SCHEME). Granted 11/02/2016
4/01647/15/FUL	CONSTRUCTION OF DETACHED DWELLING AND GARAGE/CAR PORT Withdrawn 24/08/2015

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

CS6, CS11, CS12 and CS27

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 120 and Appendix 7

6.4 Advice Notes and Appraisals

- Conservation Area Character Appraisal for Chipperfield

- Chipperfield Village Design Statement

7. Constraints

- Small Village
- Green Belt
- Conservation Area
- Former Land Use

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
- Impact on Existing Building, Street Scene and Conservation Area
- Other Material Planning Considerations
- Response to Neighbour Comments

Policy and Principle

9.2 The application site is located within the Selected Small Village boundary of Chipperfield, whereby house extensions are permitted, provided that the development is sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact. It must also retain and protect features essential to the character and appearance of the village.

9.3 The site is also located within Chipperfield Conservation Area, whereby development is expected to preserve or enhance the character of the area, in accordance with Core Strategy (2013) Policy CS27 and Saved Policy 120 of the Local Plan (2004).

9.4 Taking the above into account, it is considered that the proposal is acceptable in principle. The main issues of relevance relate to the impact of the proposed extension on the character and appearance of the existing building, the street scene and wider Conservation Area and residential amenity of surrounding properties.

Impact on Existing Building, Street Scene and Conservation Area

9.5 Core Strategy (2013) Policies 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. Saved Appendix 7 of the Dacorum Local Plan (2004) promotes good design practice for house extensions, stating that extensions should harmonise with the existing house and the surrounding area.

9.6 With regard to Conservation Areas, Policy CS27 of the Core Strategy (2013) and Saved Policy 120 of the Local Plan (2004) seek to ensure that development positively conserves and enhances the appearance and character of conservation areas. Policy 120 goes on to state that, in the case of alterations and extensions, new development should be complementary and sympathetic to the established character of the building to be altered or extended.

9.7 The proposed extension would be modest in scale, measuring 2.6m deep, 3.7m wide, with an eaves height of 2.5m and a maximum ridge height of 4m. The extension would comprise a lean to roof and would be finished in materials to match the parent dwelling, including facing brickwork, Spanish slate roof tiles and white painted timber framed windows and doors.

9.8 The proposed extension would not be visible from the street or other public vantage points and will therefore have minimal impact upon the street scene. The Council's Conservation and Design Officer has been consulted and raised no objection to the proposal, noting that the proposed rear extension is considered to preserve the character and appearance of the Chipperfield Conservation Area.

9.9 The proposed build and form of the extension is considered to respect the existing and surrounding properties. The scale of the extension is considered to harmonise with the scale of the parent dwelling and surrounding dwellings so will not appear bulky or overbearing. The extension would be set down from garden level, within the small courtyard that occupies the area between the rear elevation and the retaining wall. When viewed from the rear garden, the proposed extension would be partially obscured by the retaining wall. It would therefore not have a significant impact on the character and appearance of the original building and would not look incongruous to the neighbouring properties.

9.10 By virtue of its sympathetic design and modest scale, there will be no adverse impact on the character and appearance of the existing building, the street scene or wider Conservation Area. The proposal complies with Core Strategy Policies CS11, CS12 and CS27, Saved Policy 120 and Appendix 7 of the Local Plan (2004) and the NPPF (2019) in that regard.

Impact on Residential Amenity

9.11 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.

9.12 The proposed extension would be modest in scale and will therefore not have any adverse impacts in terms of overlooking, loss of privacy, loss of light or being visually

overbearing. The proposal complies with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004) and the NPPF (2019).

Other Material Planning Considerations

9.13 The application site lies within the vicinity of potentially contaminative former land uses. The Council’s Contaminated Land Officer has been consulted and raised no objection to the proposal, subject to the inclusion of an informative note advising the developer to keep a watching brief, should permission be granted.

Response to Neighbour Comments

9.14 An objection has been received from the residents of 1 Croft End Road, which is situated approximately 500m to the northeast of the application site. The concerns relate to the over-development of Chipperfield village. It is considered that the proposed extension would not result in overdevelopment of the site or wider village due to its modest scale. It is noted that none of the adjoining residents have objected to the proposal.

CIL

9.15 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 not CIL Liable as it would result in less than 100 sqm of additional residential floor space.

