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DEVELOPMENT MANAGEMENT AGENDA

THURSDAY 15 AUGUST 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 on 01442 228209

AGENDA

- 1. MINUTES** (Pages 5 - 20)
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	5pm the day before the meeting.

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

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

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

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

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

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

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

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

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

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

5. INDEX TO PLANNING APPLICATIONS

- (a) 4/03231/18/FUL - PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS. - THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS (Pages 21 - 48)
- (b) 4/01310/19/FHA - CONSTRUCT SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION, LOFT CONVERSION AND NEW LOFT ROOM, DEMOLITION OF EXISTING GARAGE AND INTERNAL ALTERATIONS - 25 SWING GATE LANE, BERKHAMSTED, HP4 2LL (Pages 49 - 57)
- (c) 4/01145/19/FUL - CHANGE OF USE OF EXISTING GRANNY ANNEX AND EXTENSION TO FORM A DETACHED 3 BED DWELLING AND FORMATION OF NEW VEHICLE ACCESS - 243 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE (Pages 58 - 67)
- (d) 4/00729/19/FHA - CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A - BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY (Pages 68 - 82)
- (e) 4/01264/19/FHA - PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION - 11 ST MARGARETS CLOSE, BERKHAMSTED, HP4 2LH (Pages 83 - 89)
- (f) 4/02680/18/MOA - PART DEMOLITION OF EXISTING HOTEL PREMISES AND ASSOCIATED BUILDINGS, CONVERSION OF THE 'STABLE LODGE' INTO 1 NO. DWELLING, 36 NO. APARTMENTS AND 24 NO. HOUSES, AND RELOCATION OF 2 NO. EXISITNG MOBILE HOMES (OUTLINE) - BOBSLEIGH INN, HEMPSTEAD ROAD, BOVINGDON (Pages 90 - 184)

6. APPEALS (Pages 185 - 203)

DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

25 JULY 2019

Present:

MEMBERS:

Councillors Guest (Chairman), Wyatt-Lowe (Vice-Chairman), Riddick, Beauchamp, Durrant, Oguchi, McDowell, Uttley, Woolner and Symington

OFFICERS:

W Collier (Planning Officer), S Dunn-Lwin (Lead Planning Officer), R Freeman (Lead Planning Officer), N Polden (Environmental Health Officer), S Robbins (Planning Officer), P Stanley (Development Management Team Leader), N Sultan (Lead Litigation Lawyer), O Stapleford (Assistant Team Leader - Planning Enforcement) and C Webber (Corporate & Democratic Support Officer)

The meeting began at 7.00 pm

237 MINUTES

The minutes of the meetings held on 28 May and 4 July were confirmed by the Members present and were then signed by the Chairman.

238 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Maddern.

Apologies for lateness were received from Councillor Oguchi.

Councillor Oguchi arrived at 7:29pm.

239 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.

240 PUBLIC PARTICIPATION

Councillor Guest reminded Members and the public about the rules regarding public participation as follows:

For each application the officer presents the report to the Committee, then the participants from the public are called to speak. Following this, questions are taken from the Committee along with statements and comments for debate.

241 4/01866/18/FUL - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF FIVE 4 BEDROOM DETACHED DWELLINGS WITH ASSOCIATED LANDSCAPING AND ACCESS - 57 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ

Councillor Guest said that the application had been deferred.

Philip Stanley said that this was because they were awaiting points of technical clarification which they did not currently have.

242 4/02934/18/MFA - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE LAND FOR 17 RESIDENTIAL APARTMENTS WITHIN A MANSION BLOCK WITH ASSOCIATED, VEHICULAR ACCESS, CAR PARKING, LANDSCAPING AND ENGINEERING WORKS. - THE OLD ORCHARD, SHOOTERSWAY, BERKHAMSTED, HP4 3NG

Councillor Oguchi arrived at 7:29pm and, therefore, did not participate or vote on Item 5b.

The Case Officer, Robert Freeman, introduced the report to Members and said that the application had been referred to committee in view of the objections of Berkhamsted Town Council.

Berkhamsted Town Councillor Anthony Armytage spoke in objection of the application.

Alun Evans spoke in support of the application.

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

Vote:

For: 2

Against: 4

Abstained: 3

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

It was proposed by Councillor Riddick and seconded by Councillor Symington to REFUSE the application on the grounds that the application site forms part of the wider housing allocation of LA4 within the Core Strategy which, together with other matters, requires the delivery of 40% affordable housing. The proposed development does not make any provision for the delivery of affordable housing either upon the site or as part of the comprehensive development of the Site Allocation. As such the proposed development would be contrary to Policies CS19 and LA4 of the Dacorum Borough Core Strategy (September 2013), the Site Allocations Development Plan Document and the Local Allocation LA4 Masterplan SPD (July 2017).

The proposed access and parking arrangements/provision for the site would be inadequate to provide for safe and inclusive access to the site, taking into account the distance of the site to public transport connections and the town centre. Furthermore, the location of the access onto Shootersway is not considered to be practical or safe, especially when taken together with the cumulative arrangement of site accesses and recent development in the locality, and as such would result in significant harm to matters of highways safety. As such the proposals would be contrary to Policies CS8 (f) and (h), CS9 and CS12 (a) and (b) of the Dacorum Borough Core Strategy

(September 2013), Saved Policy 51 and Appendix 5 of the Dacorum Borough Local Plan (1991-2011) and the Local Allocation LA4 Masterplan SPD (July 2017).

The proposed development, in view of its scale, bulk, density and design, in particular its three-storey height and coverage across the site, is considered to result in the over development of the site. The resulting building would be harmful to the character and appearance of the site and would dominate and be out of character with the area in which it would be situated. As such the proposals would be contrary to Policies CS10, CS11 and CS12 (f) and (g) of the Dacorum Borough Core Strategy (September 2013), and the Supplementary Planning Guidance 'Area Based Policies' (May 2004) for Residential Character Area BCA 12: Shootersway.

Vote:

For: 4 Against: 1 Abstained: 4

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

Item 5e and Item 5f were heard next as they had members of the public speaking on the applications.

The meeting adjourned at 9:00pm.

The meeting reconvened at 9:08pm.

243 4/01116/19/ROC - VARIATION OF CONDITIONS 12 (FLOOD RISK ASSESSMENT),19 (CONSTRUCTION PHASE MITIGATION MEASURES), 20 (NOISE MITIGATION) AND 26 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00064/17/MFA (COMPREHENSIVE REDEVELOPMENT OF THE SITE TO PROVIDE 54,714 SQM OF FLEXIBLE COMMERCIAL FLOORSPACE WITHIN USE CLASSES B1C / B2 / B8 AND ANCILLARY OFFICES, TOGETHER WITH CAR AND CYCLE PARKING, ACCESS AND LANDSCAPING) - MAYLANDS GATEWAY, MAYLANDS AVENUE, HEMEL HEMPSTEAD

The Case Officer, Simon Dunn Lwin, introduced the report to Members and said that the application had been referred to committee as it is a Large Scale Major Development which is linked to proposed planning obligation under S.106.

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

Vote:

For: 9 Against: 0 Abstained: 1

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. <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.
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings to match those approved by the local planning authority under reference 4/01313/18/DRC or such other materials as may be agreed in writing by the local planning authority.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development to accord with adopted Core Strategy Policy CS12.</p>
3	<p>All hard and soft landscape works shall be carried out in accordance with the details approved by the local planning authority under reference 4/02568/17/DRC and the approved landscape works shall be carried out prior to the first occupation of any part of the development hereby permitted.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area to accord with adopted Core Strategy Policy CS12.</p>
4	<p>No part of the development hereby permitted shall be occupied prior to the implementation of the public footpath to be constructed in accordance with the details approved by the local planning authority under reference 4/02567/17/DRC and shown on Drawing No. A01-002 Rev P02 and A01-003 Rev P02.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard local footpath connections in the immediate area, to accord with adopted Core Strategy Policies CS8, CS12 and CS13.</p>
5	<p>All work shall be carried out in accordance with B.S.3998:2010 "Tree Work Recommendations".</p> <p><u>Reason:</u> To ensure a satisfactory standard of tree work in accordance with the aims of Policy 99 of the Dacorum Borough Local Plan 1991 - 2011.</p>
6	<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><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with adopted Core Strategy Policy CS12.</p>
7	<p>A landscape management plan for the long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be applied to the development hereby approved in accordance with the details approved by the local planning authority under ref: 4/02538/18/DRC.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area and to accord with adopted Core Strategy</p>

	Policy CS12.
8	<p>Unless otherwise agreed in writing, the development shall be carried out in accordance with the Construction Traffic Management Plan approved by the Local Planning Authority under reference 4/02461/17/DRC.</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.</p>
9	<p>During the first year of occupation a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.</p> <p><u>Reason:</u> To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.</p>
10	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by RPS reference RCEF39546-002R dated January 2017, Flood Risk Assessment Addendum reference RCEF55348-001R dated August 2017 and Drainage Philosophy Statement carried out by RPS reference NK018226-RPS-SI-XX-CA-D-0031 A dated 16 August 2017, and Supporting Addendum to FRA and Drainage Philosophy by Phillips Page Associates Ltd reference 180375-WDK-00-SI-RP-D-00001 dated 01/05/2019 and the following mitigation measures:</p> <ol style="list-style-type: none"> 1. Implementing appropriate SuDS measures to include attenuation tank, porous surfacing and attenuation pond. 2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. 3. Discharge into Thames Water Sewer restricted to greenfield run-off rate <p>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.</p> <p><u>Reason:</u> To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p>
11	<p>Prior to the first occupation of the development hereby permitted, or as otherwise agreed in writing by the local planning authority, the surface water drainage scheme for the site approved by the local planning authority under reference 4/02462/17/DRC, shall be 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.</p>

	<p><u>Reason:</u> To reduce the risk of flooding to the proposed development and future users.</p> <p><u>Informative:</u> For further guidance on HCC's policies on SuDS, HCC Developers Guide and Checklist and links to national policy and industry best practice guidance please refer to our surface water drainage webpage http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/</p>
12	<p>Construction of the development hereby approved shall be carried out in accordance with the Site Waste Management Plan approved by the local planning authority under reference 4/02463/17/DRC.</p> <p><u>Reason:</u> To ensure the sustainable construction in the development of the site in accordance with Policies CS29 of the Dacorum Core Strategy.</p> <p><u>INFORMATIVE:</u></p> <p>Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at:</p> <p>http://www.smartwaste.co.uk/ or http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html</p>
13	<p>The development hereby permitted shall be carried out in accordance with the approved sustainability and energy statement submitted by Turley Sustainability dated December 2016 and Gyron HH4 Datacentre Sustainability Statement reference HH4-ESS dated 04 June 2019.</p> <p><u>Reason:</u> To ensure the sustainable development of the site in accordance with Policies CS28, CS29 and CS31 of the Dacorum Core Strategy.</p>
14	<p>The development shall be constructed fully in accordance with the construction phase mitigation measures, as detailed within Section 7, sub-section 7.2 (pages 29 and 30) of the Air Quality Assessment; Project No. JAP9002; Revision: 4; RPS; 18 August 2017 and the Air Quality Assessment by Air Quality Assessments Ltd reference J0321/1/D3 dated 01 May 2019.</p> <p><u>Reason:</u> To safeguard the local environment in terms of air quality in accordance with Policy CS32 of Dacorum Core Strategy and to accord with section 7, subsection 7.2 of the following document: Air Quality Assessment; Project No. JAP9002; Revision: 4; RPS; 18 August 2017.</p>
15	<p>Before the development hereby approved is occupied, a noise mitigation / control scheme shall be submitted for the approval of the LPA based on the</p>

	<p>findings of the AAD Report (Proposed Computer Data Centre Plant Noise Assessment, Dated 30th April 2019, Ref: 19033/001/js/a). The assessment and mitigation / control scheme shall be compiled by appropriately experienced and competent persons. The mitigation / control measures shall be fully implemented in accordance with the approved scheme and appropriately validated (where necessary) before coming into first operation and, retained thereafter.</p> <p><u>Reason:</u> To safeguard the local environment in accordance with Core Strategy Policies CS12 and CS32.</p>
16	<p>Noise from industrial processes and plant within the development shall not exceed a rating level of 43 dB LArTr during any 1 hour period of the daytime 07:00 to 23:00 hours (i.e. 5 dB below the representative daytime baseline noise levels of 48 dB LA90); nor exceed a rating level of 38 dB LArTr during any 15 minute period of the night-time 23:00 to 07:00 hours (i.e. 5 dB below the representative night-time baseline noise levels of 43 dB LA90). Rating levels should be determined in accordance with BS 4142:2014 and assessed at a free-field location representative of the nearest residential properties to the site.</p> <p><u>Reason:</u> To safeguard the local environment in accordance with Core Strategy Policies CS12 and CS32.</p>
17	<p>The development hereby permitted shall be carried out in accordance with the details of measures to ensure reptiles will not be harmed as approved by the local planning authority under reference 4/02539/17/DRC.</p> <p><u>Reason:</u> To avoid harming reptiles which may potentially be present and to accord with adopted Core Strategy Policy CS26.</p>
18	<p>The development hereby permitted shall be carried out in accordance with the scheme for the provision of a fire hydrant(s) to serve the development as approved by the local planning authority under reference 4/02540/17/DRC. The development shall not be occupied until the approved scheme of fire hydrant(s) has been installed.</p> <p><u>Reason:</u> To ensure water supplies are provided to adequately serve the site in accordance with BS 9999.</p>
19	<p>Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied and implemented 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 and to accord with adopted Core Strategy Policy CS32.</p>
20	<p>Prior to the occupation of Unit 4 for any use other than as a data centre, details of the reinstatement of the vehicular parking, loading bays and dock levellers, and the removal of all external plant and machinery shall be submitted to and approved in writing by the Council and all works carried out in accordance with these details.</p>

	<p><u>Reason:</u> To ensure that parking and servicing arrangements for alternative uses do not detrimentally impact on the surrounding highway network and safeguard highway safety to comply with Policies CS9 and CS34 and the NPPF.</p>
21	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>A01-001 Rev P02 – Site Location Plan A01-002 Rev P02 – Landscape Proposal A01-003 Rev P02 – Landscape Section A20-000 Rev P03 – Ground Floor A20-010 Rev P03 – First Floor A20-020 Rev P02 – Roof Plan A20-700 Rev P03 - Elevations A21-902 Rev P01 – Security Fence</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p> <p><u>Article 35 Statement</u></p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and 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>

244 4/00070/19/FUL - PART TWO STOREY, PART FIRST FLOOR SIDE/REAR EXTENSION AND CONVERSION INTO TWO 3-BED DWELLINGS - 34 GREEN DELL WAY, HEMEL HEMPSTEAD, HP3 8PX

Sally Robbins introduced the report to Members on behalf of the Case Officer and said that the application had been referred to committee as it had been called in by Councillor Sutton on the grounds of visual amenity, insufficient parking and danger to highway safety.

It was proposed by Councillor Durrant and seconded by Councillor Beauchamp to **DELEGATE** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation.

Vote:

For: 8 Against: 1 Abstained: 1

Resolved: That planning permission be **DELEGATED WITH A VIEW TO APPROVAL** **subject to the completion of a Unilateral Undertaking** 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 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 2013.</p>
3	<p>Prior to the occupation of the additional dwelling hereby approved full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; trees to be retained and measures for their protection during construction works; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas;</p> <p>The approved landscape works shall be carried out in accordance with the agreed details and thereafter maintained as such.</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>
4	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking shown on Drawing No. 0795/PL01 B shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p><u>Reason:</u> To ensure the adequate and satisfactory provision of off-street vehicle parking facilities.</p>
5	<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, and F</p>

	<p><u>Reason:</u> 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 and to ensure adequate provision of parking.</p>
6	<p>Pedestrian visibility splays of 2 m x 2 m shall be provided before any part of the development is first brought into use, and they shall thereafter be maintained, on both sides of the entrance to the site, within which there shall be no obstruction to visibility between 600 mm and 2 m above the carriageway.</p> <p><u>Reason:</u> In the interests of highway safety.</p>
7	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>0795/PL01 B 0795/PL02A</p> <p><u>Reason:</u> 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 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 (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>HIGHWAY INFORMATIVES:</p> <p>1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- https://www.hertfordshire.gov.uk/droppedkerbs/</p> <p>2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: http://www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047.</p> <p>3. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in</p>

	<p>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>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.</p>
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245 4/00755/19/FHA - ENCLOSED OUTDOOR SEATING AREA - 28 SILVERTHORN DRIVE, HEMEL HEMPSTEAD, HP3 8BU

The Case Officer, Will Collier, introduced the report to Members and said that the application had been referred to committee as the recommendation is contrary to parish objection.

Marta Thomas spoke in objection of the application.

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

David Conway spoke in support of the application.

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

Vote:

For: 9 Against: 0 Abstained: 1

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><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>DA-BR 001-A3-REV B DA-PL/005 02 REV B DA-PL 006 REV A</p>

	<p>DA-PL/008 02 REV B DA-PL/009 02 REV C</p> <p>DESIGN AND ACCESS STATEMENT July 2019 NOISE REPORT (Ref 297479-02(00) July 2019)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>There shall be no use of the enclosed outdoor seating area before the full implementation of the noise mitigation measures specified in the RSK report 'Enclosed Outdoor Seating Area' - 28 Silverthorn Drive Noise Assessment 297479-02(00) July 2019. Mitigation measures shall be implemented in accordance with Plan DA-PL009-02-REV-B Proposed elevations which include a double-brick wall up to ceiling level with an acoustic absorbent material along the cavity, extended along the length of the southern (boundary facing No. 26) and eastern sides of the structure; and shall be retained thereafter.</p> <p><u>Reason:</u> To mitigate harm from noise associated with the outdoor seating area in accordance with Policy CS32 of the adopted Dacorum Borough Core Strategy.</p>
4	<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 on the development hereby permitted (outdoor seating area) without the prior written approval of the local planning authority: Schedule 2 Part 1 Class A, B, C and G</p> <p><u>Reason:</u> 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>
5	<p>The external brickwork of the proposed cavity walls on the southern and eastern elevations shall be of a similar appearance in size, colour and texture the existing external brickwork on the northern elevation of the structure.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development.</p> <p><u>Article 35 Statement</u></p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

246 4/01327/19/FUL - CONSTRUCTION OF 3 X TWO BEDROOM DWELLINGS INCLUDING WIDENING OF THE ACCESS ROAD AND ASSOCIATED PARKING, AMENITY SPACE AND REFUSE STORAGE - LAND ADJACENT 35-36 WEST DENE, GADDESSEN ROW, HEMEL HEMPSTEAD, HP2 6HU

The Case Officer, Sally Robbins, introduced the report to Members and said that the application had been referred to committee as it was a Dacorum Borough Council scheme and was contrary to the view of the Parish Council.

Panagiotis Velentzas spoke in objection of the application.

Mr. Mark Longworth spoke in support of the application.

It was proposed by Councillor Durrant and seconded by Councillor Wyatt-Lowe to **DELEGATE** the application **WITH A VIEW TO APPROVAL** in line with the officer's recommendation.

Vote:

For: 5 Against: 3 Abstained: 2

Resolved: That planning permission be **DELEGATED with a VIEW to APPROVAL subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990** 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>No development shall take place 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 Management Plan shall include details of:</p> <ul style="list-style-type: none"> a. Construction vehicle numbers and type 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. Cleaning of site entrances, site tracks and the adjacent public highway f. Timing of construction activities (including delivery times and removal of waste) and 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 i. 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.

	<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 Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies CS8 and CS12 of the Core Strategy (2013).</p>
3	<p>No development other than groundworks and site clearance shall take place until details of hard landscaping and boundary treatment 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 <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 and in the interests of the visual amenities of the Chilterns Area of Outstanding Natural Beauty, in accordance with Policies CS12 and CS24 of the Core Strategy (2013).</p>
4	<p>Prior to the first occupation of the development hereby permitted the proposed access and on-site car parking areas shall be laid out, demarcated, levelled, surfaces and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p><u>Reason:</u> To ensure permanent availability of the parking / manoeuvring area, in the interests of highway safety, in accordance with Policy CS8 of the Dacorum Core Strategy.</p>
5	<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 and B</p> <p><u>Reason:</u> 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, in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy (2013).</p>
6	<p>The development hereby permitted shall be constructed in accordance with the materials specified on page 20 of the submitted Design and Access Statement.</p> <p><u>Reason:</u> To ensure a satisfactory appearance to the development, in accordance with Policies CS11 and CS12 of the Core Strategy (2013).</p>
7	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>19 WDGR SL01 (SITE LOCATION PLAN) 18 WDGR SP02 Rev E (SITE CONTEXT & PARKING IN WEST DENE) 18 WDGR SP03 Rev F (PROPOSED SITE PLAN)</p>

**18 WDGR PE01 Rev D (PROPOSED PLANS AND ELEVATIONS)
Design & Access Statement (Materials on Page 20)**

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

Article 35 Statement:

Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

INFORMATIVES

1. 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 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:

<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.

2. The developer is advised to keep a watching brief during ground works on the site for any potentially contaminated material. 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. Paragraph 179 of the NPPF (2019) states that where a site is affected by contamination issues, responsibility for securing a safe development rests with the developer and/or landowner.

**247 4/00954/19/RET - RESTORE AND DOUBLE GLAZE ORIGINAL SASH
WINDOWS - 18 KITSBURY ROAD, BERKHAMSTED, HP4 3EG**

Philip Stanley introduced the report to Members on behalf of the Case Officer and said that the application had been referred to committee due to the contrary views of Berkhamsted Town Council.

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

Vote:

For: 9 Against: 0 Abstained: 1

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

248 APPEALS

That the following appeals were noted:

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

249 QUARTERLY ENFORCEMENT REPORT

Olivia Stapleford went through the Quarterly Enforcement Report and noted a number of items.

Councillor Riddick queried a number of items which Olivia Stapleford and Philip Stanley answered.

The Meeting ended at 9.44 pm

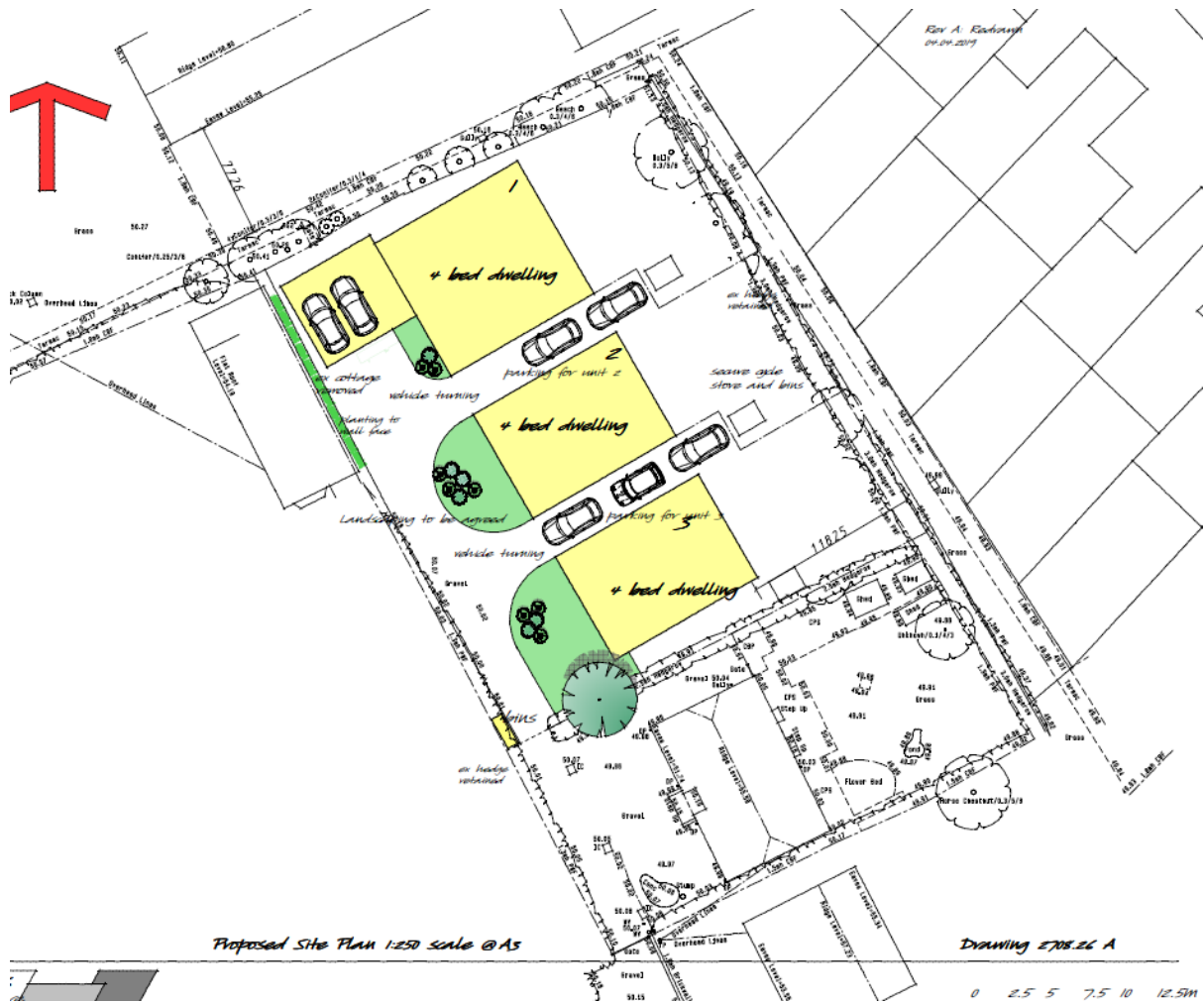
Item 5a 4/03231/18/FUL PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS.

THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS



Item 5a 4/03231/18/FUL PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS.

THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS



Item 5a 4/03231/18/FUL PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS.

THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS

Rev A. Redrawn
04.09.2017



West Elevation (front)



South Elevation

04.09.2017
Rev B. Ridge height
rechecked, correct for
the house elevation,
light redraft
05.09.2017
Rev C. roof redraft
11.09.2017



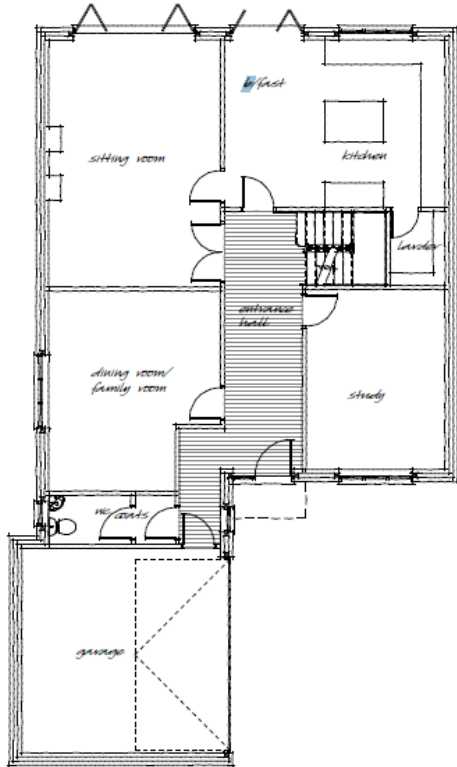
East Elevation (rear)



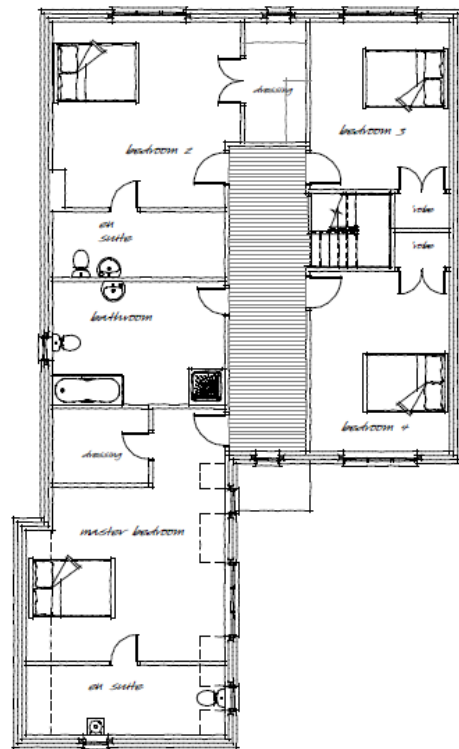
North Elevation

Item 5a 4/03231/18/FUL PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS.

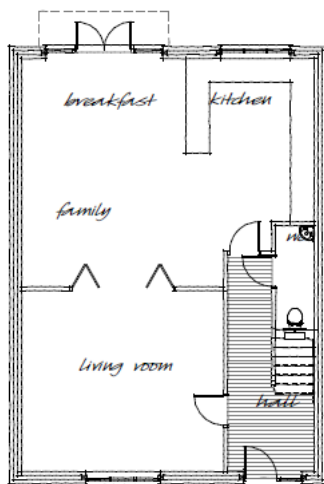
THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS



ground floor



first floor

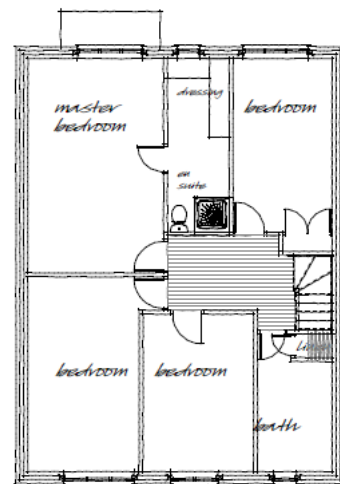


ground floor

78.25 m²

156.5 m²

156.5 m²



first floor

78.25 m²

4/03231/18/FUL	PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS.
Site Address	THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS
Applicant	Mr O'Farrell, The Orchard
Case Officer	Robert Freeman
Referral to Committee	The application has been referred to the committee in view of the concerns of Chipperfield Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposals are considered to result in a high quality residential scheme which would contribute to the housing needs and sustainable growth of the small village of Chipperfield. The proposals would make better use of land within the village without causing significant harm to the residential amenities of neighbouring properties or the overall character and appearance of the village. The modest intensification in the use of the site and access to it would also not prejudice matters of highways safety. Accordingly the proposals would be considered to meet the overall aims and objectives of planning policy as expressed in Policies CS6, CS8, CS1, CS12 and CS27 of the Core Strategy and Saved Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011.

3. Site Description

3.1 The site is located at the northern end of Alexandra Road within the village of Chipperfield. The bulk of Alexandra Road was incorporated into the Chipperfield Conservation Area as a result of the Conservation Area Appraisal (2011). This did not extend to the inclusion of The Orchard or its neighbour at Fir Croft.

3.2 The site is rectangular in shape and comprises a semi-detached dwelling, its large garden and outbuildings. The dwelling is positioned in the north western corner of the site with a number of outbuildings located alongside the northern site boundary. The remainder of the site is in garden use with substantial boundary treatment comprising mature hedging and trees enclosing the site. Access is via a driveway to the south of the site with the flank elevation of Fircroft and a leylandii hedge extending to form the western boundary of the site. To the north of the site and immediately adjacent the boundary there is a footpath allowing access to elevated rear gardens of Croft End Road. The footpath extends around the eastern perimeter of the site and to the rear of properties at Croft Close.

4. Proposal

4.1 The proposals involve the demolition of the existing dwelling and outbuildings on the site and the construction of three dwellings, provision of parking and landscaping.

4.2 The current dwelling is one half of a pair of semi-detached properties located at the

end of Alexandra Road. The proposals will result in the construction of a new flank elevation to this property and repairs to any exposed render. Three new detached properties would be constructed perpendicular to this building and in line with properties in those properties to Alexandra Road. A new garage with accommodation within its roofspace would be provided to the front of plot 1 with parking for plots 2 and 3 hidden between the flank elevations and towards the rear of the properties.

5. Relevant Planning History

The applicants have previously had planning permission refused for the demolition of the semi-detached cottage and construction of four dwellings on the site under planning reference, 4/01452/18/FUL. This follows the earlier withdrawal of a scheme for three units (4/00185/18/FUL)

Prior to this permission was granted for the demolition of the existing dwelling on the site and the construction of a replacement dwelling (4/00372/15/FUL) This permission has subsequently lapsed, but nevertheless establishes the principle of demolishing the existing property at the site.

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

NP1- Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS6 - Selected Small Villages in the Green Belt
CS8 - Sustainable Transport
CS1 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 10 - Optimising the Use of Urban Land
Policy 13, - Planning Conditions and Planning Obligations
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Appendix 3 - Layout of Residential Development
Appendix 5 - Parking Standards

6.4 Supplementary Planning Guidance / Documents

- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Energy Efficiency & Conservation (June 2006)
- Environmental Guidelines (May 2004)
- Water Conservation & Sustainable Drainage (June 2005)

7. Constraints

The site is located within the small village of Chipperfield and within the Chipperfield Conservation 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
- Layout and Design
- Impact on Neighbours and
- The Impact on Highways Safety

Policy and Principle

9.2 The site is located within the village of Chipperfield where, in accordance with the NPPF and Policy CS6 of the Core Strategy, small scale infilling and redevelopment of existing land and buildings would be supported, providing such development is sympathetic to its surroundings in terms of local character, design, scale, landscaping and visual impact and providing such proposals retain and protect features essential to the character and appearance of the village. The proposals would constitute infilling in the broadest sense extending and punctuating the street at Alexandra Road, being surrounded by residential development to all sides and would be limited in scale. The definition of "limited" at paragraph 8.34 of the Core Strategy sets out that such proposals should not involve a net gain of more than 2 residential units. As such the principle of development would be accepted.

9.3 The proposed development will make a small contribution to the delivery of the housing target at Policy CS17 of the Core Strategy supporting the sustainable growth of the village of Chipperfield.

9.4 The applicants also highlight that the local nursery has insufficient pupil numbers and claim that the development of the site will also support the retention of education and nursery facilities within the village through the provision of family homes. As such, the development also has potential to support the retention of services which contribute to the sustainable growth of the village.

Layout and Design

9.5 The proposed development has been amended to provide an acceptable residential scheme. These amendments have resulted in a reduction in the height and bulk of plot 1 and an increase in separation and spacing between all plots within the site. The resulting layout has allowed for the location of parking spaces between properties, thus reducing the visual impact and dominance of parking arrangements and provide sufficient space within the site to provide vehicle circulation space. The resulting scheme is considered to be appropriate in terms of its design, bulk, scale, height and layout and would meet the objectives of Policies CS1 and CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011. Subject to the submission of materials and design details this should result in a good quality scheme as acknowledged by the Conservation and Design team through their response to the proposals.

Impact on Conservation Area

9.6 The site is located outside of the Chipperfield Conservation Area and the property, The Old Orchard, is not a listed building. The Conservation team do however believe that historically it was important as a visual terminus to Alexandra Road and the wider Conservation Area to the south of the site. Although the loss of one half to the semi-detached property, is undesirable, it is not considered sufficient to justify the refusal of the planning application. The loss of the building has already historically been accepted through the grant of planning permission in 2015. The importance of this property as a terminus to Alexandra Road has been significantly diminished over time with the property barely visible in wider views to the site and from Alexandra Road itself. For this reason, the loss of the dwelling and construction of three units is considered to have limited harm to the setting of the Chipperfield Conservation Area.

9.7 The economic and social benefits arising from the construction of new homes and the associated support for local infrastructure is considered to clearly outweigh the limited and minor harm to the character and setting of Chipperfield Conservation Area and as such there would be no grounds for objection under Policy CS27 of the Core Strategy. Indeed there are no objections to the design of the new properties from the Conservation team which is considered to meet our expectations for high quality design as set out in Policies CS12 and CS13 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

Impact Upon Neighbouring Properties

9.8 The demolition of the existing property will result in the exposure of the flank elevation of the other half of this semi-detached dwelling. A new waterproof render finish will be provided on a new blockwork skin to this outer wall and all exposed areas will be made good and weatherproofed. This will result in a similar appearance to the flank elevation of the current property and as such one cannot substantiate an objection to the scheme of the grounds of harm to this property.

9.9 A number of surrounding residential properties have expressed concerns that the proposed dwellings would overlook the neighbouring properties and be detrimental to their privacy. The layout of the proposed residential scheme provides a distance of between 24m and 25m from the rear elevations of the proposed dwellings and those properties at Croft Close. This would exceed the minimum separation distances in Saved Appendix 3 of the Local Plan 1991-2011. As such they are not considered to result in significant harm to the amenities of these properties through overlooking or as a result of the impact on daylight and sunlight to these units. The impact is further mitigated by the large boundary hedge and tree cover along this boundary.

9.10 The impact of Plot 1 on the residential amenities of properties to Croft End Road is also considered to be acceptable. Although the flank elevation of Plot 1 would be located around 12m from the rear elevations of these properties, the bulk and mass of the proposed development has been substantially improved through the application process thereby reducing any visual intrusion or impact on daylight/sunlight. The flank elevation of plot 1 would not appear to breach a 25 degree angle to those main windows in the rear elevation of properties to Croft End Road given the topography and juxtaposition of properties. The impact of these works is not considered to result in substantial harm noting that there is already the garage range to this boundary and the location of a tree screen beyond/on the boundary to the site. A single flank window would be located at first floor level in the side elevation to the property and this will be conditioned to be obscured glazed in the interests of privacy. The gardens of these properties are already in the shade although the proposed scheme may increase shading to the rear gardens to these properties, this modest increase in shading is not considered to be sufficient to justify the refusal of this scheme on a loss of residential amenity.

Impact on Trees and Landscaping

9.11 The site is not subject to any Tree Preservation Orders nor is the site within the Chipperfield Conservation Area. No comments have been received from the Council's Trees and Woodlands officers in relation to the application and in the absence of such comments the impact of development upon trees on the boundary of the site must be considered to be acceptable. These trees provide a substantial screen between the application site and neighbouring properties at Croft Close and Croft End Road yet have little wider landscape amenity value. The flank elevation to plot 1 and the garage to this property would be located between 1.5 and 2m from the site boundary and as such provides a better relationship to trees forming the boundary in this location than the existing arrangement of outbuildings. It is likely that there will be a need to prune some vegetation overhanging the boundary with the site to enable construction.

Impact on Highway Safety

9.12 The proposed development has been considered by the County Council as highway authority. They have no objections to the proposals and consider them to meet the requirements of Policies CS8 and CS12 of the Core Strategy. Saved Appendix 5 of the Local Plan requires each four bedroom property on the site to have a maximum of three parking spaces. The proposals are in accordance with Saved Appendix 5 of the Local Plan 1991-2011 with the scheme providing 2/3 parking spaces per dwelling with turning space also provided within the site. The parking provided is considered to be adequate in relation to those standards in Appendix 5 of

the Local Plan and emerging planning policy. The tandem nature of parking spaces within a single ownership, although inconvenient, is acceptable. The impact of such arrangements is not considered to result in significant nor demonstrable harm to matters of highways and pedestrian safety.

9.13 The applicants have also demonstrated that they would be able to get refuse to an appropriate point at the boundary of the site and within the carry distance of refuse vehicles as set out in the Building Regulations. The provision of fire access has been discussed with the Building Control team and it would be possible to get a fire tender to within 45m of all properties from the highway be it from Alexandra Road or from Chapel Croft.

Other Material Planning Considerations

9.14 The required notification of ownership under Certificate C was subsequently served on the 22nd July 2019 and a notice placed in the Gazette on the 24th July 2019. This notification period will expire prior to the DMC meeting on the 15th August 2019.

9.15 No details of drainage have been provided with the application and as such it is recommended that further details are secured via a planning condition. It is noted that a number of hard standing areas are to be constructed from porous materials thereby minimising the risk of any flooding from surface water run-off in accordance with Policy CS31 of the Core Strategy.

CIL

9.16 All new developments are expected to make a contribution towards on site, local and strategic infrastructure in accordance with Policy CS35 of the Core Strategy. The Council has an adopted Community Infrastructure Levy (CIL) that supports the delivery of new infrastructure. The scheme would be liable for CIL and as such a charge would be levied in accordance with the adopted Charging Schedule. A charge of £150 per square metre of net residential floorspace would be levied against this scheme. This will be indexed linked from the date of the Charging Schedule and calculated in accordance with Regulation 40 of the CIL Regulations 2010 (As amended) It is understood that the applicants intend to occupy plot 1 of the development and as such it may be possible to reduce the extent of the levy applicable through the submission of a claim for self build relief.

10. Conclusions

10.1 The development of the site would assist the Borough Council in the overall supply of new homes required under Policy CS17 of the Core Strategy. The layout and design of the proposed scheme is considered to be satisfactory providing a high standard of development and one which does not prejudice either the amenities of neighbouring properties nor matters of highways safety. The proposals are therefore considered to meet the planning requirements set out in Policies CS6, CS8 and CS12 of the Core Strategy and Saved Appendices 3 and 5 of the Local Plan.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Core Strategy.</p>
3	<p>No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:</p> <p>hard surfacing materials; means of enclosure; soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; proposed finished levels or contours; and 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.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Core Strategy.</p>
4	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on Drawing No. 2708.26 Revision A (Site Plan) shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011.</p>
5	<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</p>

	<p>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 Policy CS32 of the Core Strategy.</p>
6	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p> <p>Informative: Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'</p> <p>Contaminated Land Planning Guidance can be obtained from Regulatory</p>

	Services or via the Council's website www.dacorum.gov.uk
7	<p>Prior to the commencement of the development hereby permitted details of a surface and foul water drainage system shall be submitted to and approved in writing by the local planning authority. The surface water drainage system shall be a sustainable drainage system and shall provide for the appropriate interception of surface water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.</p> <p>Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policies CS31 and CS32 of the Core Strategy.</p>
8	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>2708.20 - Location Plan 2708.25 - Boundary Details 2708.26 Revision A - Site Plan 2708.27 Revision A - Floor Plans to Plot 1 2708.28 Revision C - Elevations to Plot 1 2708.29 Revision A - Floor Plans to Plots 2 and 3 2708.30 - Elevations to Plots 2 and 3 2708.31 Revision A - Street scene.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 31</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p>

Appendix A

Consultation responses

Chipperfield Parish Council

1. CPC are strongly opposed to the demolition of the existing semi-detached property. The resulting expanse of solid brick wall (to ridge height) is a design that would not be acceptable on a new dwelling and therefore should not be acceptable on an altered dwelling. This will be in view of properties on the surrounding roads.
2. Three detached dwellings, of which one is large, is over development of the site. We

would prefer the scheme to be modified to include the existing semi (extended/ remodeled) plus no more than a pair of semi-detached 3 bed two-storey houses to be an acceptable compromise.

3. Parking provision has inadequate turning space; 'tandem parking' (ie one behind the other) is not to be encouraged; there is no turning head; parking to Plot 1 visible on entry to Alexandra Road; visitor parking should be provided.

4. Refuse bin storage needs to be detailed. The DC 3 bin system + food caddy requires a compound with internal dimension of 2200mm wide x 800mm deep x 1100mm high. Such a compound works best for everyday use with no top to allow bin lids to be accessed without pulling the bin out of the compound.

Conservation and Design:

The existing building is of two storeys constructed in brick with a pitched slate roof. It forms a pair with the adjacent property. This building can be seen on the 1st edition OS map and appears to be constructed as part of the development of the site Alexandra Rd. However at this point it was accessed off Pesthouse Lane (later Croft Lane) and rather than face onto the lane the building appears to have been located and designed to provide a visual terminus to Alexandra Rd. The gardens to Croft Lane appear to have been somewhat over extended during the mid 20th century development which reduces the presumed original visual impact of the property.

The houses have had some alterations e.g. loss of chimney stacks and the views from Alexandra road are in part hampered by the extension of gardens to properties in Croft Lane. The original concept can still be read and understood and this original design view from the now conservation area of Chipperfield we believe has some importance. The demolition of the dwelling and loss of the composition as part of an architectural pair and visual terminus is a concern. However we do note that this has been impacted by later development within the area and this impact is not as great as it could have been had the original design and layout been maintained. This impact should be assessed by the officer in relation to the planning policy CS 27 and the balancing exercise undertaken given the guidance noted in the NPPF. This should balance the harm to the conservation area (a designated heritage asset) against the benefits of the scheme.

Given the impact of the building upon the setting of the conservation area we would consider this harm to be less than substantial and at a moderate to low level.

Recommendation – We would not object to the proposed design for the new dwellings however we are concerned that the loss of the building would impact upon the setting of the conservation area. This would cause some harm and therefore we would recommend that the officer weights this harm to the conservation area against the public benefits of the scheme.

Any approval should condition external materials to ensure it does not harm the setting of the conservation area.

Environmental Health:

No observations in respect of noise or air quality.

Scientific Officer:

There is no objection to the proposed development, but it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.

This is considered necessary because the application site is understood to have had a commercial land use prior to its current residential land use and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.

Contaminated Land Conditions:

Condition 1:

- (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
- (a) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
 - (b) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - (i) The results from the application of an appropriate risk assessment methodology.
- (ii) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.
- (c) This site shall not be occupied, or brought into use, until:
 - (d) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
 - (i) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning

Authority.

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.

Condition 2:

Any contamination, other than that reported by virtue of **Condition 1** encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

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.

Informative:

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on “Development on Potentially Contaminated Land and/or for a Sensitive Land Use” in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

The following conditions are also recommended.

Demolition Method Statement Condition:

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.

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.

Hertfordshire County Council Highways Section

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

INFORMATIVES:

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the

party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx>.

COMMENTS

This application is for: Part demolition of semi-detached cottage, garage and outbuildings. Construction of three new detached dwellings.

ACCESS

The site is located at the far end of Alexandra Road, which is a private road not maintained by HCC as Highway Authority. It leads off Langley Road, which is an unnumbered "C" classified road, the C74, so vehicles are required to enter and leave the highway in forward gear.

No new or altered vehicular or pedestrian access is required and no works are proposed in the highway.

PARKING

There is adequate space on site for vehicles to turn to be able to enter and leave the highway in forward gear.

WASTE

Arrangements have been made for the storage and collection of waste.

CONCLUSION

HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the informative notes above.

Appendix B Neighbour notification/site notice responses

Objections (5 + Petition)

Archways, Alexandra Road

Procedure

The application is not a valid one as the Certificate of Ownership is incorrect. The applicant is not the owner of the entire site outlined in red on drawing 2708.24.

Planning Merits

Alexandra Road is a private road surfaced in shingle situated within a designated Conservation Area. The road is characterised mainly by Victorian dwellings with the northern end by houses of a later period. Many of the properties do not have off street parking with those on the north eastern side parking on the road, and the south western side on the hard surfaced front gardens where in most cases there is room for only one car and there insufficient space to prevent encroachment onto the road. This essentially only permits one way traffic. Many residents are obliged to reverse their vehicle when exiting and turning within a parking space serving 3 houses fronting Langley Road. Many properties own more than one car so the road is full beyond its capacity.

Since the public has passed over the road for a period in excess of 20 years it has become dedicated to public use as a highway. This does not mean that the public have a right to park in the road, this is only permissible to residents who have a road frontage. Parking without permission is trespassing and a civil wrong. Although a civil matter the planning authority has a duty to ensure there is adequate parking provided in the scheme to meet the needs of the development in order to avoid violation of the legal rights of the frontages.

The proposal provides no parking for visitors and if the driveway for the development is used for this purpose, due to the restricted width, this would cause an obstruction. There is no turning bay which is required to avoid unnecessary reversing. This particularly applies to delivery vehicles where the numbers have grown with the popularity of online shopping. There are dedicated parking bays in Chapel Croft but there is a waiting restriction of only 20 mins. Without provision for visitors parking or a turning bay would inevitably lead to illegal parking on Alexandra Road and turning on residents driveways. This will add to the congestion from which the road already suffers and cause harm to residential amenity and road safety.

When exiting a parking space a car requires a depth of 6 metres in order to turn. The width of the driveway is 3 metres and therefore it would be very difficult to enter and exit the parking areas shown for plots 2 and 3. This would only be possible if most of the front gardens were hard surfaced to provide the necessary space but this would leave little room for any meaningful landscaping resulting in an appearance that would be featureless and unattractive.

The application seeks to demolish the existing property which is one of a pair of Victorian semi-detached cottages which form part of the village's heritage and should be retained. Its removal would leave a narrow unattractive building that can be seen from the public domain and spoil the appearance and character of the area. The house on plot 1 would have a front projection close to the flank wall of the remaining semi and set back about 7 metres from the south face of the building. This would look odd and not sit well with the neighbouring property. It would be clearly seen from Alexandra Road and harm the character and appearance of the road. The depth of the northern flank wall of the house on plot 1 is 16.9 m and due to the proximity to the houses on Croft End Lane would create an overbearing and oppressive outlook for these properties. Furthermore, lying on the northern side their small rear gardens would be

overshadowed. Along the northern boundary of the application site are a row of tall trees. Due to the proximity of the development to these trees their roots would be damaged and harm their health and longevity. Also their stability could be affected making them prone to falling during a strong wind. The trees are part of the landscape character of the area and should be protected from any development.