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><u>Reason:</u> 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 constructed in accordance with the materials specified on the application form.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and in the interests of the visual amenities of the Conservation Area, in accordance with Core Strategy (2013) Policies CS12 and CS27 and Saved Policy 120 of the Local Plan (2004).</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Location Plan 101</p>

102
103
104
105
106

Reason: For the avoidance of doubt and in the interests of proper planning.

Article 35 Statement

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.

INFORMATIVE

The contaminated land record shows that the land is partly located on a former contaminated land use i.e. Ex-Ackwell Simmonds Yard and Smithy as well as been on a radon affected area where 3 - 5% of homes are above the action level. There is a possibility that this activity may have affected the application site with potentially contaminated material. Therefore, the developer is advised to keep a watching brief during ground works for any potentially contaminated material especially where the proposed development area has not been previously remediated. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

Appendix A

Consultation responses

CHIPPERFIELD PARISH COUNCIL	Objection
CPC OBJECTS to the overdevelopment and inappropriate development in Conservation area. This site needs to be considered in the context of the recent approval given for the whole site of 4 dwellings which was deemed the maximum acceptable on this prominent site within the Conservation Area. Approval would set a precedent for similar applications from the other 3 dwellings. Such scale would not have been accepted as part of the earlier application.	
DBC - CONSERVATION	No Objection
The proposed rear extension to 1 Chantry View is considered to preserve the character and appearance of the Chipperfield Conservation Area, no objection.	

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
1 CROFT END ROAD,CHIPPERFIELD,K INGS LANGLEY,,WD4 9EE	This development has only just been completed and the fact that one house is now applying for permission to extend shows that the houses were poorly designed. The over-development of Chipperfield village is to the detriment of the village.

Supporting

Address	Comments
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Commenting

Address	Comments
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6. APPEALS UPDATE

A. LODGED

- 4/00527/19/FHA Mr Reading
TWO STOREY FRONT AND SIDE EXTENSION WITH ALTERATIONS TO ROOF, REMOVAL OF CHIMNEY, DETACHED OUTBUILDING AND ADDITIONAL CAR SPACES
3 MARY CROSS CLOSE, WIGGINTON, TRING, HP23 6QL
[View online application](#)
- 4/00974/19/ENA SUPERIOR PROPERTY DEVELOPMENTS LTD
APPEAL AGAINST ENFORCEMENT NOTICE - REAR TERRACING
HONEYBROOK, ST MARGARETS, GREAT GADDESSEN, HEMEL HEMPSTEAD, HP1 3BZ
[View online application](#)
- 4/00976/19/ENA SUPERIOR PROPERTY DEVELOPMENTS LTD
APPEAL AGAINST ENFORCEMENT NOTICE - BREACH OF CONDITION
HONEYBROOK, ST MARGARETS, GREAT GADDESSEN, HEMEL HEMPSTEAD, HP1 3BZ
[View online application](#)
- 4/01180/19/ENA Mr Elahi
APPEAL AGAINST ENFORCEMENT NOTICE - NON-FORESTRY USES AND CREATION OF VEHICULAR ACCESS
BABIES WOOD, PUDDEPHATS LANE, MARKYATE
[View online application](#)
- 4/01695/18/FUL RELX (UK) Ltd
CONSTRUCTION OF TIMBER SECURITY FENCE.
LAND ON THE SOUTH SIDE, BULBOURNE ROAD, TRING
[View online application](#)
- 4/02338/18/FUL Avon Services
TWO 1-BED UNITS AND TWO 2-BED UNITS FROM THE

CONVERSION AND PART DEMOLITION OF THE EXISTING BUILDINGS (AMENDED SCHEME)
NISSEL HOUSE, FENSOMES CLOSE, HEMEL HEMPSTEAD,
HP2 5DH

[View online application](#)

4/02993/18/FUL

Mr Williams

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

[View online application](#)

4/03226/18/FUL

Ms L Kimmance

DEMOLITION OF EXISTING RESIDENTIAL DWELLING AND CONSTRUCTION OF 4 X 2-BED FLATS AND ANCILLARY WORKS

LAVENDER COTTAGE, REDBOURN ROAD, HEMEL HEMPSTEAD, HP2 7BA

[View online application](#)

B. WITHDRAWN

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 ACCESSES

GARDEN SCENE CHIPPERFIELD, CHAPEL CROFT, CHIPPERFIELD, KINGS LANGLEY, WD4 9EG

[View online application](#)