The Orchard was originally a small nursery providing plants for the trade. The use was abandoned and the greenhouses removed and a small 2 bedroom bungalow (Fircroft) erected (in the grounds. The applicant on acquiring the site converted Fircroft the into a 4 bedroom chalet bungalow which was then sold on. The current application seeks to construct a further three 4 bedroom houses following the demolition of The Orchard, a three bedroom dwelling. Including Fircroft there have been 5 new dwellings, two of these are on Langley Road, that use Alexandra Road for vehicular access making a total of 21 properties. Nine of these do not have sufficient space to turn a vehicle and have to reverse when existing the road. This also applies to delivery vehicles. The road cannot cope with the additional traffic created by the scale of the proposed development and would lead to a notable adverse impact on the lives of the residents and the increase in vehicle movements will add to safety risks.

On Chapel Croft at the junction with Alexandra Road is a cafe and cake shop and general store. There is also a school patrol crossing. On the western side of the entrance are dedicated parking bays. When in use and together with a bend to the road drivers when exiting Alexandra Road are unable to see oncoming traffic. This also occurs on the eastern side where vehicles are often parked illegally on the double yellow lines. It is a therefore a hazardous exercise for drivers and the safety issues will be exacerbated by the increase in vehicle movements generated by the development. The Highway Authority should be consulted on the suitability of the access.

It is accepted that there is a need for new housing but this should not be where there would be harm to residential amenity. This is made clear in Section 53 of the National Planning Policy Framework that states the planning authority should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would harm the local area.

It is concluded that the proposal is an over development of the site that provides insufficient parking and provision for visiting vehicles. This would cause material harm to the living conditions of the neighbouring residents and visual amenities of the area and compromise highway safety. The Council is therefore urged to refuse the application.

A petition was also submitted with the objection with objections from Nos 1, 2, 8, 11, 13, 14, 14a, 15 (Alexandra Road) Ivy Cottage, Mace Cottage {Text Unknown} The Hornets, Croft Lane, 57, 59 and 61 Croft End Road, Green Orchard Croft Lane, Chipperfield Cottage Chapel Croft and Sayers Cottage Langley Road. In addition to those raised individually.

AMENDED PLANS

The amended application has failed to overcome the issues raised in our letter of 27th January 2019 and the reasons for refusal of the previous application (Ref 4/01452/18/FUL).

No provision is made for visitor parking. Furthermore the houses on plots 1 and 2 would be expected to have three parking spaces each in accordance with the Council's adopted parking standards. This will inevitably lead to illegal parking on Alexandra Road. It is not possible, however, to provide this number of parking spaces on plots 1 and 2 without compromising the use of the turning head.

In order to minimise the manoeuvring of vehicles in and out of the parking spaces which is desirable given the constraints of the site, it is preferable if the form of parking is side by side rather than in tandem.

The southeastern boundary is not shown correctly on the proposed site plan. In order to accommodate a single and two storey extension recently built to the side of Fircroft, the boundary has been moved and the hedge and trees removed and a new fence erected.

It is considered that the amended scheme is an overdevelopment of the site and fails to provide a reasonable living environment for the future occupiers, and together with the demolition of the existing dwelling would be detrimental to the setting and character of the adjoining Chipperfield Conservation Area. The Council is therefore urged to refuse this application.

51 Croft End Close

Major problems with access down very narrow road.

Area not suitable or big enough for 3 houses and car parking.

The demolition of semi detached cottage will cause utmost stress for the long standing elderly gentleman in the other part of the cottage.

Very strongly object to planning application

Millford, Chapel Croft

The following objections would be raised:

Overlooking/loss of privacy

Both housing plot 2 and plot 3 will overlook our property. No provision has been put in place to provide screening. Plot 2 and plot 3 will be able to see from their front facing, first floor windows into our living room/kitchen and 2 main bedrooms at the back of our property. The back boundary of our property is a "tandem" garage so there is no available space that we can provide on our property to obtain privacy by planting a hedge or trees. The only privacy we have currently is a hedge which belongs to the property of this proposed development (see paragraph below). If the proposed development gets approved who owns this hedge. Also we have a 3 metre hedge between our property and "Green Orchards" which gives us privacy from both "Green Orchards" and "The Orchard" but this hedge belongs to "Green Orchard". If this hedge and a large conifer (on the boundary between "Green Orchards" and "The Orchard") were removed then we could be overlooked by plot 1, plot 2 and plot 3

Currently there is a hedge at the back of our property behind a wire fence. This wire fence is about 50 cm behind our tandem garage and the alley way leading to our garage. This hedge belongs to the property that is proposed for development. This was reduced in height approximately a couple of years ago without any consultation with

any of the property owners who live in the houses in Croft Lane adjacent to the property, namely us, Milford, Timbertops, and The Hornets. The result being that one of the properties behind our property, slightly to the right, "Fircroft" Alexandra Road could see directly into the rooms that are in the back of our property when this hedge was reduced. A bin store is proposed on this application adjacent to the back of our property which means the hedge will need to be removed to make room for this bin storage so our privacy will be comprised even more by both plot 3 on this application and from the "Fircroft", the property next door to this development. Proposed site plan on this planning application states that this hedge is to be "ex hedge retained". This will NOT be the case if a bin store for all 3 properties, (9 bins) is proposed to be built on place specified on the site plans. There is also the problem of noise, smell and pollution from this, given the close proximity to the back of our property. Given the history of the hedge when it was last reduced, there is no guarantee that this hedge will be retained so our loss of privacy would be even worse

I enclose a photograph with this letter showing the back of our property, taken from "Timbertops" approximately sometime before 2010/11 after the hedge was reduced. This shows the property "Fircroft" in the right side of the photograph, before an application to raise roof/loft extension, 4/00989/09/FHA which was approved in August 2009 despite objections. I also note from the planning/development section/planning history subsection of the Dacorum Borough Council Website that planning was refused for a detached house next to "Fircroft", on the land belonging to "The Orchard" application 4/00584/11/FUL. I cannot find any of the reasons why this application was refused on the website. Hopefully, when considering this application (4/01452/18/FUL) this previous refused application will be taken into account.

Noise and disturbance resulting from use/ Adequacy of parking

For a development of 3 x 4 bed detached dwellings, I assume that each household will have a minimum of two or three cars each which amounts to 9 cars altogether. I mention this as there is no provision for visitor parking on this development so they will need to park in neighbouring roads which could affect our property as there seems to be no road parking in Alexandra Road which could also be made worse by the Garden Scene proposed Re-development.

The proposed site plan appears to have no turning circle for cars to leave the development. I mention this as while visiting the property at the end of Alexandra Road (at the access to this development) on a weekday afternoon, when it can be assumed most residents are out at work, I could not perform a U-turn, given the parked cars on either side of the road and the width of the road, in a Ford Fiesta (a fairly small car) so had to reverse the car along the whole length of Alexandra Road and onto the main road which is busy at the best of times. Looking at the site plan, the access road in front of "Fircroft" to this development is half width of Alexandra Road.

Also the noise/pollution of the vehicles using the single access road to this development would cause noise and disturbance to us in the garden as it is about a ½ metre from our property back boundary. Currently there is a gravel drive on the site, which runs along the back of our property. This causes a noise disturbance when cars are accessing/exiting the site. If the dwellings on this site increase to 3, the noise will get a lot worse. Looking at "The Application for Planning Permission Town and Country Planning Act 1990" form online, the applicant has stated that gravel and brick paviors are proposed for "Vehicle Access" so there seems to be no provision to reduce the

noise caused from cars using the access road to the dwellings by constructing a noise reducing surface.

Conclusion

If development is to be approved then provisions should be made to set housing plot 2 and plot 3 further back from our boundary and provide obscure glazed first floor, front windows of these properties and/or lower the roof height to overcome privacy problems caused to our property. Over development problems, reducing the number of houses, need to be seriously considered.

As with previous applications from this developer, I also cannot work out from the documents/plans how high these properties are going to be. Are they going to be the same height as the height of "Fircroft" property? If they are going to be the same or higher than this could cause loss of light and overshadowing to our property.

I assume that the 21.0 metre rule between a habitable back room window of a dwelling and a habitable room window of a facing dwelling has been taken into consideration when planning this development (I assume this is the rule for Dacorum Borough Council). I could not get this confirmed on the Dacorum Borough Council website. If this has been adhered to in the plans, we still have serious concerns/objections to the development regarding overlooking/loss of privacy and overshadowing.

I am also concerned with the drainage and flooding that could be caused to our property and the neighbouring properties if this amount of dwellings gets planning permission.

AMENDED PLANS

I object to the amended plans for this development as

1. The back of our house, kitchen and living room /back garden are still overlooked by Plot 3 (Front upstairs windows) and partly by Plot 2. We have no space on our property to create any structure i.e, hedge etc to obtain privacy from the intrusion of this new development as we have garage at the back boundary of our property.

2 The access road to this development is still shown as being constructed of gravel which will cause a noise nuisance when cars are entering and leaving. The amended plans show a single width driveway for Plots 2 and 3 so it is fairly obvious that cars will have to be moved out of the way for the cars behind to leave so creating more noise.

3. There is no visitor parking. So I assume visitors will be parking either in Alexandra Road or Croft Lane. Both these roads are already jammed full of parked cars at all times of day. This is only set to get worse when the old Garden Scene site and the Land Rover Garage are developed.

4. There is no guarantee that the "external hedge" as detailed on these plans will be retained, given previous history of the hedge and who will own this perimeter hedge in the future.

The above amended plans do NOT seem to rectify the problems of my property being overlooked by Plot 3 and partly Plot 2, visitor parking (as it seems to have none) from

this development over spilling on neighbouring roads including my own (Garden Scene and prospective Land Rover Garage developments will add to this no doubt), the noise and pollution of having 3 properties' worth of cars and visitor/trade vehicles accessing this development on a gravel drive (running along side of the back boundary of our garden) and the noise and pollution of placing a bin depot for 3 properties adjacent to the back boundary of my property.

33 Croft Close

AMENDED PLANS

I object to the amended plans for reasons set out below.

1. The provisions made for parking appear completely inadequate, offering no flexibility. This is especially true of the tandem parking arrangements which assume the occupiers will value courtesy to their neighbours above their own convenience. There is also no provision for visitors.

It is inevitable this will increase the pressure on parking both in Alexandra Road itself and nearby Croft Lane. These roads are already barely passable due to parked cars and this will be further exacerbated by other larger developments planned or in progress at the Garden Scene site and Land Rover.

2. The size of the development is an exercise in squeezing as much real-estate value out of as little space as possible. The aforementioned inadequate parking is evidence that the site is not large enough to comfortably accommodate the planned development.

3. While some of the previous privacy concerns have been addressed by the latest plans there will be no obligation for the new owners to retain existing trees and hedges on their properties. This undermines any apparent assurances that the privacy of neighbouring properties will not be compromised.

34 Croft Close

This is the 3/4 application.

I cannot believe that we require 3 large detached dwellings on such a small plot.

Access to area is on an unmade road does not make sense.

Building regulations have been updated so I'm not convinced that the existing hedge is good enough in height, so we are not directly overlooked into my children's bedrooms, which is an issue re safeguarding issue again.

There will be over 2/3 cars per dwelling so the thought of 9 or so vehicles going up and down the unmade Alexandra Road is completely unacceptable.

The Parish Council issued a document in 2002 saying that the development of the village was to be kept to a minimum as in keeping with a village environment - so why is this being considered.

AMENDED PLANS

I object to the amended plans for this development as-

1. Three detached dwellings, of which one is large, is overdevelopment of the site. It would be preferable for the scheme to be modified to include the existing semi (extended/ remodelled) plus no more than a pair of semi-detached 3 bed two-storey houses to be an acceptable compromise.
2. Parking provision has inadequate turning space. Tandem parking is not suitable as it relies on the manoeuvring of vehicles in and out of the parking spaces. It would be preferable to have the vehicles parked side by side. Plots 1 & 2 have turning space conditional on Plot 1 having a maximum of 2 cars and always parking these in garage. Similarly, provision of turning head is subject to same condition. Visitor parking should be provided.
3. There is no visitor parking. So, I assume visitors will be parking either in Alexandra Road or Croft Lane. Both these roads are already jammed full of parked cars at all times of day. This is only set to get worse when the old Garden Scene site and the Land Rover Garage are developed.
4. The access road to this development is still shown as being constructed of gravel which will cause a noise nuisance when cars are entering and leaving. The amended plans show a single width driveway for Plots 2 and 3 so, as mentioned above, cars will have to be moved out of the way for the cars behind to leave so creating more noise.
5. The demolition of the existing semi-detached property will result in an expanse of solid brick wall that would not be acceptable on a new dwelling so it should not be acceptable on an altered dwelling.
6. I think that the amended scheme is still an overdevelopment of the site and fails to provide a reasonable living environment for the future occupiers, and together with the adjoining Chipperfield Conservation Area.

In view of the above, I would strongly urge the council to refuse demolition of the existing dwelling this would be detrimental to the setting and character of this application.

Supporting (11)

The Orchard, Alexandra Road

I am writing to support the current planning application which is my application. I believe I have every right to support my own application.

The planning application has been made after a lot of consultation with the local planning authority and a lot of thought. We love Chipperfield and we enjoy living in Alexandra Road and intend to live in one of the proposed houses.

We previously had permission on an application a few years ago to demolish 'the orchard' and this was a condition set by Dacorum. The cottage is very run down, very energy inefficient and is unsightly. It has so many problems, so much so we as a family

moved out. Damp patches, leaks and this after it had a lot of money and worked spent on it. We have a baby on the way and no way could we remain in that house!

We believe we have answered all the areas that concerned CPC on previous applications. It's a good use of space and conforms with policy. There is at least 3 parking spaces per property if not more. To be very clear there is only a net increase of 4 cars. Not a traffic issue. It's a very large plot and a clever use of space.

My daughter goes to the local nursery that was in danger of shutting down as there were not enough children. Chipperfield needs more 4 bedroom family homes. Chipperfield needs more houses in general to support local shops.

This application ticks all the boxes and will improve greatly the street view and will be a much improved end of street.

We have offered to also improve the road itself, which all residents will benefit from and Chipperfield in general. I am hoping for some assistance with this from CPC. We have written to them.

Overall, it's a very positive scheme with many benefits.

Fircroft, Alexandra Road

I am writing to lend my support to my neighbour who has submitted a recent planning application. We live directly next to the plot and feel it will certainly be a lot better than what is currently there.

The new plans submitted look good, I have been through the plans due to being directly next to the development and the 3 well designed homes can only improve the access to the site, a sustainable road surface for Alexandra road and ultimately a quality finish to the end of the road.

Other positives see that parking has been considered and limited disruption to the road.

4 Belsize Cottages, Sarratt

I would like to support the above mentioned construction, as a longstanding Chipperfield resident that now lives in Belsize and would like to move back into the village. I see the benefit of homes that are more affordable not only for myself but for young families that have grown up in the area and would like their children to benefit from growing up in their home village.

We also have a school, churches and some faithful shopkeepers that would benefit from families growing up in the village. This seems like a well thought out project, with parking and access provided.

I am aware that the villages are going to have to accept more housing and would say that it is better to have small developments to meet the desired number than to have an influx of larger developments. We have seen many small developments go up over the years and it hasn't been with detriment to the village.

9 Belsize Cottages, Sarratt

I support a proposal that will provide more housing for young families in Chipperfield. This will encourage a vibrant atmosphere in the Village. I believe that those responsible for the development will carry out work in a respectful manner.

30 Croft Close

We support the proposals.

59 Croft End Road

A worthwhile addition to the village of Chipperfield.

2 Didsbury Cottage

We live in Chipperfield and saw the application for 'The Orchard' It's brilliant idea and we support for the scheme.

Redcroft, Kings Lane

I feel this would provide affordable family homes and the plans look very nice. They are building their family home and providing more suitable homes for other people.

Far Farrington, Langley Road

This is a sensible scheme on a large site which is situated at the end of a road meaning that disruption from building work can be minimised.

The village needs more quality housing so that younger families can move in and support the local schools and service providers.

New quality housing will improve the image of the area and should help to enhance values for neighbouring properties as well as increase council income through taxation.

The scheme conforms to policy and addresses objections raised in previous applications.

I hope the parish council will consider properly this application and scrutinise statements made from both sides, as in a previous application they supported objections raised which were unfounded and misleading.

22 Nunfield

Plans look like an improvement on the current muddy and overgrown land and old house. Looks like the properties won't overlook anyone else and the road surface will be improved.

46 Tower Hill

I've been living in Chipperfield all of my life and I live quite close to the proposed development. Ive read the plans and I think they look really nice. I think its a good use of space and as a Mother of a young child at St.Pauls Nursery I think Chipperfield needs more new homes and more families moving to the village. I fully support these

plans. It would improve Alexandra road and the area.

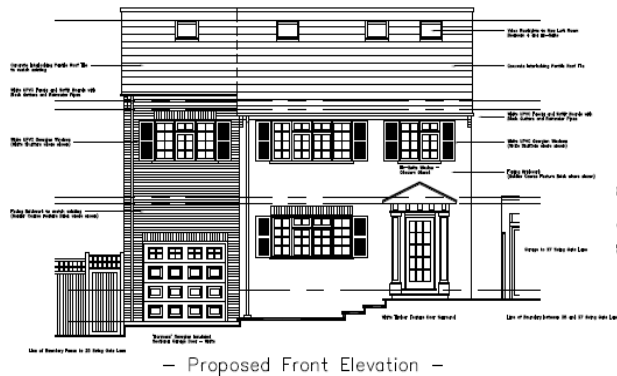
Item 5b 4/01310/19/FHA CONSTRUCT SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION, LOFT CONVERSION AND NEW LOFT ROOM, DEMOLITION OF EXISTING GARAGE AND INTERNAL ALTERATIONS

25 SWING GATE LANE, BERKHAMSTED, HP4 2LL

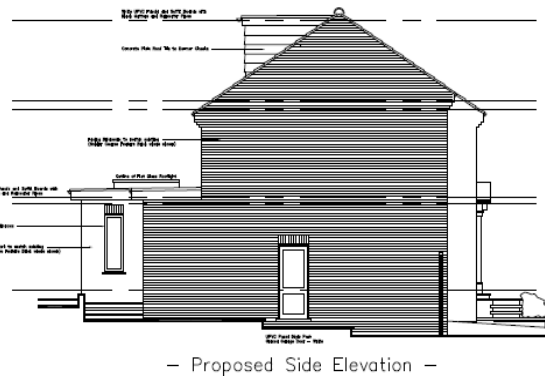


Item 5b 4/01310/19/FHA CONSTRUCT SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION, LOFT CONVERSION AND NEW LOFT ROOM, DEMOLITION OF EXISTING GARAGE AND INTERNAL ALTERATIONS

25 SWING GATE LANE, BERKHAMSTED, HP4 2LL



- Proposed Front Elevation -



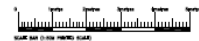
- Proposed Side Elevation -



- Proposed Rear Elevation -



- Proposed Side Elevation -
- Facing 27 Swing Gate Lane -



4/01310/19/FHA	CONSTRUCT SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION, LOFT CONVERSION AND NEW LOFT ROOM, DEMOLITION OF EXISTING GARAGE AND INTERNAL ALTERATIONS
Site Address	25 SWING GATE LANE, BERKHAMSTED, HP4 2LL
Applicant	MS K PETTY, 25 SWING GATE LANE
Case Officer	Colin Lecart
Referral to Committee	Contrary view of Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The two storey side extension would be set back from the principle elevation of the original dwelling and would be positioned approximately 4.9m away from the side boundary (rear boundary of number 19 Greene Walk). The rear dormer window would be set down below the main ridge height of the property and set in approximately 1m from the side elevations of the property. The single storey would measure approximately 3.5 metres in depth and 3m in height. A Sunlight/Daylight assessment has been submitted in support of the application which concludes that a good level of sunlighting and daylight to the nearest affected windows at number 19 Green Walk (rear conservatory) would be maintained. The report also finds that the proposed extensions would not unduly impact on sunlight to the rear garden of number 19. The first floor rear window on the proposed side extension and the window on the rear dormer window nearest to the properties on Greene Walk would both be obscure glazed. A car parking space would be maintained within the garage with space for 2 cars available on the driveway to the front of the property.

2.2 As a result, the application is considered acceptable under policies CS11 and CS12 of the Core Strategy (2013) and Saved Appendices 3, 5 and 7 of the Local Plan (2004).

3. Site Description

3.1 The application site comprises of a two storey detached dwellinghouse located along Swing Gate Lane, Berkhamsted

4. Proposal

4.1 The application seeks permission for the construction of a single storey rear extension, two storey side extension, loft conversion and rear dormer window, demolition of the existing garage and internal alterations.

5. Relevant Planning History

None

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy –

CS4
CS11
CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Saved Appendix 3
Saved Appendix 5
Saved Appendix 7

7. Constraints

- Established Residential 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
- Impact on the original dwelling and the surrounding area
- Impact on the residential amenity of neighbouring properties
- Car parking and access

Policy and Principle

9.2 The application site is located within a residential area of Berkhamsted wherein accordance with Policy CS4 of the Core Strategy (2013) the principle of residential extension is acceptable

Impact on original building and surrounding area

9.3 The two storey side extension would be set back from the principal elevation of the property by approximately 0.9m and measure approximately 3.4m in width. It is considered that due to set back of the extension and its modest width, it would be subservient to the original dwellinghouse. Furthermore, the footprint of the proposed extension would largely be positioned on top of the footprint of the existing garage with an increase in width of approximately 1.1m. The proposed rear extension is single storey in height, measuring approximately 3.5m in depth and would not be visible from the street scene. The proposed rear dormer window would be set down from the main ridge height of the property and set in approximately 1m from the side elevations of the property, thus maintaining subservience to the roof of both the original property and proposed side extension.

9.4 The proposed side extension would be set in approximately 4.9m from the boundary with number 19 Greene Walk. A garden depth of approximately 14m would be maintained. Thus, the application is not considered to amount to overdevelopment in relation to the size of the plot. The rear extension and rear dormer window would not be visible from the street scene and the two storey side extension is not considered to be overtly harmful to the street scene of Swing Gate Lane. Velux rooflights could be inserted onto the roof of the property under permitted development rights.

9.5 Due to the above, it is considered the application complies with Policies CS11 and CS12 of the Core Strategy (2013) and Saved Appendix 7 of the Local Plan (2004).

Impact on residential amenity

9.6 A sunlight/daylight assessment has been submitted in support of the application which concludes that a good level of sunlighting and daylight to the nearest affected windows at number 19 Greene Walk (rear conservatory) would be maintained. The report also finds that the proposed extensions would not unduly impact on sunlight to the rear garden of number 19. The assessment has focused on the impacts to number 19 as this is the most affected property in light terms. The impacts on number 18 and 20 Greene Walk, will, because of their relative position to and their greater distance from the proposed extensions, be less affected in sunlight and daylight terms.

9.7 In terms of overlooking, no windows are proposed on the side elevation of the proposed two storey side extension facing onto the rear gardens of number 17 and 18 Greene Walk. The first floor window on the rear of the two storey side extension would be obscure glazed. The loft floor window within the rear dormer window positioned over the side extension would also be obscure glazed. The loft floor window serving bedroom 4 looks over the site's own rear garden and is not considered to introduce an overtly harmful situation above and beyond the existing situation (from the existing first floor windows on number 25) in terms of overlooking. Furthermore, this portion of the dormer window could be constructed under permitted development rights.

9.8 Due to the above, it is considered the application complies with Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004).

Car Parking

9.6 Under the maximum based car parking standards set out in Appendix 5 of the Local Plan (2004) a four bedroom property would require provision for three car parking spaces. One car parking space would be maintained within the new garage

with space for two cars available on the driveway to the front of the property. It should also be noted that the width of the new garage would be greater than the existing one by approximately 800mm, making it a more suitable space fit for the parking of a modern vehicle.

CIL

9.9 The application is not CIL liable

10. Conclusions

10.1 The application complies with Policies CS4, CS11 and CS12 of the Core Strategy (2013) and Saved Appendices 3, 5 and 7 of the Local Plan (2004) and is recommended for approval.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>1918 103 1918 104 1918 105</p> <p>Reason: 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 extension hereby permitted shall match in size, colour and texture those used on the existing building.</p> <p>Reason: To ensure a satisfactory appearance to the development and in accordance with Policy CS12 of the Core Strategy (2013)</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 (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, THE CIVIC CENTRE	Comment
<p>Objection</p> <p>The Committee agreed that, by its scale, bulk and mass, the proposed application would be an intrusive overdevelopment and would adversely impact the street scene.</p> <p>Although the drawings do not show the impact on amenity or loss of light, the proposed dormer would allow views along many of the properties in Greene Walk. The adjacent neighbours comments should be taken into account.</p> <p>CS11, CS12, Appendix 3 (i, iv)</p>	

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
<p>17 GREENE WALK, BERKHAMSTED,, , HP4 2LW</p>	<p>I am concerned about this big alteration. I live at the above property my back garden looks over to this property and I am concerned it will shut more light out to my garden, also the new extension will look straight into my rooms losing any privacy I have.</p> <p>I am certainly not happy with the plans.</p> <p>Car parking in Swingate Lane is a nightmare.</p>
<p>16 GREENE WALK, BERKHAMSTED,, , HP4 2LW</p>	<p>Our concerns are that in an already crowded and overlooked space there would be a significant reduction in privacy to not only our property but also the garden and outside area of ours and fellow existing residents.</p> <p>There is also concern that there would be a potential increased strain on the already hazardous parking situation along Swing Gate Lane, which is regularly used by the local school traffic as parking (often itself quite dangerous.)</p> <p>We hope that our concerns will be fully considered before</p>

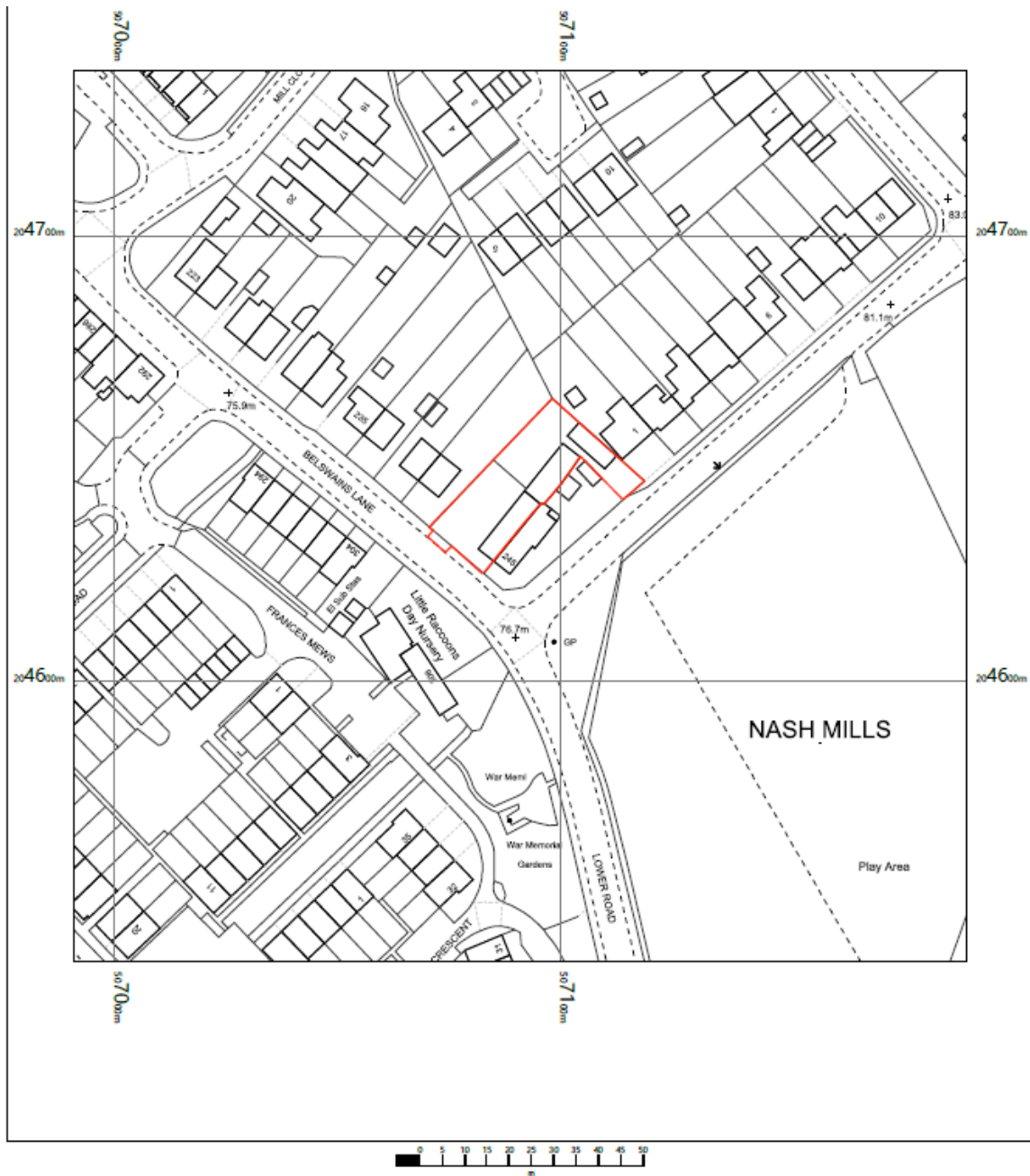
	any planned building work in approved.
19 GREENE WALK, BERKHAMSTED,, ,HP4 2LW	<p>My property backs on to the side elevation of number 25 Swingate Lane and is therefore directly affected by the proposed extensions. The decision makers should be made aware that Swingate Lane rises steeply and number 25 is at a much higher elevation than my house in Greene Walk and that the rear of my property faces towards the south. The two storey side extension, which will match the current roofline, will be significantly closer to the rear boundary of my property and this together with the elevation difference will dramatically reduce the light currently enjoyed and have an overbearing impact. The proposed dormer which would end at the side elevation will further restrict the amount of light. The side extension with the dormer will, from the rear of my property, have the appearance of a four storey building.</p> <p>I consider that the proposed three extensions together represent overdevelopment of a 3 bedroomed detached house. It should also be noted that number 25 is located on a particularly busy part of Swingate Lane close to the junction with Woodlands Avenue, especially so at the morning and afternoon drop off /collection times for Swingate and Thomas Coram schools.</p>
18 GREENE WALK, BERKHAMSTED,, ,HP4 2LW	<p>Having viewed the proposed plans for these works I object to this application for the following reasons.</p> <p>1) Loss of Privacy: My property is adjacent to this plot. Due to the angle of 25 Swing Gate Lane against my property and its elevation (25 Swing Gate Lane is up a steep hill from my property), if the two storey side extension and loft extension goes ahead, three of my bedrooms, my kitchen, my dining room and my garden will be directly overlooked, at close quarters, and I will lose considerable privacy.</p> <p>2) Loss of light: The proposed two-storey side extension with loft dormers on the third floor will have the impact of a three to four storey building due to the property being uphill from mine. This proposed extension will result in a very high brick wall (the proposed new side wall) very close to the boundary with my property. The proximity of this wall to the back of my property will result in overshadowing and a loss of light in the rooms at the back of my house, as well loss of light in my garden.</p> <p>3) Overbearing & enclosed: As my garden is small the</p>

	<p>proximity and height of the above-mentioned side wall will be overbearing as it would be unpleasantly close to the rooms at the back of my house and close to my garden, negatively impacting my overall enjoyment of both the inside and outside of my property and result in an overall sense of being enclosed.</p> <p>4) Density: The proposed side extension will significantly increase the density of the houses on the corner of Swing Gate Lane and Greene Walk, creating a feeling a disproportionate overcrowding for the affected Greene Walk residents, in an otherwise low density residential area.</p> <p>I hope these objections will be given full consideration.</p>
<p>20 GREENE WALK, BERKHAMSTED,, HP4 2LW</p>	<p>This seems a large project, which will make this property outsized in relation to the other properties nearby.</p> <p>This project will be built on a hill and the plans seem to take no account of this, meaning that the height of this newly extended property would overshadow those of 17, 18, 19 and 20 Greene Walk. It will have the effect of a four story building, which is clearly not desirable.</p> <p>The extension at 31 Swing Gate Lane seems to me to have dealt with building on a hill much more sympathetically and appropriately.</p>

Agenda Item 5c

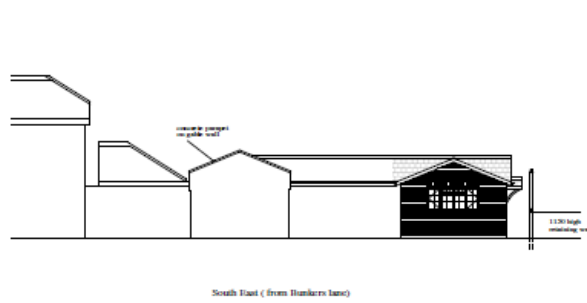
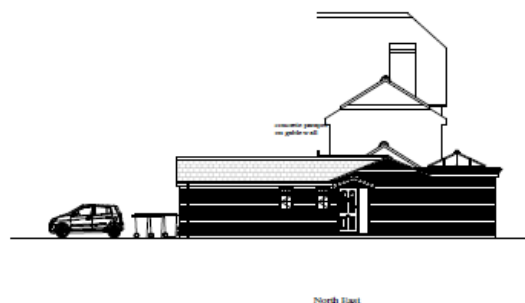
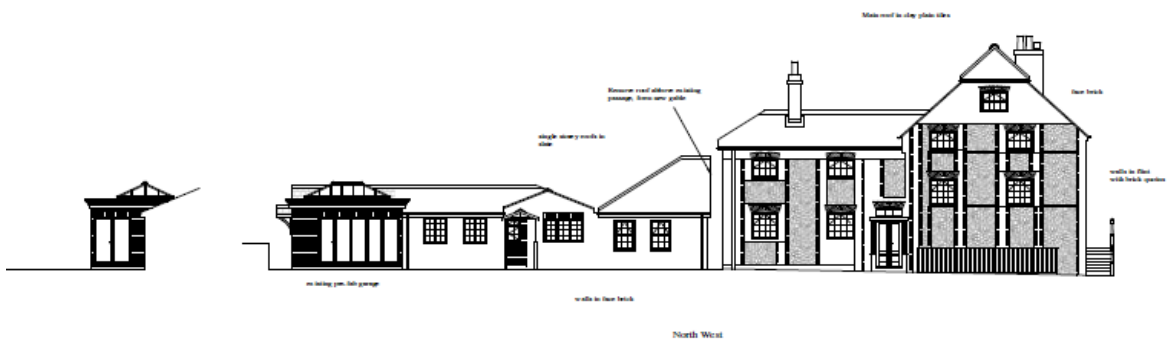
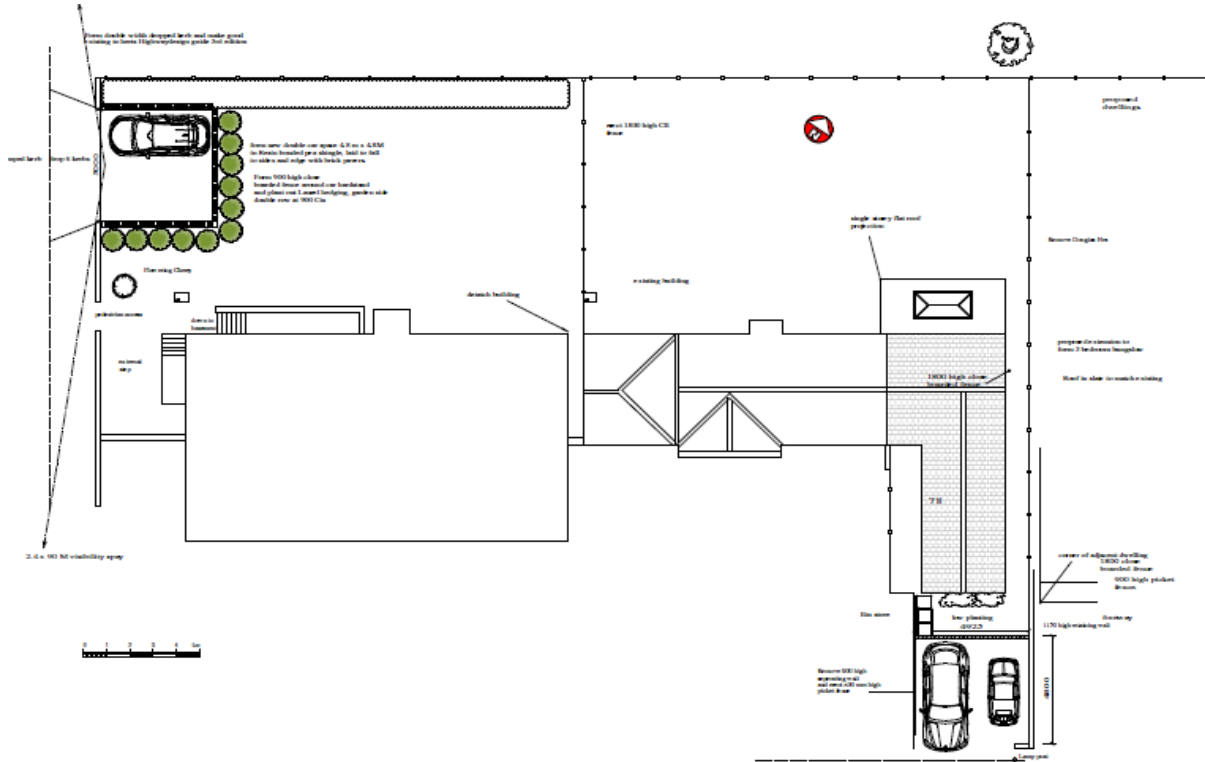
Item 5c 4/01145/19/FUL CHANGE OF USE OF EXISTING GRANNY ANNEX AND EXTENSION TO FORM A DETACHED 3 BED DWELLING AND FORMATION OF NEW VEHICLE ACCESS

243 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE



Item 5c 4/01145/19/FUL CHANGE OF USE OF EXISTING GRANNY ANNEX AND EXTENSION TO FORM A DETACHED 3 BED DWELLING AND FORMATION OF NEW VEHICLE ACCESS

243 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE



4/01145/19/FUL	CHANGE OF USE OF EXISTING GRANNY ANNEX AND EXTENSION TO FORM A DETACHED 3 BED DWELLING AND FORMATION OF NEW VEHICLE ACCESS
Site Address	243 BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE
Applicant	Mr & Mrs Berry, 243 Belswains Lane
Case Officer	Colin Lecart
Referral to Committee	Contrary view of Nash Mills Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The application would extend upon an existing annexe building and convert it into a separate dwelling. The proposed new dwelling is not considered to harm either the street scene or the residential amenity of neighbouring properties and would contribute to the Borough's housing stock. Concerns have been raised by the Parish Council on the grounds of Highway Safety in relation to the proposed new crossover on Belswains Lane. Hertfordshire County Highways Authority have not objected to the proposal and the new crossover would be constructed to meet visibility splay standards. Furthermore, the adjacent properties to the north west all maintain existing crossovers fronting onto Belswains Lane. Thus, the development is considered to comply with Policies CS8, CS11, CS12 of the Core Strategy (2013) and Saved Policies 21 and Saved Appendices 3, 5, and 7 of the Local Plan (2004).

3. Site Description

3.1 The application site comprises a two storey semi-detached property with a one bedroom granny annexe constructed to the rear. Together with no. 245 it occupies a very prominent elevated location adjoining the Belswains- Bunkers Lane junction. The main pedestrian access is from Belswains Lane. The property is served by a garage and driveway located to the rear that fronts onto Bunkers Lane. Due to the size of the garage it is only used for storage. Two cars currently park on the driveway in tandem.

4. Proposal

4.1 The application seeks permission for the change of use of an existing granny annexe and the construction of extensions to form a detached 3 bed dwelling and formation of a new vehicle access fronting onto Belswains Lane. The granny annexe is to be detached from number 243 with extensions constructed largely on the footprint of the existing store building and garage to form a frontage onto Bunkers Lane. A single storey flat roof rear projection would also be built measuring 2.4m in depth to provide suitable space within the lounge of the property.

5. Relevant Planning History

4/00683/02/FHA SINGLE STOREY REAR EXTENSION TO FORM GRANNY ANNEXE
Granted

10/06/2002

4/01369/00/ DWELLING AND ACCESS
Refused
28/09/2000

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy –

CS4
CS8
CS11
CS12

6.3 Saved Policies of the Dacorum Borough Local Plan

Saved Policy 21
Saved Appendix 3
Saved Appendix 5
Saved Appendix 7

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Area Based Policies (May 2004) - Residential Character Area HCA19: Nash Mills

7. Constraints

- Established Residential 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 of development
- Impact on the original building and street scene
- impact on amenity of neighbours
- Car parking and Impact on Highway Safety
- Trees

Policy and Principle

9.2 The application site is located within a residential area of Hemel Hempstead where the principle of residential development is acceptable. Saved Policy 21 states that densities will generally be expected to be in the range of 30 to 50 dwellings per hectare. The proposal would result in a plot density of approximately 31 dwellings per hectare.

9.3 The Character Appraisal for the Area (HCA19: Nash Mills) states that development in the medium density (30-35 dwellings per hectare) is acceptable. Furthermore, planning permission has been approved at number 245 for the conversion of the property into 4-bedroom flats. Flatted developments are also located to the south of the site.

Effect on Original Building and Street Scene

9.4 The existing granny annexe is not visible from Belswain Lane. From Bunkers Lane, the pitched roof of the annexe is visible over the existing garages. The Annexe would be detached from number 243 and an L shaped extension would be built largely on the footprint of the existing store and garage. This would extend forward of the existing garage by approximately 1m but would remain behind the build line of number 1 Bunkers Lane.

9.5 The proposed dwelling would be single storey in height and is not considered to dominate number 243 in terms of scale, bulk, and massing. Number 243 would maintain its prominence along Belswains Lane, from which the new dwelling would not be perceived. From Bunkers Lane, it is considered the new extensions would be a visual improvement upon the existing garage and store.

9.6 A new vehicle access and space for two car parking spaces are proposed for number 243, fronting onto Belswains Lane. This is not considered to be harmful to the street scene. The properties to the north west all maintain hardstandings for car parking. Also, the car parking spaces would be surfaced with shingle and Laurel hedging would be planted behind to soften its appearance.

Effect on Residential Amenity

9.7 The proposal would not result in adverse impacts on residential amenity in terms of loss of light, privacy or outlook. The annexe structure to the rear of number 243 is existing with the extensions to be single storey in height. A 1m separation distance between the proposed dwelling and the boundary of number 1 Bunkers Lane would be maintained.

9.8 A 1.8m close boarded fence would be erected between the rear gardens of number

243 and the new dwelling to maintain privacy. A rear garden depth of approximately 11.3m would be maintained and is considered a functional amenity space for a 3 bed dwelling.

Impact on Trees

9.9 Two Douglas Fir trees located within the rear garden would be removed. Trees and Woodlands have been consulted and have commented that, due to their size, form and limited roadside presence, would not be worthy of a Tree Preservation Order. The agent has also maintained that this has been agreed with the residents of number 1 Bunkers Lane, who would receive increased sunlight into their rear garden as a result of the removals.

Car Parking & Highway Safety

9.10 A new vehicle crossover fronting onto Belswains Lane to serve number 243 is proposed. Hertfordshire Highways Authority have not objected to the proposal and have recommended conditions relating to the crossover width, surface water drainage, bin storage and visibility splays.

9.11 Nash Mills Parish Council have objected to the proposal, stating that traffic has significantly increased along Belswains Lane due to developments opposite the site. However, it is not considered that the proposed dwelling would introduce a level of increased traffic onto this road that would threaten the safety and operation of the Highway. The Parish have also commented that a proposal for a new zebra crossing on this section of the road was rejected approximately 8 years ago because of safety concerns. Highways were not able to find details of this and consider the proposed access to be acceptable in safety terms.

9.12 Two cars currently park on the driveway fronting Bunkers Lane in Tandem. The build line of the new extensions would extend further forward of the existing garage and so the proposed site plan shows space for two cars parked side by side. Whilst the driveway meets the dimensions for the parking of two cars, the existence of a lamppost on the pavement means that in practice, it would be difficult for both cars to access the driveway. Therefore, it is considered that the proposed dwelling would be served by one car parking space. This would be a shortfall of 1.25 car parking spaces under Dacorum's car parking standards as outlined in Saved Appendix 5 of the Local Plan (2004). However, the site is located in a sustainable location, approximately 0.9 miles from Apsley Train Station. It is also considered that a shortfall of 1.25 spaces would not lead to a significant impact on the safety and operation of the highway. Thus, due to the above, it is considered a refusal on highways safety grounds cannot be sustained.

10. Conclusions

10.1 The application would extend upon an existing annexe building and convert it into a separate dwelling. The proposed new dwelling is not considered to harm either the street scene or the residential amenity of neighbouring properties and would contribute to the Borough's housing stock. Concerns have been raised by the Parish Council on the grounds of Highway Safety in relation to the proposed new crossover on Belswains Lane. Hertfordshire County Highways have not objected to the proposal and the new crossover would be constructed to meet visibility splay standards. Furthermore, the adjacent properties to the north west all maintain existing crossovers fronting onto

Belswains Lane. Thus, the development is considered to comply with Policies CS8, CS11, CS12 of the Core Strategy (2013) and Saved Policies 21 and Saved Appendices 3, 5, and 7 of the Local Plan (2004).

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>wren naj 34d 2019 wren naj 34b 2019</p> <p>Reason: 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 extension hereby permitted shall match in size, colour and texture those used on the existing annexe building.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy (2013).</p>
4	<p>No development shall commence until full details (in the form of scaled plans and written specifications) have been submitted and approved in writing by the Local Planning Authority to illustrate the following: • A total vehicle crossover width of 5.4m (made up of four flat kerbs and two ramped kerbs). • Clarification of bin storage arrangements for the two dwellings as bins are only shown at the dwelling accessed via Bunkers Lane on the submitted plans.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy CS8 and CS12 of the Dacorum Core Strategy (2013).</p>
5	<p>Pedestrian Visibility Splays Before the new vehicular access is first brought into use 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).</p>

Informatives:

Construction standards for new vehicle access

Where works are required within the public highway to facilitate the new 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

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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047

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-licences/business-licences.aspx> or by telephoning 0300 1234047

Bat Informative:

If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England, to avoid an offence being committed.