C. FORTHCOMING INQUIRIES

4/02205/18/MFA Gleneden Plant Sales Ltd
DEMOLITION OF ALL BUILDINGS AND CONSTRUCTION OF A
MAIN BUILDING AND TWO OUTBUILDINGS COMPRISING OF
46 DWELLINGS WITH ASSOCIATED SOFT AND HARD
LANDSCAPING, BIN STORE, ENTRANCE GATES AND
HIGHWAYS IMPROVEMENTS
CADDINGTON HALL, LUTON ROAD, MARKYATE, ST ALBANS,
AL3 8QB
[View online application](#)

D. FORTHCOMING HEARINGS

4/02813/17/FUL BANNISTER
20M X 40M MANEGE AND RETENTION OF STATIC CARAVAN,
SMALL POLE BARN AND SINGLE STABLE
HARESFOOT GRANGE, CHESHAM ROAD, BERKHAMSTED,
HP4 2SU
[View online application](#)

E. DISMISSED

4/02450/17/FUL Bull Homes Ltd
DEMOLITION OF EXISTING HOUSE. CONSTRUCTION OF 5 3-
BED HOUSES AND A BLOCK OF 3 X 1 BEDROOM AND 1 X 2
BEDROOM FLATS, TOGETHER WITH ANCILLARY 14 BAY
CAR PARKING. PRIVATE GARDEN AMENITY SPACES AND
EXTERNAL BIN STORES.

143 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9UZ
[View online application](#)

The main issues to be considered are i) the effect of the proposed development on the character and appearance of the area and ii) the effect of the proposal upon highway safety.

Density and character of the locality

The Inspector found intensity of the development would, when considering the character of the area, appear cramped. The small plot sizes would contrast with the more spacious plots found within the surrounding area. This would not be immediately visible from Belswains Lane, due to it being set back down the access road, but it would be highly visible from Pinecroft due to its elevated position in comparison to the appeal site. I find this would result in a cramped appearance which would erode the spacious quality, causing significant harm to the character and appearance of the area.

Accordingly, the Inspector found the proposal would be contrary to CS Policies CS1, CS4, CS10, CS11 and CS12 which place emphasis, amongst other things, upon seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This is noted as being reiterated in the saved Policies of the Dacorum Borough Local Plan (2004) (LP) Policies 10, 18 and 21.

Off-Street Parking and Highway Safety

Overall, the Inspector found the position of the parking proposed to be unacceptable as it could potentially impede access and furthermore there is insufficient evidence before me that large vehicles can access the site safely.

The Inspector therefore concluded that the proposal fails to demonstrate that the development can be accessed, and used, safely by all vehicles utilising the site which is contrary to paragraph 109 of the Framework which seeks to avoid unacceptable impact to highway safety. Whilst the proposal may provide sufficient off-street parking, it is nonetheless contrary to Policy CS12 which seeks to provide a safe and satisfactory means of access for all users as well as provide sufficient space for servicing.

The Council confirm that they are unable to evidence a 5YHLS which means that paragraph 11 d) of the Framework is engaged. Despite this it is noted the Council have a HDT result of 153%. Permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The scheme would provide a social benefit through the provision of nine dwellings which is attributed moderate weight. There would be economic benefits from the scheme in the short term from the construction of the dwellings. There would be longer term economic benefits from the future residents in the local economic area to which moderate weight is attached.

Whilst the proposal is in a location where the principle of residential use is acceptable, however, the Inspector attached significant weight to the harm identified to the character and appearance of the area meaning the proposal fails to enhance the built environment. As previously stated, making effective use of land, as required within the Framework, does not necessarily mean creating developments of the highest densities possible to the detriment of good design.

The Inspector found, that when she considered the scheme against paragraph 11d) ii) of the Framework, the adverse impact of granting planning permission would significantly and demonstrably outweigh the benefits of the nine residential dwellings proposed.

4/03071/18/FHA

Thompson
DETACHED GARAGE
KEYMERS, CHAPEL CROFT, CHIPPERFIELD, KINGS
LANGLEY, WD4 9EQ
[View online application](#)

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- Whether or not the proposal is inappropriate development in the Green Belt;
- The effect of the proposal on the openness of the Green Belt; and
- If the proposal were to be inappropriate development, whether or not the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

3. The revised National Planning Policy Framework (February 2019) (the revised Framework) sets out that the construction of new buildings shall be regarded as inappropriate in the Green Belt. This is unless the development proposal meets one of several exceptions that are set out. On the basis that the proposal would constitute neither an extension nor a replacement building, the appeal proposal would not appear to meet any of these stated exceptions.