Appendix X

Consultation responses

Appendix X

Neighbour notification/site notice responses

Objections

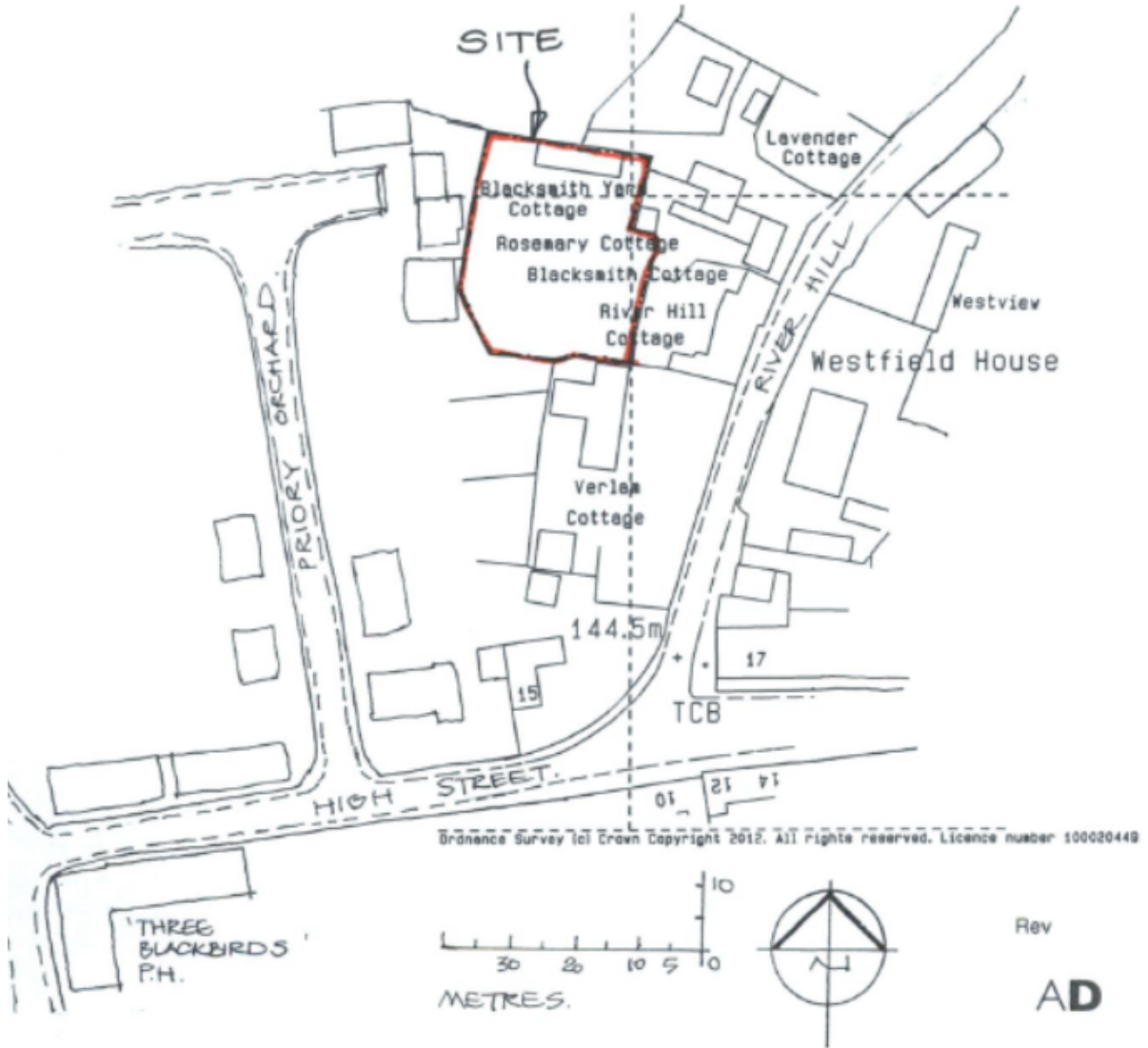
Address	Comments
Nash Mills Parish Council	<p>NMPC Objects strongly to this application under CS12 (a) of the DBC core strategy (provide a safe and satisfactory means of access for all users)</p> <p>- This site is proposing access via Belswains Lane. This road is already very busy and the access is also very close to a very busy junction.</p> <p>Please may we also note that a large tree is showing on the existing drawings and not showing on the proposed drawings. The application states that NO trees will be removed. Please may we request that clarity is obtained re this?</p> <p>The traffic on Belswains Lane has increased dramatically over the last few years, not least as a result of the additional 500+ properties built in Nash Mills Wharf opposite this proposed crossover.</p> <p>Highways comments do not take account of the fact that they previously assessed this section of road for installation of a zebra crossing approx 8 years ago, and their site visit deemed the road too dangerous to enable a crossing to be placed at this section of Belswains Lane. NMPC would welcome a site visit from Highways to illustrate the safety concerns.</p> <p>With the above factors above NMPC felt that the original objection under CS12 of the local plan would still stand.</p>
1 BUNKERS LANE,HEMEL HEMPSTEAD,,,HP3 8AX	<p>Whilst I've ticked the object button I have no objection as such to the planning request / building work but once again parking.</p> <p>The occupiers of this address have themselves raised</p>

	<p>concerns about their neighbours planning permission and the increase in the number of cars parked in an already over-congested road and I for one am sick and tired of my driveway being blocked by residents of the John Dickinson estate and others with the footpath regularly being blocked causing mothers with pushchairs and even a wheelchair user to take to the road, risking their lives, yet the council once again are completely oblivious to this and do nothing.</p> <p>I do not know the owners intention with this development but if they intend to sell it then as a 3 bedroom dwelling this could potentially introduce up to 6 cars and the required parking yet the plans show parking for 2 cars at a stretch.</p> <p>When will the council listen to the concerns of it's community.</p> <p>Again, this is nothing against the development - this is for the council !!!!</p>
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Agenda Item 5d

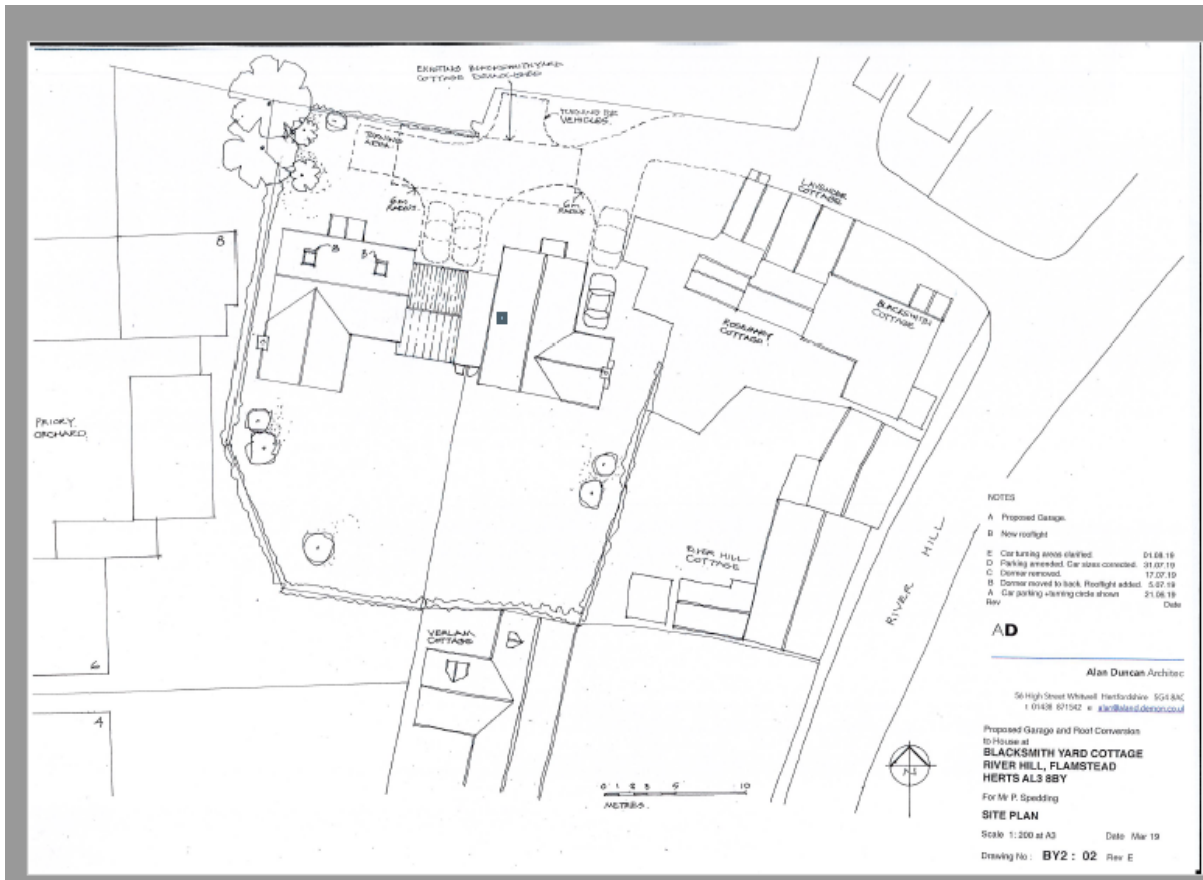
Item 5d 4/00729/19/FHA CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A

BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY



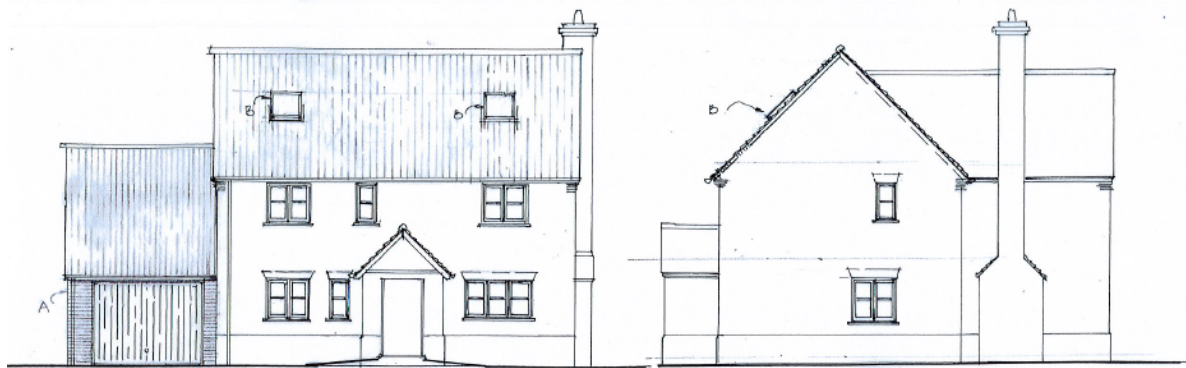
Item 5d 4/00729/19/FHA CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A BLACKSMITH YARD COTTAGE

RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY



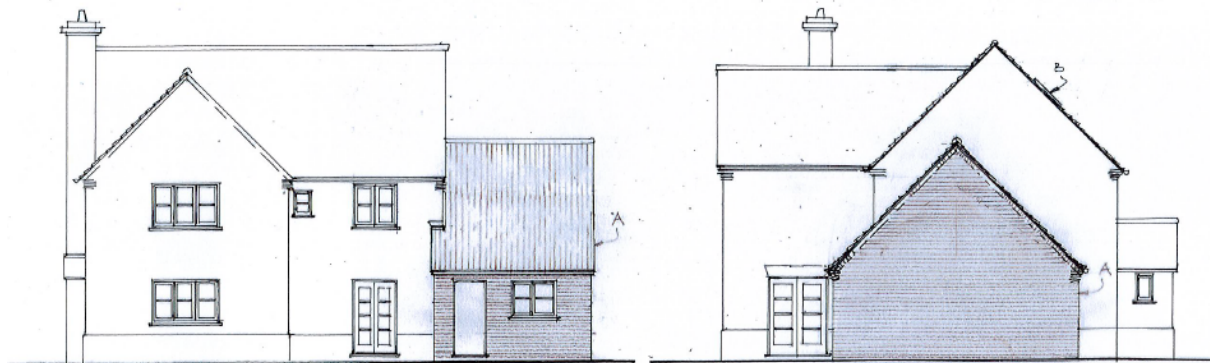
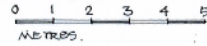
Item 5d 4/00729/19/FHA CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A

BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY



FRONT (NORTH) ELEVATION

WEST ELEVATION

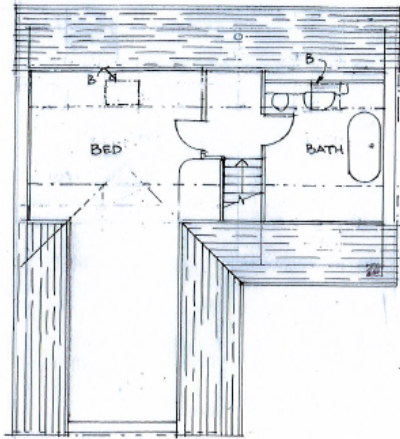


REAR (SOUTH) ELEVATION

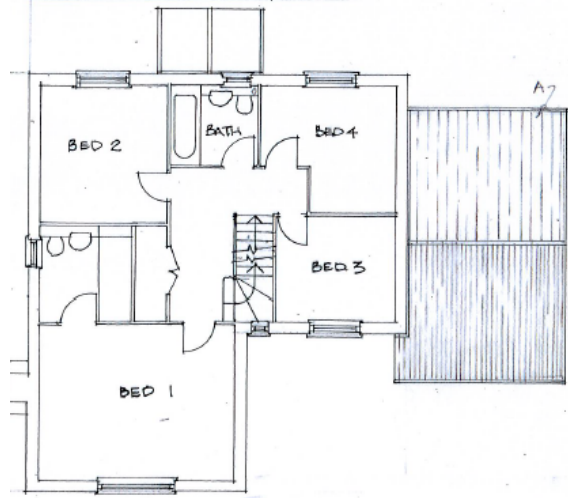
EAST ELEVATION

Item 5d 4/00729/19/FHA CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A

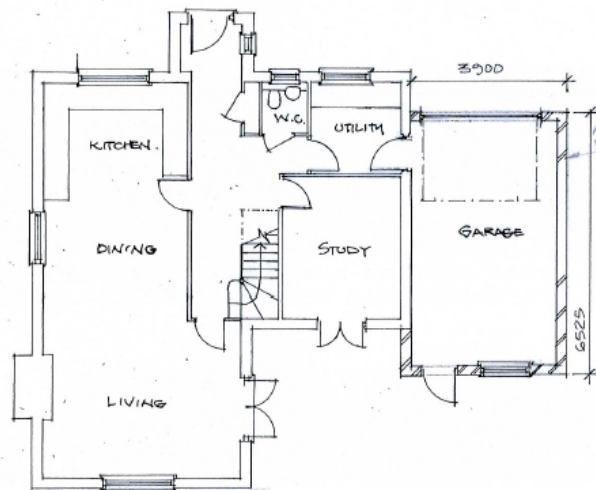
BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

4/00729/19/FHA	CONSTRUCTION OF ATTACHED GARAGE AND TWO FRONT ROOFLIGHTS TO HOUSE A
Site Address	BLACKSMITH YARD COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY
Applicant	Mr P Spedding, Blacksmith Yard Cottage
Case Officer	Heather Edey
Referral to Committee	Contrary views of Flamstead Parish Council

1. Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The proposed works are acceptable in principle, given that they would not be considered to cause harm to the openness of the Green Belt and would result in proportionate additions to the existing dwelling, in accordance with the exception listed under criterion (c), Paragraph 145 of the NPPF (2019). The proposal is not considered to detract from the character and appearance of the existing dwelling, the surrounding Grade II Listed Buildings, the streetscene or the distinct character of the Flamstead Conservation Area. The proposal would not adversely affect the amenity of neighbouring properties, would provide sufficient parking provision in line with maximum standards and would not give rise to any highway safety concerns. As such, the proposal complies with the National Planning Policy Framework (2019), Policies CS6, CS8, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policies 58 and 120 and Saved Appendices 5 and 7 of the Local Plan (2004).

3. Site Description

3.1 The application site is located on the edge of the village of Flamstead in the Flamstead Conservation Area, and accessed via a narrow lane off River Hill. The site is situated within a sensitive location in the Metropolitan Green Belt, bridging the gap between the modern residential development of Priory Orchard to the west and the historic complex to the east, consisting of Grade II Listed Buildings: Lavender Cottage, Rosemary Cottage, Blacksmith Cottage and River Hill Cottage. A public footpath extends along the front of the site, providing views across open countryside, whilst the rear of the site provides views of Grade II Listed Building, Verlam Cottage and the church spire.

3.2 Under application 4/02055/15/FUL, planning permission was given for the demolition of Blacksmith Yard Cottage, and the construction of two dwellings; House A and House B. The application site currently comprises fully constructed House A, partially constructed House B and soon to be demolished Blacksmith Yard Cottage. Both houses were sympathetically designed to preserve the character and appearance of the Flamstead Conservation Area, with House A being designed to integrate with modern development to the west and House B designed to be in keeping with historic buildings to the east.

4. Proposal

4.1 The original application sought to construct two front dormer windows and an attached garage. Following objections raised by the Parish Council and Conservation and Design Officer, the proposal has gone through numerous amendments, in attempts to overcome these concerns. The current application seeks planning permission for the insertion of two rooflights on the front elevation of House A and for the construction of an attached garage.

5. Relevant Planning History

4/02055/15/FUL DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO NEW HOUSES
Granted
21/01/2016

6. Policies

6.1 National Policy Guidance

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

6.2 Adopted Core Strategy

- CS6, CS8, CS11, CS12 and CS27

6.3 Saved Policies of the Dacorum Borough Local Plan

- Policies 58, 119, 120 and Appendices 5 and 7

6.4 Supplementary Planning Guidance / Documents [include only those relevant to case]

- Accessibility Zones for the Application of Car Parking Standards (July 2002)

7. Constraints

- Conservation Area
- Area of Archaeological Importance
- Small Village
- Green Belt
- Right of Way

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, Streetscene and Conservation Area
- Impact on Listed Buildings
- Impact on Residential Amenity
- Impact on Parking and Highway Safety

Policy and Principle

9.2 The application site is located within the Metropolitan Green Belt, whereby national policy restricts inappropriate development.

9.3 Though Paragraph 145 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should regard the construction of new buildings in the Green Belt as inappropriate development, it later lists exceptions to this rule. Criterion (c) lists the following exception; 'the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building.'

9.4 Local Policy aligns with national policy when defining appropriate development in the Green Belt. Policy CS6 of the Dacorum Borough Core Strategy (2013) stating that house extensions are permitted within the small village of Flamstead provided they are sympathetic to the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact and retain and protect features essential to the character and appearance of the village.

9.5 The application site is also located within the Flamstead Conservation Area. Saved Policy 120 of the Local Plan (2004), Policy CS27 of the Core Strategy (2013) and the NPPF (2019) all seek to ensure that new development preserves and enhances the established character and appearance of the Conservation Area.

9.6 National policy fails to specify what constitutes a proportionate addition to an original building in accordance with criteria (c), Paragraph 145 of the NPPF (2019). Saved Policy 22 of the Local Plan (2004) states that extensions in the Green Belt should be compact and limited in size, and provides qualitative criteria with which to make this assessment. Given that this policy is partially inconsistent with the NPPF, little weight is given to it when determining whether the proposed works reflect proportionate additions.

9.7 Previous appeal decisions have clarified that assessments should be made with reference to objective facts (such as size, volume and height), and other material planning considerations (including bulk, mass and prominence).

9.8 The proposed rooflights and attached garage are modest in size, volume and height, and are not considered to add significant bulk and mass to the existing dwelling. As such, the proposed works are considered to reflect proportionate additions

to House A.

9.9 Taking the above into account, the proposal is considered acceptable in principle, reflecting appropriate development in the Green Belt in accordance with the NPPF (2019). As such, the main issues of relevance to this application relate to the impact of the proposed works on the existing building, streetscene, Conservation Area and Grade II Listed buildings, residential amenity and parking/highway safety.

Impact on Existing Building, Streetscene and Conservation Area

9.10 Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials. Furthermore, Saved Appendix 7 of the Dacorum Borough Local Plan (2004) promotes good design practice for house extensions, stating that extensions should harmonise with the existing house and the surrounding area.

9.11 Policy CS6 of the Dacorum Borough Core Strategy (2013) states that house extensions within the village of Flamstead should be sympathetic to the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact and should retain and protect features essential to the character and appearance of the village.

9.12 With regards to Conservation Areas, the NPPF (2019), Policy CS27 of the Dacorum Borough Core Strategy (2013) all seek to ensure that new development positively conserves and enhances the appearance and character of the wider conservation area. In addition to this, Saved Policy 120 of the Dacorum Local Plan (2004) states that alterations and extensions should be complementary and sympathetic to the established character of the building and wider conservation area, noting that new development should use materials traditional to the area and complementary to its character.

9.13 The current application seeks permission to convert the loft into an additional bedroom and bathroom, with external works involving the insertion of two roof lights on the front elevation of House A.

9.14 The proposed rooflights would be visible within the streetscene, from the end of the narrow access lane, and from a public vantage point at the front of the site.

9.15 The Conservation and Design Officer was consulted on this element of the proposal and raised concerns, suggesting the rooflights be repositioned on the rear elevation to prevent them being visible within the streetscene.

9.16 Though these suggestions were put to the agent, the proposal was not amended in line with these comments, due to concerns regarding the overlooking of neighbouring properties. Furthermore, given their modest size and scale, the proposed rooflights would not be considered to appear overtly prominent or to detract from the character and appearance of the existing building or wider streetscene.

9.17 The proposed rooflights are also considered to preserve the established character of the Flamstead Conservation Area, given that they would be in keeping with the modern character and design of properties situated along Priory Orchard.

9.18 The application also proposes the construction of a single attached garage, projecting 3.9m from the side elevation of the existing dwelling and measuring approximately 6.5m deep. Positioned approximately 0.8m set back from the front elevation, it would comprise a steeply pitched roof, in keeping with the roof form of House A, and would be constructed in materials to match the existing dwelling, including matching facing brickwork, tiles and white finish windows.

9.19 The proposed garage would also be visible within the streetscene.

9.20 Given that the garage would partially infill the gap between House A and House B, the Parish council raised objection to this element of the proposed works, considering the garage to result in an increased feeling of congestion and mass.

9.21 The Conservation and Design Officer raised similar objections, considering the gap between Houses A and B to be important, given that it preserves the distinct character of modern development to the west and historic development to the east within this part of the Flamstead Conservation Area, whilst retaining rear views of Verlam Cottage and the church spire.

9.22 Given its positioning, set back from the front elevation of House A by approximately 0.8m and set away from House B by approximately 2m, the proposed garage would not be considered to result in an increased feeling of congestion or mass. Taking into account its sympathetic design and material finish, the proposed garage would reflect a subordinate addition to House A, retaining the distinct character of modern development to the west within this part of the Flamstead Conservation Area. By virtue of its scale and design, the proposed garage is considered to preserve the characteristic openness and permanence of the Green Belt, retaining views of open countryside to the front of the site, as well as views of Grade II Listed Building Verlam Cottage and the church spire to the rear.

9.23 Given the above assessment, the proposed works are considered to be acceptable, given that they would preserve the characteristic openness of the Green Belt and would not detract from the character and appearance of the existing building, streetscene and wider Conservation Area. The proposal therefore complies with the NPPF (2019), Policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013), Saved Policy 120 and Saved Appendix 7 of the Local Plan (2004).

Impact on Listed Buildings

9.24 The NPPF (2019), Policy CS27 of the Core Strategy (2013) and Saved Policy 119 of the Local Plan (2004) all seek to ensure that new development protects, conserves and where possible enhances the character and appearance of designated and undesignated heritage assets.

9.25 The proposed works are considered to conserve the character and appearance of Grade II Listed Buildings Lavender Cottage, Rosemary Cottage, Blacksmith Cottage, River Hill Cottage and Verlam Cottage by virtue of their positioning, scale and sympathetic design. As such, the proposal complies with the NPPF (2019), Policy CS27 of the Core Strategy (2013) and Saved Policy 119 of the Local Plan (2004).

Impact on Residential Amenity

9.26 The NPPF (2019) outlines the importance of planning in securing good standards of amenity for existing and future occupiers. Furthermore, Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that new development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.27 Taking into account the scale and positioning of the proposed rooflights, and the orientation of House A in relation to neighbouring properties, this element of the proposed works would not be considered to adversely impact on the amenity of neighbouring properties by facilitating additional overlooking, resulting in loss of light or privacy or being visually overbearing.

9.28 The proposed garage is also considered to be acceptable in terms of its impact on residential amenity, given that it would not appear visually intrusive or result in the loss of light or privacy to neighbouring properties. By virtue of its scale and positioning, the proposed garage would be screened from view of neighbouring properties 8 Priory Orchard and Grade II Listed Buildings Lavender Cottage, Rosemary Cottage and Blacksmith Cottage. Whilst visible from River Hill Cottage and Verlam Cottage, the garage would be modest in scale, retaining distances of approximately 22-25m from these properties.

9.29 Taking all of the above into account, the proposal complies with the NPPF (2019), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013).

Other Material Planning Considerations

Impact on Parking and Highway Safety

9.30 The NPPF (2019), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 58 of the Local Plan (2004) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.31 The proposed loft conversion would involve the addition of one bedroom, altering the property from a four to five bed dwelling. The maximum parking standards state that a five bed house in this area requires a maximum of three off-street parking spaces. The proposed plans show that the maximum parking standards would be met, with three off-street parking spaces being provided.

9.32 Given that the site is accessed via a narrow lane, the Parish council have raised concerns in relation to the above parking arrangements, questioning whether cars would be able to safely access the allocated spaces and have sufficient room to turn around and leave via the narrow access lane. In order to address these concerns, the agent has updated the plans, showing that cars would have a 6m radius to allow sufficient room to access and leave the site. As such, no concerns are raised to the proposal on highway safety grounds.

9.33 Given the above, the proposal is considered to provide sufficient parking for current and future occupiers, complying with the NPPF (2019), Policies CS8 and CS12 of the Core Strategy (2013), Saved Appendix 5 and Saved Policy 58 of the Local Plan

(2004).

Response to Neighbour Comments

9.34 Objections were received from neighbouring properties 6 Priory Orchard and Verlam Cottage in relation to earlier versions of the scheme, relating to the construction of front/rear dormers. Given that these works have been removed from the current proposal, these objections have not be considered as part of the above assessment.

9.35 Concerns were also raised by no. 6 Priory Orchard relating to the proposed garage, and the potential that it could later be converted into habitable space. Given that House A's permitted development rights were removed under application 4/02055/15/FUL, it is not considered necessary to attach a condition restricting the conversion of the garage into habitable space, given that the applicant would have to apply for planning permission to carry out these works.

Community Infrastructure Levy (CIL)

9.36 Policy CS35 of the Core Strategy (2013) 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 1st July 2015. The application is not CIL liable as it would result in less than 100 sqm of additional residential floorspace.

10. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above, 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 Policies CS12 and CS27 of the Core Strategy (2013) 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>BY2:01 BY2:02 Rev E BY2:04 Rev C</p>

	<p>BY2:03 Rev C</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning, in accordance with Policy CS12 of the Core Strategy (2013).</p> <p><u>Article 35</u></p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.</p>
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Appendix A

Consultation responses

FLAMSTEAD PARISH COUNCIL	Objection
<p>The Parish Council objects to this application due to the overdevelopment of the site in the context of the surrounding dwellings. The extra dormer windows would not enhance the street scene. Furthermore a 5 bedroomed house could generate a 5 car household and with a garage added on to the side there would be much less flexibility for parking. This is in the conservation area of the village with no capacity for off street parking and with a narrow lane access.</p> <p>Response following amendments to the scheme</p> <p>The PC strongly upholds its earlier objection to the amended plans. The proposed garage would not enhance the plot. It would unacceptably increase the feeling of congestion and mass in this small site whilst decreasing the parking flexibility. The PC objects to the dormer window in the roof as inappropriate as it increases the sense of mass and would be overpowering in this rural setting in the conservation area. It is not comparable with the dormer windows found on the neighbouring cottage which are on the first floor. The proposed dormer would create an impression of height and greater mass by giving the dwelling an obvious third floor.</p> <p>There was no swept path diagram on the plans to give a clear view of where all the cars would park and how they would easily turn around without encroaching on the neighbours' land. A 2004mm x 4922mm 4x4 car with a poor lock would perform less well than a smaller car in such a restricted space.</p> <p>The plan showing the refuse lorry turn is inaccurate and unrealistic given that lorries of that size would struggle to reach the houses.</p> <p>Object</p>	

CONSERVATION AND DESIGN OFFICER	Objection
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The proposals for the two houses (of which this forms the larger) replacing the former single cottage on this site in 2016 went through many iterations to arrive at a satisfactory design. The houses do not have dormers so as to preserve simple roof forms, consistent with the neighbours. The gaps between the houses were considered to be important so the garage will fill this open view through and will convert what were 3 parking spaces into a covered garage providing a single car parking space, thus, displacing any further parked cars forward of the building line.

I consider the scheme – including both addition of dormers and garage, would be harmful to the conservation area and would bring no significant benefits to outweigh the harm caused.

Response following amendments to the scheme

The marginally revised plans do not address any of my concerns as outlined in my e-mail of 14th June:

'The proposals for the two houses (of which this forms the larger) replacing the former single cottage on this site in 2016 went through many iterations to arrive at a satisfactory design. The houses do not have dormers so as to preserve simple roof forms, consistent with the neighbours. The gaps between the houses were considered to be important so the garage will fill this open view through and will convert what were 3 parking spaces into a covered garage providing a single car parking space, thus, displacing any further parked cars forward of the building line.

I consider the scheme – including both addition of dormers and garage, would be harmful to the conservation area and would bring no significant benefits to outweigh the harm caused.'

A simple loft conversion could be considered if the means of lighting it was moved entirely to the rear elevation, using rooflights rather than dormers. The garage would need to be omitted for the reasons explained above.

ARCHAEOLOGY	No Comment
<p>In this instance, the development site has been subject of an archaeological evaluation, and subsequent archaeological monitoring of the groundworks for two new houses (ref 4/02055/15/FUL).</p> <p>I therefore 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.</p>	

Appendix B

Neighbour notification/site notice responses

Objections

Address	Comments
<p>VERLAM COTTAGE, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BY</p>	<p>Ref Drawing No. BY02:04 rev B which shows a dormer window to the rear of the property, my wife and I object strongly .</p> <p>Installing a dormer window to the rear of this house would be intrusive to the rear courtyard of my property.</p> <p>We have a 2m fence around said courtyard, when we are sitting we can see the roof of the new house but no windows thus giving us some privacy.</p> <p>Installing a dormer window to the rear would remove all privacy from my gardens.</p> <p>I cannot see why anyone would want to install a dormer to the rear overlooking gardens rather than to the front with views over the valley.</p>

Address	Comments
<p>6 PRIORY ORCHARD, RIVER HILL, FLAMSTEAD, ST ALBANS, AL3 8BU</p>	<p>The two new dwellings are adjacent to my property and overlook the back of my house and garden.</p> <p>Whilst I have no objection to the construction of a garage I would like the planning officer to consider :</p> <p>The height of the dormers, its difficult from the hand drawings to gauge the height of the pitch, I would hope that it would not be as severe as drawn.</p> <p>The drawings show that the building has a door and window at ground level, many garages are turned into habitable space, this has the scope for such a change which would increase the habitable space quite considerably with the possibility of putting windows in the dormers which would overlook the rear of my house and add to the development footprint of the plot which is already quite considerable.</p>

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Item 5e 4/01264/19/FHA PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION

11 ST MARGARETS CLOSE, BERKHAMSTED, HP4 2LH

THIS DRAWING MUST NOT BE USED



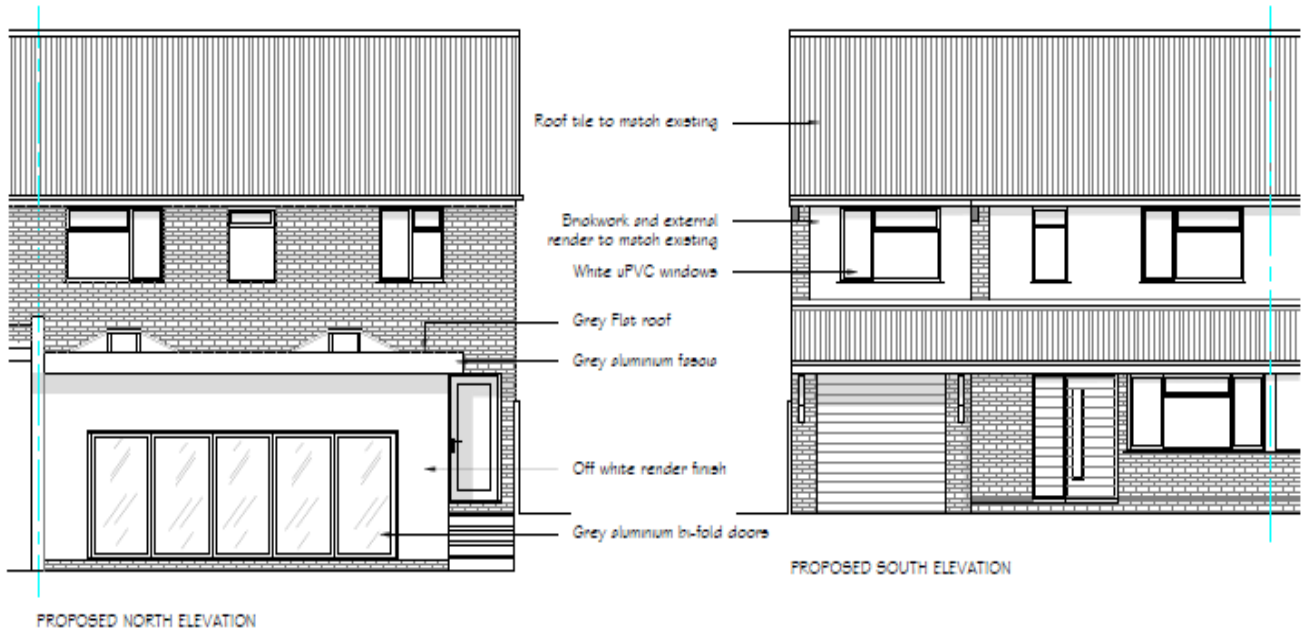
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LOCATION PLAN
Scale 1:1250



Item 5e 4/01264/19/FHA PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION

11 ST MARGARETS CLOSE, BERKHAMSTED, HP4 2LH



4/01264/19/FHA	PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION
Site Address	11 ST MARGARETS CLOSE, BERKHAMSTED, HP4 2LH
Applicant	Mr Jackson, 11 St Margarets Close
Case Officer	Robert Freeman
Referral to Committee	The proposals have been referred to committee in view of the objections from Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The proposed extensions are considered to be acceptable in terms of their design, bulk, scale, height and use of materials. They would not detract significantly from the character and appearance of the property or the area in which it is located. There would be no significant impact on the residential amenities of neighbouring properties. Adequate parking would be required for a dwelling of this size. As such, the proposals are considered to be in accordance with Policies CS8, CS11 and CS12 of the Core Strategy and Saved Appendices 5 and 7 of the Dacorum Borough Local Plan 1991-2011.

3. Site Description

3.1 The site is located on the northern side of St Margarets Close and comprises a two bedroom semi-detached dwelling. A detached garage building is located to the rear of the property extending beyond the site boundary and providing parking for both the application property and its neighbour.

3.2 A number of properties within the locality have constructed two storey side extensions including those to Nos. 6, 16, 20, 24, 26 and 29 St Margarets Close substantially eroding the spacing between properties and the semi-detached character of properties within the street.

4. Proposal

4.1 The application proposes the demolition of the existing garage and conservatory and the construction of a two storey side extension and single storey rear extension. This would provide an integral garage at ground level and an additional bedroom at first floor level. Two parking spaces would be created within the front garden to the property.

5. Relevant Planning History

5.1 There is no relevant planning history associated with this property.

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
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 13 - Use of Planning Conditions and Obligations.
Policy 51 - Development and Transport Impacts
Policy 54 - Highway Design
Policy 58 - Private Parking Provision
Appendix 5 - Parking Provision
Appendix 7 - Small Scale House Extensions

6.4 Supplementary Planning Guidance / Documents

Accessibility Zones for the Application of car Parking Standards (July 2002)

7. Constraints

7.1 None

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

Policy and Principle

9.1 The site is located within a residential area of Berkhamsted where in accordance with Policies CS1 and CS4 of the Core Strategy there would be no objection in principle to the extension of residential units. The main considerations in this case are those relating to the design and impact of works on the character and appearance of the area and the implications of the development for neighbouring properties.

Design

9.2 The proposed extensions are considered to be appropriate in terms of its design, bulk, scale, site coverage and use of materials and as such is not considered to detract from the overall appearance of the property in accordance with Policies CS12 and CS13 of the Core Strategy.

9.3 The rear extension would replace an existing rear conservatory with a more contemporary, flat roofed design with two rooflights and wide bi-fold doors maximising daylight and sunlight to the kitchen and dining area. This would project some 4.2m to the rear of the property and would be a maximum of 3.5m in height reflecting the lower ground floor area of the proposed rear extension and change in topography to the rear garden to the site.

9.4 A two storey side extension would be constructed onto the common boundary of the site and to the full depth of the original dwelling. This would facilitate the construction of a new bedroom and en-suite at first floor level and a garage space. A number of other properties within St.Margarets Close have undertaken similar extensions such that the proposed development cannot be considered to be unduly harmful to the character and appearance of St. Margarets Close; the spacious character of which has already been eroded.

Impact on Neighbouring Properties

9.5 The impact of the proposed works on the neighbouring property can clearly be assessed from drawing EB11SMC-04D.

9.6 The proposed rear extension, although significant in height, would not project significantly beyond the existing extension or that of the adjoining property (No.12) and as such it is concluded that the proposed extension would not result in significant harm to this property either as a result of visual intrusion or as a result of losses in either daylight, sunlight or privacy. The proposed development is therefore considered to be in accordance with Policy CS12 and Saved Appendix 7 of the Local Plan 1991-2011.

9.7 The proposed extension to the side of the property would be located opposite a glazed entrance door and first floor window to No.10. However, the extension is also unlikely to result in significant harm to the amenities of this property in view of the juxtaposition of units and internal layout of the property. The openings to the flank elevation of the property are not the primary source of light to the main habitable areas within the property. As such, the proposals would not adversely impact on No.10.

Impact on Highway Safety

9.8 A total of two parking spaces would be provided as a result of the development. This would be a modest shortfall of 0.25 spaces against the maximum parking standards in Saved Appendix 5 of the Local Plan 1991-2011. The arrangements are not considered either detrimental to the appearance of the area (under Policy CS12) nor matters of highways safety (under CS8 and CS12 of the Core Strategy)

Other Material Planning Considerations

9.9 The proposals are not considered to raise any other significant planning issues.

Response to Neighbour comments

9.8 An objection to the proposals has been received from the adjoining property at 12 St Margarets Close. The impact of development upon the amenities of this property are considered above. A number of issues are raised in relation to procedural matters under the Party Wall Act. These are Building Control issues and subject to their own regulatory framework. It is not for the planning process to intervene in this process and as such we would make no comments thereon.

10. Conclusions

10.1 This application is considered to comply with the relevant Development Plan policies and as such it is recommended that planning permission be granted.

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

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings.</p> <p>Reason: To ensure a satisfactory appearance to the development.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>EB11SMC-01 (Location and Block Plan) EB11SMC-04D (Proposed Floor Plan) EB11SMC-05A (Proposed Floor Plan) EB11SMC-06 (Proposed Elevations)</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>

Appendix A

Consultation responses

Berkhamsted Town Council

Berkhamsted Town Council would object to the proposals. Although in principle, the Committee had no issue with the proposed rear extension we would like some clarity

on the impact the proposed side extension may have on the adjacent property. The application drawings do not make clear the extent of this impact. As such we consider that the proposals would be contrary to Policy CS12 of the Core Strategy.

Appendix B

Neighbour notification/site notice responses

Objections

12 St Margarets Close

The owner of number 11 has introduced himself to us as 'Rory' to date and therefore we shall refer to him as such throughout this response.

Prior to receipt of your letter, we had not been in contact with Rory regarding his plans for extending his property. We were out of the country at the time the letter was delivered and read it on our return, which was Saturday 8 June 2019.

On Sunday 9 June 2019, Rory was undertaking some work in the garden to the rear of his property and Mrs Gayle took the opportunity to discuss the proposed rear extension with him. During that discussion, Rory confirmed that the proposed extension to number 11 would not protrude past the existing building line at the rear of our property and would be aligned with our existing rear extension. This appears to conflict with documents EB/ I I SMC-01 and EB/I I SMC-06 which clearly show that the proposed works extend past the current building line. Despite the verbal assurances provided from Rory, we are concerned that, as they stand on paper, the proposed works will affect our "right to light" and seriously overshadow our dining room window, which is part of our rear extension constructed in 1982. Therefore, we request that the plans are modified to show that the rear extension will align with our existing extension if this is the case.

These documents also appear to show a shared boundary line. Rory also explained that there would need to be some excavation into the foundations at the rear of his property, including at the boundary, which is within 3 or 6 metres of our property. Mrs Gayle therefore suggested that a Party Wall Agreement may need to be provided. On 15th June 2019, Rory notified Mrs Gayle that he was in the process of preparing a Party Wall Agreement. However, at the time of writing, we have not yet received said agreement.

Our understanding is that a Party Wall Agreement is required for the following:

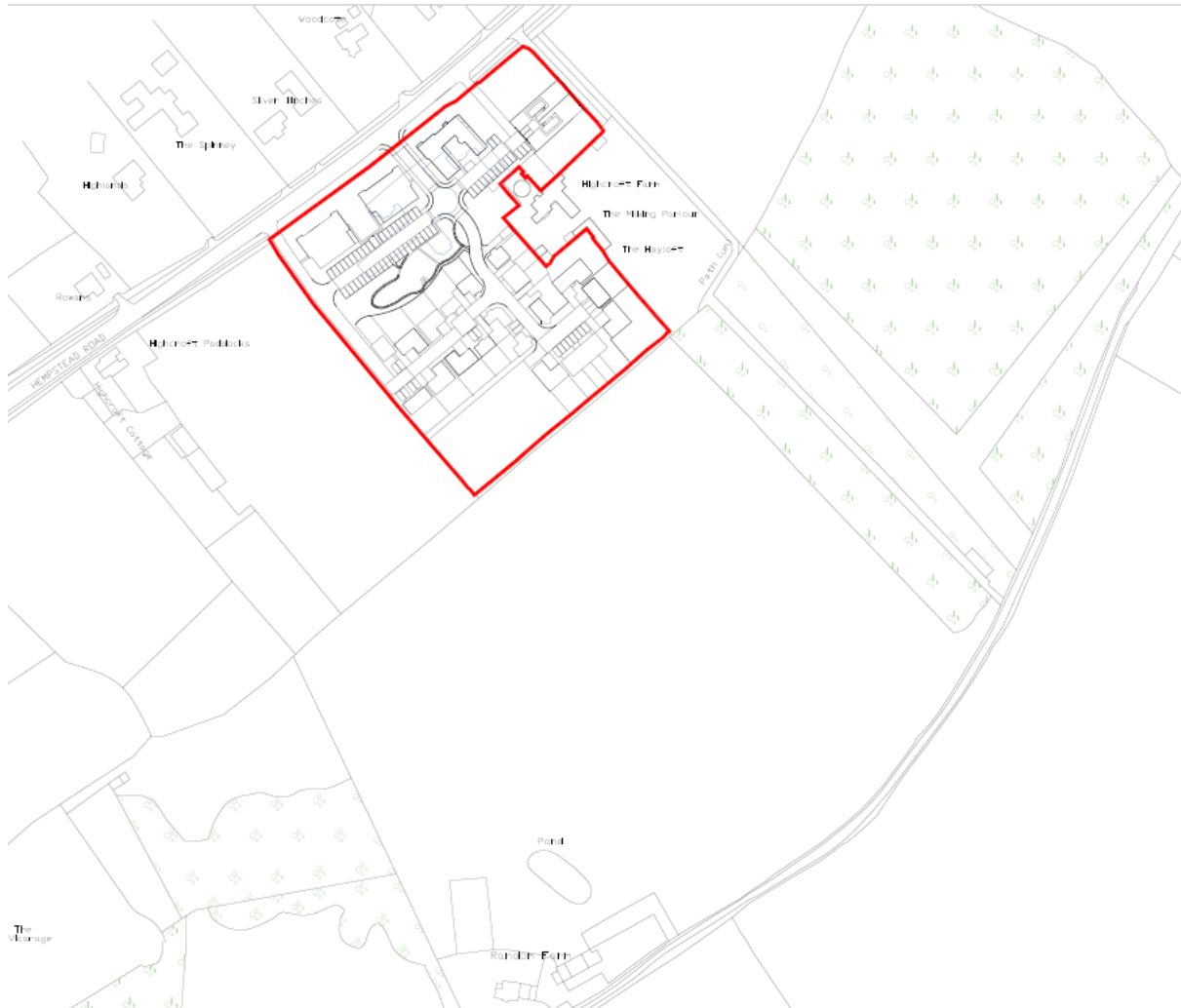
- work on an existing wall or structure shared with another property (section 2 of the Act);
- building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property (section 1 of the Act); or
- excavating near a neighbouring building (section 6 of the Act).

And, that depending on the nature of the works required, this notice should be provided between one and two months of commencement date.

Agenda Item 5f

Item 5f 4/02680/18/MOA PART DEMOLITION OF EXISTING HOTEL PREMISES AND ASSOCIATED BUILDINGS, CONVERSION OF THE 'STABLE LODGE' INTO 1 NO. DWELLING, 36 NO. APARTMENTS AND 24 NO. HOUSES, AND RELOCATION OF 2 NO. EXISTING MOBILE HOMES (OUTLINE)

BOBSLEIGH INN, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0DS



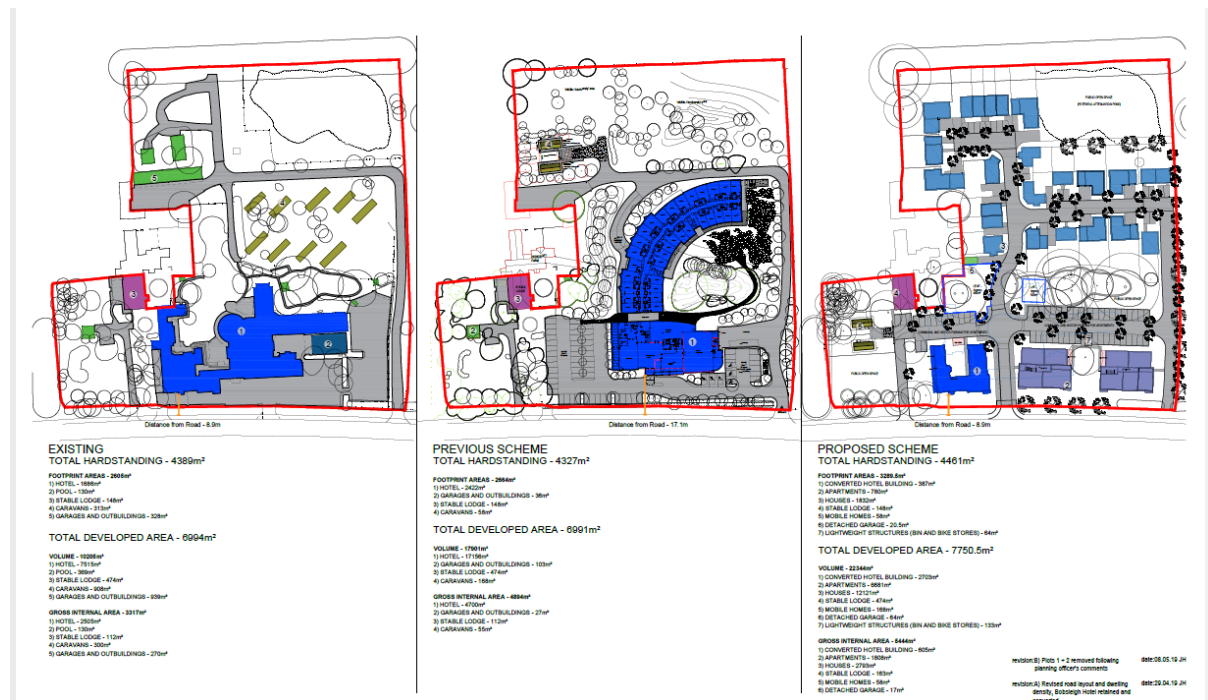
Item 5f 4/02680/18/MOA PART DEMOLITION OF EXISTING HOTEL PREMISES AND ASSOCIATED BUILDINGS, CONVERSION OF THE 'STABLE LODGE' INTO 1 NO. DWELLING, 36 NO. APARTMENTS AND 24 NO. HOUSES, AND RELOCATION OF 2 NO. EXISTING MOBILE HOMES (OUTLINE)

BOBSLEIGH INN, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0DS



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BOBSLEIGH INN, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0DS



4/02680/18/MFA	PART DEMOLITION OF EXISTING HOTEL PREMISES AND ASSOCIATED BUILDINGS, CONVERSION OF THE 'STABLE LODGE' INTO 1 NO. DWELLING, 36 NO. APARTMENTS AND 24 NO. HOUSES, AND RELOCATION OF 2 NO. EXISTING MOBILE HOMES (OUTLINE)
Site Address	BOBSLEIGH INN, HEMPSTEAD ROAD, BOVINGDON
Applicant	MACDONALD HOTELS AND RESORTS LTD.
Case Officer	Nigel Gibbs
Referral to Committee	The recommendation to support the application is contrary to Bovingdon Parish Council's view

1. Recommendation

1.1 That the application be **delegated with a view to approval** subject to the completion of a Section 106 agreement and subject to the conditions set out below.

2. Summary

2.1 This outline application is for the determination of the access, layout and scale to accommodate new housing at the site. The development's appearance and landscaping would be subject to a subsequent reserved matters application.

2.2 The redevelopment of this previously developed land in Green Belt accords with the general expectations of the National Planning Policy Framework 2019 which is more up to date than the adopted Policy CS5 of Dacorum Core Strategy in terms of providing increased flexibility relating to the reuse of previously developed sites in the Green Belt. There are very special circumstances to support the temporary relocation of two mobile homes from the Highcroft Trailer Park for existing residents onto land adjoining Stable Lodge.