4. Policy CS5 of the Dacorum Borough Core Strategy (September 2013) (the Core Strategy) is consistent with the revised Framework in so far as it requires the application of national Green Belt policy. Indeed, where permissible types of small-scale development in the Green Belt are listed under Policy CS5, the construction of new outbuildings (i.e. such as sheds, garages or car ports) is not included.

5. For the above reasons, the proposal would be inappropriate development in the Green Belt and, in this regard, it would conflict with Policy CS5 of the Core Strategy and with the revised Framework in so far as these policies state that inappropriate development is, by definition, harmful to the Green Belt.

Openness

6. The revised Framework indicates that openness is an essential characteristic of the Green Belt, and that one of the Green Belt's purposes is to assist in safeguarding the countryside from encroachment.

7. The site is located at the end of a private access road and is not readily visible from public vantage points. It is also surrounded by neighbouring residential development. In this context, noting the limited height and footprint of the building that is proposed, I do not consider that the proposal would cause harm to the openness of the Green Belt. The proposal would accord with the revised Framework in so far as its policies confirm that

openness is an essential characteristic of Green Belts.
Whether very special circumstances exist

8. The revised Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is notwithstanding that I have found no harm would result to the Green Belt's openness. Indeed, the revised Framework is clear that substantial weight should be given to any identified harm to the Green Belt.

9. I acknowledge that the proposed double garage/car port appears commensurate in size to the large dwelling that it would serve and that it would likely be of benefit to any future occupier of the site. It is worth noting however that the new dwelling that has been constructed on the site has already been approved with an integral garage, such that the need for the proposed development is less clearly apparent.

10. I note that it has been stated by the appellant that similar garages/car ports have been approved in prominent positions in the immediate vicinity of the site, although limited supporting evidence has been provided. In any event, I must determine the appeal on its own merits based on the evidence before me and whilst recognising the site's Green Belt location.

11. I further acknowledge that the proposed materials have been selected with the intention of harmonising with the site's setting and the proposal's height and open-fronted design are intended to reduce its visual impact. In addition, surrounding vegetation would not be expected to be affected by the proposal.

12. However, the contributions set out above would not clearly outweigh the significant harm identified to the Green Belt so as to amount to the very special circumstances necessary to justify the proposal. The proposed development conflicts with the development plan, and material considerations do not lead me to a decision otherwise.
Other Matters

13. The appeal site, from the evidence before me, abuts the Chipperfield Conservation Area. Notwithstanding relevant statutory duties that apply, as I have found the development unacceptable for other reasons, it is not necessary for me to assess the proposal's effect upon the Conservation Area's setting under this appeal.

Conclusion

14. For the above reasons, the appeal is dismissed.

F. ALLOWED

4/00401/18/FHA Wilks
TWO STOREY SIDE AND REAR EXTENSION, SINGLE
STOREY REAR EXTENSION AND REAR DORMER
132 GEORGE STREET, BERKHAMSTED, HP4 2EJ
[View online application](#)

The Council did not formally decide this application. However, based on an earlier refusal

of an identical proposal, the main issue is whether the proposal would preserve or enhance the character or appearance of the Berkhamsted Conservation Area.

The Inspector accepted that the appeal proposals would add some bulk to the rear of 132 George Street, however this does not necessarily result in harm. The proposed extension would be broken through its graduation of rooflines, moving away from the main house. This would have the effect of reducing the overall impact. The design of the extension is contemporary and would be read as such, in contrast to the more obviously original parts of the building. Whilst being visible, given its position on William Street, it would add visual interest to it, particularly through the addition of a small number of windows.

The Inspector considered that the appeal proposal would not, through its contemporary design, detailing or bulk, particularly undermine the special character and appearance of the Conservation Area. Taken as a whole, the scale of the proposed extension would be modest and the additions complementary. To that end, I consider the overall effect would be neutral, preserving the character and appearance of this part of the Conservation Area. I therefore conclude that the appeal proposals would satisfy policies CS27 and CS12 of the CS, and saved policy 120 of the LP.

Conditions and Conclusion set by the Inspector

The National Planning Policy Framework seeks in paragraph 55 that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. In addition to the standard time limit for commencement: (1) a condition is necessary specifying the approved drawings, in the interests of certainty (2) conditions over the external materials to be used (3) and over matching brickwork colour, texture, bonding and pointing (4) are both necessary to ensure the satisfactory appearance of the development. The further details of the windows to be used sought by the further conditions recommended by the Council are addressed by condition 3. The Council's recommended conditions over addressing site contamination are not adequately substantiated.