2.3 The proposal would accord with the aims of Policies CS2, CS8, CS10, CS12, CS17, CS18, CS19, CS25, CS27, CS29, CS31, CS32 and CS35 of the Dacorum Core Strategy and saved Policies 15, 18, 19, 21, 23, 26, 51, 54, 58 and 99 of the Dacorum Borough Local Plan 1991-2011, and relevant provisions of the National Planning Policy Framework 2019.

3. Site Description

3.1 The 46 bedroom Bobsleigh (2905 sqm) was a long established and expanded Hotel located on the classified Hempstead Road to the north east of the village of Bovingdon. The use ceased in November 2014. It is now only in very low key office administration use for Mc Donald Hotels by default.

3.2 The site (1.93 h) lies within the Green Belt in the open countryside within a wooded setting. It occupies an elongated (120m) and prominent frontage to Hempstead Road with buildings and car parking aligned along this frontage, separated by a wide grass verge with bus stops on both sides of the highway. There are detached dwellinghouses located opposite also within a wooded setting. Stable Lodge (previously used for staff accommodation) and Highcroft Farm (a dwelling and a converted residential

outbuilding) are located to the immediate north east. There are fields to the south west and south east. The south western field was subject to a refusal and dismissed appeal for a Travellers' site.

3.3 Highcroft Trailer/ Caravan/ Mobile Home Park is located behind the site frontage buildings. It is now in a semi derelict condition with two of the 11 homes occupied. It adjoins the former hotel gardens, preserved trees and an ice house. The Park faces onto a largely undeveloped / overgrown area of land featuring trees and low level planting in the southern part of the application site. There is a nearby garage block, a former airfield type building and another building.

3.4 There are four accesses linked to Hempstead Road. The former hotel's main access is located centrally linked to the frontage and side car parks providing 60 spaces. A secondary main access is at the northern end serving the mobile home park, which is linked by an elongated roadway. Stable Lodge and its detached garage are served by a third main access which is linked to Highcroft Farm. An undeveloped wooded area adjoins the aforementioned garage. The fourth access is linked to the main building's front entrance.

4. Proposal

4.1 Outline Planning permission is sought for the partial demolition of the existing hotel buildings, the residential conversion of Stable Lodge into a dwelling, the provision 36 apartments and 25 houses (including Stable Lodge), and relocation of the existing mobile homes, with associated parking. The retained part of the hotel would be converted into 9 apartments. Affordable housing (35%) would be an integral part of the development. Access, layout and scale are matters which the Applicant seeks to be determined/considered.

4.2 The now superseded Original Scheme (36 Apartments and 22 dwellings) involved the demolition of all the existing buildings with the exception of Stable Lodge.

4.3 The Revised Scheme comprises of 3 two and a half storey blocks of apartments along the road frontage. In addition to the aforementioned conversion to 9 apartments the other blocks would provide 12 and 15 apartments respectively, complemented by frontage planting and rear communal parking. The site's existing main central access would be linked to the development's main roadway being located between the retained Inn building and the proposed second frontage apartment block. A second tier of housing comprising of a mix of terraced, semi-detached and detached dwellings would be located behind the apartments. These houses would be linked to the proposed main roadway and separated from the frontage apartments by the retained icehouse and associated preserved trees/ 'green buffer'. Much of the site's aforementioned overgrown southern corner would serve a communal amenity area being a potential attenuation pond. The existing access serving the mobile home park would form a secondary access to the site. The mostly undeveloped land to the immediate west of the established hotel complex and adjoining Stable Lodge would provide plots for the relocation of two mobile homes for the accommodation of 3 longstanding residents at the Mobile Home Park with an adjoining open space, facilitated by the demolition of an existing domestic garage. There are also two play areas provided within the layout. All the open space would be subject to maintenance

through the establishment of a management company also responsible for other communal areas including the roadway and parking. A public footpath would link the two accesses from the Hempstead Road.

4.4 The proposed dwellinghouses would comprise of 4 two-bedroom, 11 three-bedroom and 10 four+ bedroom units and all are provided with separate curtilage / 'off street parking. The apartments would comprise of 6 one-bedroom and 30 two-bedroom units served by two communal parking areas. The affordable housing involves 15 units within one apartment block as rented affordable housing, 6 houses (3 two bed and 3 three bed) distributed within different parts of the site for shared ownership and one affordable two bedroom rented dwelling. Drawing No. PS04 H has recently been submitted to complement PS04 Rev G, by showing plot nos. and garden sizes.

4.5 A comparison of the Proposed and Existing Developments is below based upon the Agent's measurements:

PROPOSAL

TOTAL HARDSTANDING - 4461m²

FOOTPRINT AREAS - 3289.5m²

- 1) CONVERTED HOTEL BUILDING - 387m²
 - 2) APARTMENTS - 780m²
 - 3) HOUSES - 1832m²
 - 4) STABLE LODGE - 148m²
 - 5) MOBILE HOMES - 58m²
 - 6) DETACHED GARAGE - 20.5m²
 - 7) LIGHTWEIGHT STRUCTURES (BIN AND BIKE STORES) - 64m²
- TOTAL DEVELOPED AREA - 7750.5m²

VOLUME - 22344m³

- 1) CONVERTED HOTEL BUILDING - 2703m³
- 2) APARTMENTS - 6681m³
- 3) HOUSES - 12121m³
- 4) STABLE LODGE - 474m³
- 5) MOBILE HOMES - 168m³
- 6) DETACHED GARAGE - 64m³
- 7) LIGHTWEIGHT STRUCTURES (BIN AND BIKE STORES) - 133m³

GROSS INTERNAL AREA - 5444m²

- 1) CONVERTED HOTEL BUILDING - 605m²
- 2) APARTMENTS - 1808m²
- 3) HOUSES - 2793m²
- 4) STABLE LODGE - 163m²
- 5) MOBILE HOMES - 58m²
- 6) DETACHED GARAGE - 17m

EXISTING DEVELOPMENT

TOTAL HARDSTANDING - 4389m²

FOOTPRINT AREAS - 2605m²

- 1) HOTEL - 1686m²
- 2) POOL - 130m²
- 3) STABLE LODGE - 148m²

4) CARAVANS - 313m²
5) GARAGES AND OUTBUILDINGS - 328m²
TOTAL DEVELOPED AREA - 6994m²

VOLUME - 10205m³

1) HOTEL - 7515m³
2) POOL - 369m³
3) STABLE LODGE - 474m³
4) CARAVANS - 908m³
5) GARAGES AND OUTBUILDINGS - 939m³

GROSS INTERNAL AREA - 3317m²

1) HOTEL - 2505m²
2) POOL - 130m²
3) STABLE LODGE - 112m²
4) CARAVANS - 300m²
5) GARAGES AND OUTBUILDINGS - 270m²

4.6 Note: Reserved Matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (i.e. they can be 'reserved' for later determination). These are defined in article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

- 'Access' – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

4.7 In this application appearance and landscaping are to be determined at reserved matters stage if outline planning permission is granted.

5. Relevant Planning History and Background

5.1 There is a substantial planning history relating to the Bobsleigh. Since the 1980's there have been a range of applications including permission for various additions. These include:

5.2 4/01088/13/MFA: Demolition of existing hotel premises and associated buildings within the existing complex and the construction of a new 100-bedroom hotel together with revised access requirements and car parking. Relocation of 2 caravans/mobile homes.

The reason for refusal was:

The proposal is for inappropriate development in the Green Belt. In the Green Belt inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Insufficient very special circumstances have been demonstrated in this case. The proposal is therefore contrary to Policy C5 (Green Belt) of Dacorum Core Strategy and Policy 89 of the National Planning Policy Framework which protect Green Belt land from inappropriate development.

4/0180/10FUL - Resiting and replacement of two mobile homes was received on 22 January 2010. Withdrawn.

4/0195/09/MFA – Refusal for the demolition of the existing hotel and associated buildings, and construction of a new access and car parking areas. The application was refused for following reasons:

- 1.The proposed development would constitute inappropriate development in the Green Belt. The applicant failed to demonstrate a case of very special circumstances which would justify inappropriate development in the Green Belt.
- 2.The development will result in the loss of use of land for a residential caravan park on the site; this would be contrary to Local Plan Policies 15 and 26.
- 3.The proposed development was considered to be contrary to Local Plan Policy 11, by reason of its scale, mass, size, design and use of materials, the development would be out of keeping with this rural area location and surrounding development.
- 4.The applicant failed to submit a sequential test as required under Policies EC15, EC16 and EC17 of the Local Plan.

4/2335/08MFA - Demolition of existing hotel and associated buildings. Construction of hotel with access, car parking and associated development – Withdrawn. 30 April 2009.

4/0474/04FUL - Removal of existing caravans and demolition of garage block and two outbuildings, construction of block to provide 52 additional bedrooms, extension to dining room, provision of health and leisure facility, car parking, new access and associated landscaping – Withdrawn 2004.

4/2270/01OUT - Two storey bedroom blocks, conference and dining room extensions and alterations to entrance, removal of 11 static caravans & new parking area (185 spaces) and leisure facility – Refused 2002.

Other History

Highcroft Farm

In 2000 planning permission 4/0468/00/FUL was granted for the conversion of a freestanding outbuilding into a single holiday unit with disabled facilities. This was not implemented. A further application was then granted in 2006 (4/01404/06/FUL) for the conversion of this building into 2 holiday letting units. Subsequently Planning Permission 4/03493/14/FUL was granted for the change of use of the outbuildings from holiday lets to two dwellings.

Adjoining Land

Refusal 4/02324/13/FUL – Change of Use to caravan site for 8 Gypsy families. Appeal dismissed.

A full Site History (including Related) is as follows:

Address: BOBSLEIGH INN, HEMPSTEAD ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0DS

- | | |
|----------------|---|
| 4/01088/13/MFA | DEMOLITION OF EXISTING HOTEL PREMISES AND ASSOCIATED BUILDINGS WITHIN THE EXISTING COMPLEX AND CONSTRUCTION OF A NEW 100 BEDROOM HOTEL TOGETHER WITH REVISED ACCESS REQUIREMENTS AND CAR PARKING. RELOCATION OF 2 CARAVANS/MOBILE HOMES.
Refused
25/06/2015 |
| 4/00180/10/FUL | RESITING AND REPLACEMENT OF TWO MOBILE HOMES
Withdrawn
06/08/2010 |
| 4/01915/09/MFA | DEMOLITION OF EXISTING HOTEL AND ASSOCIATED BUILDINGS. CONSTRUCTION OF HOTEL WITH ACCESS, CAR PARKING AND ASSOCIATED DEVELOPMENT (AMENDED SCHEME)
Refused
16/02/2010 |
| 4/02335/08/MFA | DEMOLITION OF EXISTING HOTEL AND ASSOCIATED BUILDINGS. CONSTRUCTION OF HOTEL WITH ACCESS, CAR PARKING AND ASSOCIATED DEVELOPMENT
Withdrawn
30/04/2009 |
| 4/00551/07/ADV | REPLACEMENT SIGNS

Granted
30/04/2007 |
| 4/00474/04/FUL | REMOVAL OF EXISTING CARAVANS AND DEMOLITION OF GARAGE BLOCK AND TWO OUTBUILDINGS, CONSTRUCTION OF BLOCK TO PROVIDE 52 ADDITIONAL BEDROOMS, EXTENSION TO DINING ROOM, PROVISION OF |

HEALTH AND LEISURE FACILITY, CAR PARKING, NEW ACCESS AND
ASSOCIATED LANDSCAPING

Withdrawn
04/06/2004

- 4/02270/01/OUT TWO STOREY BEDROOM BLOCKS, CONFERENCE AND DINING ROOM
EXTENSIONS AND ALTERATIONS TO ENTRANCE, REMOVAL OF 11 STATIC
CARAVANS & NEW PARKING AREA (185 SPACES) AND LEISURE FACILITY
Refused
16/02/2002
- 4/01028/96/4 ALTERATIONS AND EXTENSIONS TO FLAT ROOF BUILDING AT REAR AND
REPLACEMENT OF EXISTING WINDOWS TO FRONT ELEVATION
Granted
29/10/1996
- 4/00441/96/4 SUBMISSION OF DETAILS OF FACING BRICKS PURSUANT TO CONDITION 2
OF P/P 4/1414/95 (ERECTION OF 1.7/1.8M BOUNDARY WALL & RAILINGS)
Granted
24/05/1996
- 4/01414/95/4 ERECTION OF 1.7M/1.8M BOUNDARY WALL AND RAILINGS (MODIFIED
SCHEME)
Granted
28/03/1996
- 4/00711/93/4 SUBMISSION OF DETAILS OF MATERIALS AND LANDSCAPING PURSUANT
TO P/P 4/0265/92 (BEDROOM/RECEPTION/SWIMMING POOL EXTENSIONS
AND PARKING AREA)
Granted
15/07/1993
- 4/00265/92/4 BEDROOM/RECEPTION/SWIMMING POOL/ EXTENSIONS AND PARKING
AREA
Granted
16/04/1992
- 4/00689/91/4 EXTENSION TO HOTEL TO FORM BEDROOM,RECEPTION AND SWIMMING
POOL BLOCK AND FORMATION OF PARKING AREA
Granted
05/09/1991
- 4/01327/90/4 ERECTION OF EXTERNAL FIRE ESCAPE
Granted
09/11/1990
- 4/01504/89/FUL CHANGE OF USE OF COTTAGE TO FORM BEDROOM ANNEX TO HOTEL
Granted
19/10/1989

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework 2019
National Planning Practice Guidance

6.2 Brownfield Register

6.3 Dacorum Core Strategy (2013)

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 - Selection of Development Sites
CS3 - Managing Selected Development Sites
CS5 - The Green Belt
CS8 - Sustainable Transport
CS9 - Management of Roads
CS10 - Quality of Settlement Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS14 - Economic Development
CS17 - New Housing
CS19 - Affordable Housing
CS25 - Landscape Character
CS26 - Green Infrastructure
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Water and Soil Quality
CS35 - Infrastructure and Developer Contributions

Also: Countryside Place Strategy and Bovington Place Study

6.4 Saved Policies of the Dacorum Borough Local Plan 1991-2011

10- Optimising the Use of Urban Land
12 - Infrastructure Provision and Phasing
13 - Planning Conditions and Planning Obligations
18 - The Size of New Dwellings
19- Conversions
21 - Density of Residential Development
26- Residential Caravans
51 - Development and Transport Impacts
57 - Provision and Management of Parking
58 - Private Parking Provision
62- Cyclists
90- Tourism
92- Hotels and Guest Houses in the Green Belt
99 - Preservation of Trees, Hedgerows and Woodlands
100 - Tree and Woodland Planting
102- Sites of Importance to Nature Conservation
111 - Height of Buildings
113- Exterior Lighting

Appendices 3, 5, 6 and 8

6.5 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)

- Water Conservation & Sustainable Drainage (June 2005)
- Planning Obligations (April 2011)
- Affordable Housing (Jan 2013)
- Landscape Character Study
- Refuse Advice Note

6.6 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)
- Policy Advice Note, dated May 2017, which looked at the consistency of the Councils adopted planning policies with the former NPPF and further clarification on saved policies;
- Affordable Housing Clarification Advice Note, dated July 2016
- Dacorum Urban Design Assessment (Bovingdon Report) 2006

Also: Hertfordshire County Council Local Transport Plan 4

7. Constraints

Green Belt: Previously Developed Land

Non Designated Heritage Asset

Landscape Character Area: Bovingdon and Chipperfield Plateau 107

Tree Preservation Order 304

Air Direction Limit

Wind Turbine 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.

Please Note: Any comments upon the Revised Scheme which are received between the completion of the Report and the Committee meeting will be reported within the addendum to the Committee.

9. Considerations

Main issues

9.1 The main issues of relevance to the consideration of this application for this major housing development (of which 35% will be affordable) in the Green Belt on previously developed land involving a non designated heritage asset and using existing accesses onto the classified Hempstead Road, are set out below. This is set against an acknowledgement that the previously vibrant Hotel is now redundant and the once fully occupied Mobile Home Park is virtually derelict, with the adjoining scatter of buildings in a poor state of repair.

- Policy and principle: Green Belt Implications for the Loss of the Hotel and the Displacement of the Two Existing Caravans/ Loss of the Mobile Home Park.
- The Approach to Housing at the Site: Mix, Affordable Housing etc.
- Layout/ Scale, Character of Area, Heritage, and Arboricultural Implications.
- Access/ Traffic/Highway Safety and Parking implications.
- Effect upon the Residential Amenity of the Locality.
- Ecological Implications.
- Drainage and Ground Conditions.

Policy and Principle: The Green Belt Implications/ Loss of the Hotel and The Mobile Home Park

Loss of the Hotel

9.2 The opportunity for the provision of a replacement modern hotel at the site, which was considered through the refused 2013 application, is no longer an option, now being an unviable hotel. The replacement hotel would have supported the rural economy in accordance with the NPPF paragraph 83 (a)/ paragraph 84 regarding sustainable rural tourism. However, to now refuse the application based upon this being an alternative would be wholly untenable.

Loss of the Mobile Home Park

9.3 The mobile home park is beyond rejuvenation. The previous 2013 hotel scheme was not refused due to the loss of the mobile home park. However, in the refusal of an earlier scheme the report confirmed:

'DBLP Policy 15 is another key policy in consideration of the application. Policy 15 seeks to retain existing housing within the Borough and states that the loss of housing land and dwellings will not be permitted except in certain circumstances. The proposal will result in the loss of the caravan park present on the site. The site was originally for 15 residential caravans. 11 units remain on the site but only two are in separate residential use. A Caravan Condition Survey has been submitted with the application. It states that the area known as the "Highcroft Trailer Gardens" has been designated as a registered touring and static caravan park since the early 1980s. The site has been run-down and the state of the units is such that significant investment is required to bring them up to a habitable condition. It is claimed that since 1998 only 2 of the units have been occupied and a planning application has been submitted to replace these two units (4/0180/10FUL). Whilst the site may currently be in a poor state and only 2 units have been in residential use for a number of years the use of the site for at least 11 residential units remains and until such time that abandonment of the use is proven and/or planning permission granted for replacement of any of the units, the current proposal for redevelopment of the Bobsleigh Inn would result in the loss of residential use of the land contrary to Policy 15 of the Local Plan'.

9.4 The approach to the 2013 hotel application was explained in the relevant report and remains valid with Dacorum Local Plan Policy 15 being saved:

'As residential development is an inappropriate form of development the onus is again with the applicant to justify very special circumstances.

As confirmed there are 11 static caravans on site with only two currently occupied (a position that has not changed since 1998). The redevelopment of the hotel will result in the removal of all 11 caravans and the relocation of 2 of the caravans i.e. a net loss of 9 caravans.

The applicants' caravan condition survey demonstrates that many of the caravans on the site are in poor condition and consequently unoccupied. Also the land is derelict, in such a stark contrast to previous

years when it was recalled to be in very good condition.

Based upon the Housing Department's latest advice a refusal on this basis could now **not** be justified based upon the retention of the mobile park. Therefore the resulting question is whether there are very special circumstances to justify planning permission for the two proposed mobile homes. The two mobile homes will provide the necessary displacement accommodation, providing accommodation for the existing residents which are subject to the recommended planning obligation to address the personal/ temporary situation given the very special circumstances for this inappropriate development in the green belt'.

9.5 As clarified earlier the proposed provision of the two mobile homes is the consequence of historical circumstances and their proposed relocation is a pragmatic option which justifies very special circumstances in the Green Belt for this inappropriate development (see below). Also the redevelopment of the Mobile Home Park provides alternative housing on this longstanding residential part of the application site.

Green Belt Implications with Specific Reference to the National Planning Policy Framework

9.6 The NPPF's Part 11 addressing 'Making effective use of land' paragraph 118 criteria (c) and (d) confirms that planning policies and decisions should:

c) give substantial weight to the value of using sustainable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict and unstable land, and

d) promote and support 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.

9.7 Paragraph 121 clarifies that local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified needs...!.

9.8 This is directly connected to how Green Belt land can now be used. Paragraph 134 explains that the government attaches great importance to green belts. The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of green Belts are their openness and their permanence.

The Green Belt serves 5 purposes:

- a). To check the unrestricted sprawl of large built up areas,
- b). To prevent neighbouring towns merging into one another,
- c). To assist in safeguarding the countryside from encroachment,
- d). To preserve the setting and special character of historic towns, and
- e). To assist in urban regeneration, by encouraging the recycling of derelict and other

urban land.

9.9 Paragraph 143 clarifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, with paragraph 144 advising that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.10 Under the NPPF the site falls within the definition of previously developed land (Annex 2 p70). The relevant part the definition to this application is 'land which is or was occupied by a permanent structure including the curtilage of the developed land (although it should not be assumed that all the curtilage should be developed) and any fixed surface infrastructure. Set against this context paragraph 145 of the NPPF specifies that new buildings are inappropriate development in the Green Belt but there are exceptions. Under criterion (g) an exception is:

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority'.

9.11 Also paragraph 146 also supports, as not inappropriate development in the Green Belt, under part (d) the reuse of buildings provided that the buildings are permanent and substantial construction and under part (e) supports material changes of use of land so long as they preserve the openness and do not conflict with the purposes of including land within the Green Belt. Examples provided include change of use of outdoor sport or recreation. Again, this is subject to preserving the openness of the Green Belt and its purposes.

9.12 Significantly Dacorum Core Strategy Policy CS5 (Green Belts) precedes and so is **not** fully accords with the NPPF criterion (g) which is more flexible towards the redevelopment of previously developed sites. Set against this background the application should be considered against the NPPF paragraphs 145 (c) and 146 (d) and (e), in the context of the fundamental issue of the openness of the Green Belt. Due to their longstanding presence at the site the hotel and the mobile home park currently have a significant effect upon the existing openness of this part of the Green Belt. The proposed scheme is materially very different to what currently exists at the site.

9.13 The Planning Statement for the Revised Scheme assesses the comparative sizes of the existing, proposed and refused hotel 2013 scheme in considering the proposal's impact upon the openness of the Green Belt with reference to the Spatial and Visual Implications:

- A reduction in maximum building heights by 18%;
- A reduction in road frontage by 17%;
- An increase in floor space by 64%;
- An increase in footprint by 26%
- An increase in developed area by 11%; and
- An increase in volume by 119%.

Area/Height	Existing	Hotel Dev.	Change	Resi. Dev.	Change Existing	Change Hotel Dev.
Building Footprint (sq.m)	2,605	2,664	-2%	3,289.5	+26%	+23%
Developed Area (hectares)	0.6994	0.6991	-0.04%	0.775	+11%	+11%
Floorspace (sq.m)	3,317	4,894	+48%	5,444	+64%	+11%
Maximum Height (m)	11.7	10	-15%	9.63	-18%	-4%
Volume (cubic metres)	10,205	17,901	+75%	22,344	+119%	+25%
Road Frontage (m) – Total 152m	87	50.8	-41%	71.85	-17%	-41%

9.14 Key parts of the supporting Planning Statement comprehensively consider both the proposal's spatial and visual impact upon the existing openness with reference to the Revised Scheme:

Spatial Impact

9.15 This is with reference to the footprint and developed area, floor space and volume, height and the built frontage. It refers to some key issues including:

Footprint and Developed Area

Building footprint. There would be a small increase of 26% (684.5 sq.m) from the existing hotel building from 2,605 sq.m to 3,289.5 sq.m.

A minor increase in the developed area. The proposed scheme will increase the developed area by 10% from 0.6994 hectares to 0.775 hectares.

However, the footprint of the existing buildings are largely concentrated towards the front of the site, along Hempstead Road in a continuous form. This allows for very limited visibility through the site due to its continuous form and close proximity of the building and associated car parking to the front of the site.

The proposed scheme disperses this footprint in a more open and spacious fashion whilst ensuring the built form does not extend significantly beyond the operational grounds of the former hotel, retains key areas that are more open in nature and provides a layout that allows those passing the site to visibly see mature trees located beyond the apartments.

The retention of the original hotel core building would preserve some of the existing character and features of this site.

The proposed built form has been positioned in and around existing and new planting and due to the nature and layout of the proposed dwellings, there are various locations on the site and when passing the site where this vegetation will either screen the development or become increasingly visible, thereby softening the development and enhancing the overall openness of the site.

As such, the increase in footprint is not considered to impact upon spatial openness and there would be less harm than the existing development on site.

Despite an increase to the developed area, the proposed scheme would encourage a more enhanced sense of space within the site. The scheme has been designed to use all parts of the site and in doing so, has created a more open space with enhanced visibility through the site. The measurement of the developed area includes the internal road layout, the garages, dwelling houses etc. Although these components are considered as developed area, the internal road layout would be less imposing on the landscape than the existing built form which predominantly sits at the front of the site along the boundary with Hempstead Road. They will be at a reduced height and will be located in between the landscaped areas on site.

A large proportion of the proposed development would also be located behind the three proposed apartment blocks and be constructed amongst existing mature trees and proposed trees and landscaping. Although there will be an increased level of developed area on site, the developed areas will be less visible and the site will feel more spacious and open.

Each of the family homes would also have large gardens where additional private green space and trees could be planted to further increase screen and green the development.

Floorspace and Volume

There will be an increase in the floor space proposed in comparison to the existing hotel and associated buildings. The scheme proposes to increase the floor space by +64% (from 3,317 sq.m to 5,444 sq.m).

The proposed scheme will also include an increased volume on site however this uplift is to be balanced against the effects of the existing hotel building, swimming pool enclosure and static caravans. The volume of site will increase by 119% from 10,205 sq.m to 22,344 sq.m.

When specifically looking in volumetric terms, although an increased floor space and volume is proposed as part of this development, the scheme is considered to have less harm on openness and less encroachment on the open countryside. The scheme has been designed to create a more spacious layout, with open space and landscaped area distributed throughout the site. The dwellings have been more appropriately designed to reflect the adjacent dwellings, which includes a reduction in the height. When considered in

combination, these factors would result in lesser degree of encroachment into the countryside and is not considered to create significant harm.

The proposed development has also been distributed throughout the site and a large proportion of the development will sit behind the proposed apartment buildings and thus will not be visible from Hempstead Road.

Height

In terms of the height of the proposed heights of the apartments and dwelling houses, there will be a reduction of 18% (from 11.7m to 9.63m).

This takes into account the maximum height of the built form on site from the ridge of the apartment buildings. The heights are indicative and the actual design will be dealt with as part of a Reserved Matters application.

Not all the proposed built form on site will be this height. The majority of the proposed dwellings will be lower than this at a height of 8.22m (a reduction of 30% in height). The height of the proposed development will be more in keeping with the existing residential dwellings along Hempstead Road. The reduction in height will mean that the built development will be less visible and imposing on the landscape when travelling along Hempstead Road. It will take longer to notice the proposed scheme in comparison to the existing hotel building.

Built Form along Road Frontage

The overall frontage of built development along Hempstead Road is reduced by 17% from 87m to 71.85m.

The proposed scheme would in fact enhance the openness and reduce visual impact from this key view point. The existing building is a prominent block of built form which is considered to be rather imposing on the surrounding landscape by virtue of having a continuous building line, which is visually impenetrable at ground floor level for an entire 82m.

The existing site is comprised of a prominent continuous block of development measuring 62.7m. This proposal would break up this continuous block of development into three smaller apartment blocks. The proposed blocks of apartments are approximately 25m, 23.25m and 23.5m in width and set approximately 12m apart.

As well as a decrease in road frontage, there will be visual improvement to this frontage and a more open and visually appealing scheme will be created.

This existing form is not in keeping with the existing adjacent residential dwellings, which are set back behind landscaped areas, which is what the proposed development embodies. The scheme introduces gaps in between the built form along this boundary (Hempstead Road) therefore making it possible to see through the site. The scheme has been designed to break up the existing prominent block of development along this frontage and create smaller pockets of development which have been appropriately landscaped. This is considered

to be more in keeping with the existing dwellings along Hempstead Road and enhances the levels of openness on site.

Visual Impact on Openness

The measure of openness is not confined simply to the consideration of spatial dimensions. The visibility and visual impact of a development also has a bearing on the sense of openness.

The Landscape and Visual Impact Assessment submitted with the previous hotel scheme concluded the site is not located in a sensitive or protected landscape area. It also noted that the site was not visible from more distant locations, with visibility from publicly available views only being apparent from Hempstead Road, which is the main road between Bovingdon and Hemel Hempstead.

Indeed, the site is bound by strong defensible boundaries to the north, east and south however the western boundary is less defensible and the northern boundary is still open to public view points. The site is particularly well screened to the north east, east and south by a mature and dense wooded area which prevents views from the open countryside into the site. The B4505 runs along the north/ north eastern boundary which is lined in parts with mature and dense tree growth.

There is an opportunity through the development proposal to screen the site further by planting more trees and landscaping along Hempstead Road to screen and soften the development and other boundaries of the development site, which could be addressed as part of a Reserved Matters application associated with landscape.

In terms of the Council's own evidence base, the site is located in Landscape Character Area 107.

Overall, the proposed scheme will improve the landscape and visual impact of the site in comparison to its current form. As shown in the proposed site layout plan, the mature trees (Category A and B trees) within the site boundary will be retained and the proposed dwellings will be constructed around these. There will be large trees retained along the boundary with Hempstead Road and additional trees planted further along this boundary to reflect the character and setting of this area. Along the western boundary additional trees will be planted in the south western corner of the site which will carry on the existing band of trees. As such, the proposed development will be well enclosed within the parcel and will enhance and improve the visual impact of this site.

Overall Impact on Openness

Whilst it is acknowledged there is an increase in pure volumetric terms, it is considered that the proposed scheme would not have significant harm on openness of the Green Belt overall when compared to the existing hotel and associated buildings and when taking account the change of use itself, the proposed landscaping and opening up of the site's frontage and the site's overall visibility.

Indeed, the maximum heights are reduced, the siting and layout creates a more open and visible landscaped development on the site, which will be more consistent with the type and form of development in this location (i.e. residential dwellings set amongst and behind mature vegetation and trees). The breaking up of the continuous frontage will also allow views through the site and again be consistent with the majority of built form along Hempstead Road between Bovingdon and Hemel Hempstead.

9.16 In addition, the Design & Access Statement for the Revised Scheme clarifies:

'The spatial quality of the layout has looked to break down the built mass from what is currently existing on site, to create a more permeable frontage in the form of three blocks of apartments, one of which now being conversion of the existing hotel building. This improves the openness of the green belt, when viewed from both within and outside the site.

The main existing built mass on site to Hempstead Road, is approximately 63m in width, which dominates the majority of the site frontage, leaving only a 19m gap to the existing trees. However beyond this 19m is further built mass, so essentially the entire open frontage of the site (between the existing trees) is completely filled with built mass.

In contrast, the proposed 3 No. blocks of apartments are approximately 25m, 23.25m and 23.5m in width and set approximately 12m apart. Taking into consideration the existing tree screening, the respective gaps remain visible, providing significant improvement to openness and permeability of the site'.

LPA Overview / Assessment

9.17 The hotel complex has incrementally expanded over time with the mobile home park accommodated on a significant wedge of land with associated sporadic development comprising of the garage block / outbuildings, complemented by open land beyond.

9.18 With due regard to the officer led approach in seeking changes to the Original Scheme these have been primarily driven by design / layout issues rather openness of the green belt per se. In doing so, the retention of the original main part of the Bobsleigh building has been a pivotal consideration from a heritage perspective. Taking a pragmatic view the proposals are materially very different when compared to what currently exists at the site, being larger in some respects by reference to the aforementioned size comparisons.

9.19 It is a far from straightforward exercise in attempting to make realistic comparisons between the proposed scheme with the existing development with regard to the respective spatial and visual impacts upon the existing openness. However, what is important is that generally the scheme respects the combined built up area/ footprint of the hotel complex and the mobile home park / envelope of development. Although the proposed footprint (26%) and developed area (11%) are larger these are not significant changes. It is also fully acknowledged that the housing development involving two dwellings (Plots 13 and 14) does slightly encroach into the existing

undeveloped area of land adjoining the mobile home park which does affect the openness.

9.20 The reduction of the frontage development is noticeable by reference to not so much as the amount (17%) but by creating 12m wide visual breaks between the respective apartment blocks. This contrasts with the existing virtually continuous/ unbroken frontage development. The proposal would open up the site and eliminate the visually intrusive car park dominated appearance. In doing so the layout has been designed to create a sense of spaciousness/ openness, albeit compact, unlocking the currently harmful uncompromising solid visual barrier at the site's frontage.

9.21 Therefore, there would be the resultant change to the existing openness of this part of the Green Belt with the opening up of the frontage, albeit apartment blocks would assert themselves within the street scene. The 'broken frontage' would make a positive contribution to the openness of the Green Belt in spatial and visual terms.

9.22 Setting aside the effect of the relocated mobile homes (see below), importantly with reference to part (g) of the NPPF's paragraph 145 it is officers view that in overall terms the proposal represents the complete redevelopment of previously developed land which would not cause substantial harm to the openness of the Green Belt and the proposal would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.23 Just for clarification the Planning Statement also refers to the Very Special Circumstances to justify the development if the LPA does not consider that the development complies with part (g) of the NPPF's paragraph 145. These are:

- The impacts associated with the Council's previous decision;
- The physical regeneration and visual amenity benefits which the proposal will deliver;
- The retention of the original building;
- The ability to curb anti-social behaviour and unlawful activity on the site and its surroundings;
- The Council's subsequent determination of nearby proposals for the redevelopment of previously developed sites in the Green Belt;
- The need for future Green Belt release around Bovingdon;
- The need for affordable homes in the area; and
- Various economic benefits (which we address in Section 14);

9.24 In considering compliance with part (g) of the NPPF paragraph 145 for the main development, without reference to the location of the two mobile homes, these represent inappropriate development in the Green Belt (and which by definition is consequently harmful) resulting in the partial encroachment of a partially undeveloped area of land along the Hempstead Road frontage, albeit diluted by the loss of the domestic garage. This change of use of land (as the stationing of mobile homes are not building operations under the definition of 'development') would directly affect the openness of the green belt both spatially and visually. However, there are extenuating reasons why there is a need for the relocation which would 'unlock' the mobile home park for the proposed comprehensive redevelopment. Also the relocation would be for a temporary period, with the occupation limited to the current 3 mobile home residents and if necessary their carers. These constitute very special circumstances and override the harm, also taking into account the removal of the existing garage.

Approach to Housing at the Site

9.25 The proposal would accord with Policy CS17, which expects the delivery of 430 additional dwellings per year within the Borough. This, however, has been superseded by the standard methodology for 5 year land supply requirement which suggests we have approximately a 4 year supply. The Revised Scheme helps to address the approach to new housing in the Borough with specific reference to the 5 year land supply which is currently not available in the Borough with due regard to the expectations of the NPPF in delivering a sufficient supply of homes under Part 5.

9.26 The proposal would provide a significant contribution to new housing very close to Bovingdon which is need of housing wherein the development of Housing Site Local Allocation LA 6 has not yet been delivered, with the Countryside Place Strategy also supporting the need for new homes.

9.27 The housing mix accords with Policy CS18, which confirms that new housing developments will provide a choice of homes providing a range of types, sizes and tenures, housing for those with special needs and affordable housing. This scheme would provide an appropriate a mix of dwellings with the Revised Scheme introducing terraced units. Moreover, there would be a substantial delivery of affordable units at 35% in compliance with Policy CS19, close to Bovingdon wherein recently affordable housing has been a low level, with for example the recent Hardings Garage Scheme exempt from any affordable units.

Layout/ Scale, Character of Area, Heritage, and Arboricultural Implications

9.28 The density of 32 dwellings per hectare accords with the 30 - 50 range specified by the saved DBLP Policy 21. The Original Planning Statement confirmed :

'Noting this range whilst respecting the openness of the Green Belt, this development has been carefully designed at a density of 30 dwellings per hectare. This density is efficient yet still creates a spacious, green layout that reflects the scale and siting of existing dwellings in this location, retains protected and valuable trees and provides aspirational and affordable housing on site'

9.29 With the agreed retention of the original main building as a non-designated heritage asset through the Revised Scheme there is an important heritage reference point to the development. This is a pivotal design consideration with the retained core building being of both architectural and social historic significance. This is with due regard to Part 16 of the NPPF. In this respect paragraph 197 is especially material. It clarifies that the effect of an application on such an asset should be taken into account in determining an application. In this respect in weighing applications that directly or indirectly affect such an asset, a balanced judgement is necessary having regard to the scale of any harm or loss and the significance of the asset. This retention is the design context for site's redevelopment and establishes the physical parameters for change with the approach to higher buildings along the site frontage. It echoes the original building's presence, with the retained core building anchoring the whole development providing the visual context for positive change within the rural street scene, with a resultant instant maturity to the development's likely appearance, complemented by frontage/ roadside strategic planting. This justifies the two and a half storey development with reference to saved Policy 111 of the DBLP which addresses the height of buildings. This policy clarifies that the development of

buildings over two storeys will not be permitted in the countryside unless there are exceptional circumstances related to the site and the visual impact is limited. There are exceptional circumstances with the proposed approach representing a refreshing alternative to the current unbroken somewhat featureless/ 'tired' effect of the unbroken elongated single storey frontage development.

9.30 In conjunction with the adjoining flat block the retained building forms the gateway to the development with the slightly winding and framed roadway leading to views beyond with the site backed by strong planting on the north western boundary. With the retention of the icehouse, preserved trees and much of open land adjoining the Mobile Home Park, the scheme has incorporated these key existing positive features within the layout providing an instant maturity to the development, which benefits from the existing accesses, and respects the existing surroundings. There is an inbuilt sense of place through the cohesive and compact layout with an interaction between the 'old' and 'new' features, between the buildings and structural landscaping / open space. The layout provides focal points, with inbuilt visual interest and the environment is not overly car dominated. These positive elements reflect the combined effect of the density, scale and mix of proposed housing with the main open space being a community focus and retained frontage building providing the identity to the site in reinterpreting the historic context. There is also some natural surveillance. For clarification some of the gardens are slightly below 11.5 m. However they are all usable and the development does benefit from open space provision with the size of gardens not reflecting a cramped form of development, being a compact layout with an inbuilt sense of spaciousness.

9.31 The layout and scale can be supported providing a distinct identity to the development establishing a robust template for, at the reserved matters stage, the provision of meaningful structural landscaping and ecological enhancement and the basis for a high quality appearance, with a resultant positive contribution to the rural environment. The scheme makes an efficient use of the land achieving an appropriate density that is achievable in according with criteria (d) and (e) of paragraphs 122, 123 and 127 of the NPPF. It maintains the area's prevailing character and setting / promotes regeneration/ change and secures a well designed and attractive environment. It optimises the site's potential with due regard to the expectations of NPPF paragraph 145 (g) and takes into account the existing shortage of land for meeting the existing identified housing need in the Borough and complies with criteria (a) to (e) of paragraph 127 of the NPPF which focuses upon well designed places which is also expected through Part 10 of the Dacorum Core Strategy (Securing Quality Design), its Policies CS11, CS12 and CS27 of the Dacorum Core Strategy and the expectations of saved Appendix 3 of the Dacorum Local Plan.

Effect upon Residential Amenity

9.32 This is with reference to the expectations of Dacorum Core Strategy Policies CS12 and CS32, Appendix 3 of the Dacorum Local Plan and the NPPF regarding residential amenity. There would be no harm to Highcroft Farm or the dwellings opposite, with a requirement to ensure adequate spacing between Plot 2 and Highcroft Farm.

Access/ Traffic Generation/Highway Safety/Access/ Parking/ Sustainable Location Implications

9.33 Based upon response from Hertfordshire County Council there are no fundamental highway/access/ transportation objections. This takes into account general and fire access, the sight lines, traffic generation, parking, relatively sustainable location and the requirement for a range of conditions and s106 Agreement as recommended by HCC Highways, as the statutory highways authority.

9.34 With regard to the proposals these accord with the DBLP saved Appendix 5 with the exception of 8 of the 3 bedroom units served by 2 spaces and not 2.25 spaces and the need for disabled space provision within the communal apartment parking. These matters are addressed within the recommended conditions.

9.35 For clarification in recommending the grant of planning permission HCC Highways expect the submission of a comprehensive set of post decision technical drawings to address a wide range of highway related details through their recommended conditions in order to comply with the relevant highway related policies. This will include the need to 'fine tune' the scheme with regard to the observed refuse vehicle manoeuvrability and modification of the approach to access/ parking for persons with disabilities. In addressing these matters there is a single recommended main highway related condition. Also Hertfordshire Fire & Rescue Service will need to be satisfied that fire access is acceptable for the two mobile homes, taking into account the width and condition of the existing access road and notwithstanding that it also serves Stable Lodge and Highcroft Farm, with the latter subject to a fire access related condition for conversion 4/01404/06) to holiday lets in 2006.

9.36 With due regard to HCC Highways response and the expectations of its wide ranging conditions with its assessment based upon local / site conditions the development should accord with most of the expectations of the transportation/ highway related Policy CS8 (which generally accords with paragraph 110 of the NPPF), all of CS9 and all the relevant highway/ parking requirements of CS12. What is not technically feasible is to fully comply with all the requirements of Policy CS8 (Sustainable Transport), including (a) which specifies the priority to the needs of other road and passenger transport users over the private car with reference to pedestrians, cyclists, passenger transport, powered wheeled vehicles and other motor vehicles. This is because of the site's location, as although ideally located for bus stops accessibility to/ from Bovingdon by pedestrians by night, is relatively poor and for cyclists accessing the site from Hemel is arduous by day and night. A Green Transport Plan - also in accordance with paragraph 11 of the NPPF- is essential and would partially compensate for the resultant 'sustainability 'gap'. This could include a community owned car/ taxi. Despite this drawback the lawful hotel and mobile home park is also the starting point/ fallback position for considering this issue. Exercising some level of pragmatism set against these circumstances it is still considered that the proposal can be supported with reference to the expectations of paragraph 108 of the NPPF whereby:

a) Appropriate opportunities to promote sustainable transport modes can/ have been taken up given the type of development and its location,

b) A safe and suitable access to the site can be achieved for all users based upon HCC Highways advice/ recommendation, and

c) Any significant impacts of from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to

an acceptable degree.

9.37 This support is also with reference to paragraph 109 of the NPPF which confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or residual impacts on the road network would be severe.

9.38 To refuse the application on the basis of the sustainable location basis would entirely sterilise the site nullifying all the resultant benefits, with no support for this approach from HCC Highways as the statutory consultee. Overall the Revised Scheme is in accordance with Policies CS 8, CS9 and CS12 of Dacorum Core Strategy.

Contaminated Land/ Land Stability/ Air Quality/ Noise

9.39 Standard contamination conditions are recommended with reference to the expectations of Dacorum Core Strategy CS32 and paragraph 117 of the NPPF. Land stability is subject to a recommended informative. There are no air quality issues identified by the Council's Scientific Officer and HCC Highways (with reference to part (f) of Policy CS8. The Noise & Pollution Team recommends a noise based condition to address the impact of road traffic noise.

Drainage/ Water Supply

9.40 The site is not within Flood Zones 2 or 3 and therefore flooding is not an issue. Drainage conditions are recommended, taking into account the responses from the Environment Agency, Thames Water and Hertfordshire County Council Lead Flood Authority with due regard to Policies CS29 and CS31 and Part 14 of the NPPF.

Ecological Implications

9.41 Based upon Hertfordshire Ecology's specialist advice there are no fundamental objections, with a recommendation for conditions requiring a landscape and ecology management plan and lighting plan. On this basis there are no apparent adverse biodiversity implications the proposal would accord with Dacorum Core Strategy Policy CS29 (i), with the expected enhancements consistent with the aims of NPPF under 'Habitats and biodiversity'. This takes into account the importance of the preserved trees, icehouse and open grassland.

Exterior Lighting/Light Pollution

9.42 Reinforcing Hertfordshire Ecology's response in this E1 Environmental Lighting Zone a lighting strategy is important. However there will need to balance the environmental issues against the basic requirements for domestic and road/ car park lighting, with reference to the expectations of Policy CS32, saved DBLP Policy 113 and Appendix 8 and paragraph 180 (c) of the NPPF.

Community Infrastructure Levy (CIL)

9.43 The development is CIL liable at a rate of £150 per square metre within CIL Zone 2 subject to any applicable exemptions or reductions in accordance with Policy CS35 of the Core Strategy.

Environmental Impact Assessment

9.44 This is not necessary.

Archaeological Implications

9.45 There are none.

Air Limit Implications

9.46 The responding air regulators raised no objections in this air limit controlled area.

Planning Obligation

9.47 This should address:

Affordable housing at 35%, at 75% affordable rented and 25% shared ownership.

The relocated mobile homes to be limited to a period equivalent to the occupancy by the current occupants and the land to reinstated to its existing condition. The

- £15,000 to allow the bus stop outside the site to be upgraded; and,
- £8,000 to allow the provision of easy access kerbing at the bus stop opposite the site.

Note: A Section 278 Agreement would also be necessary to address any changes to the highway network in particular changes to the proposed site access arrangements and for the provision of a pedestrian crossing at a suitable location near the site.

Conclusion

10.1 Since the applicant's purchase of the site in 1998 there have been extensive discussions relating to the redevelopment of the Bobsleigh.

10.2 The refusal of the hotel redevelopment scheme and the hotel's closure has resulted in huge uncertainty regarding the site's future. This includes the Mobile Home Park which is now in a state of major dereliction, with 3 remaining residents. Similarly with the lack of a significant use for the hotel complex, inevitably showing significant signs of decline at a key visual gateway to both Bovingdon and Hemel Hempstead.

10.3 A once vibrant site is in the need of significant reinvigoration. The proposed residential development provides such an opportunity.

10.4 The main housing scheme generally accords with national green belt policy with no substantial harm in terms of the redevelopment of a previously developed site, with very special circumstances to robustly justify the relocation of the two mobile homes for the existing three residents. The proposal involves a significant number and range of new homes with 35% affordable units close to Bovingdon provided by a scheme which respects the site's heritage and rural/ countryside setting and to which there are no highway/ access/ parking objections. It is a sustainable development which achieves the economic, social environmental objectives of the planning system as expressed through the National Planning Policy Framework.

10.5 The proposal would deliver a major sustainable development at the Bobsleigh releasing a previously developed windfall site, as defined under paragraph 145 (g) of the NPPF. This is because there would be no substantial harm to the openness of the Green Belt with very special circumstances for the mobile homes. This is set against the NPPF's expectation regarding the approach to new development with reference to the 5 year land supply which is not available in the Borough. The site is both deliverable and developable with due regard to the expectations of the NPPF, with the development representing an effective reuse of land.

10.6 Outline planning permission can be supported with reference to access, layout and scale. Appearance and landscaping would then be determined at the reserved matters stage.

10.7 The Secretary of State will need to consider whether to 'call in' this application for determination under the departure procedures due to the impact of the relocation of the two mobile homes.

11. RECOMMENDATION –

1) That in accordance with paragraph 5.(1) of the Town and Country Planning (Consultation) (England) Direction 2009 the application be REFERRED to the Secretary of State (DCLG).

In the event that the Secretary of State does not call in the application the application is **DELEGATED** to the Group Manager - Development Management & Planning with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 and the draft list of conditions below.

2) That the following Heads of Terms or such other terms as the Committee may determine, be agreed:

- Affordable housing at 35% based upon an Apartment Block (15 units) for Rent, 3 two bedroom and 3 three bedroom units for shared ownership.
- The relocated mobile homes to be limited to a period equivalent to the occupancy by the current occupants and the land to reinstated to its existing condition.
- £15,000 to allow the bus stop outside the site to be upgraded.
- £8,000 to allow the provision of easy access kerbing at the bus stop opposite the site.

Note: A Section 278 Agreement would also be necessary to address any changes to the highway network in particular changes to the proposed site access arrangements and for the provision of a pedestrian crossing at a suitable location near the site.

Conditions

No	Condition
1	Approval of the details of the external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be

	<p>obtained from the local planning authority in writing before the development commences. The reserved matters shall accord with the plan(s)/details approved.</p> <p>Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
2	<p>Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.</p> <p>Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.</p>
4	<p>The existing main building (as referred as No.1 shown by Drawing No.PS -06 Rev B: Proposed Development) and the ice house shall be permanently retained and no demolition of any buildings at the site shall be carried out until a scheme is submitted to and approved by the local planning authority showing exactly how the retained existing main building and ice house are to be restored and thereafter permanently retained and maintained. No part of the development hereby permitted shall be occupied until the existing retained main building is restored fully in accordance with the approved restoration scheme to a standard available for occupation and the ice house has also been restored fully in accordance with the approved scheme.</p> <p>Reason: In the interests of the character and appearance of the locality in accordance with Policies CS12 and CS27 of Dacorum Core Strategy 2013.</p>
5	<p>The three apartment blocks hereby permitted shall be no higher than the ridge level of the retained part of the existing building at the site and be of a two and half storey design.</p> <p>Reason: In the interests of the character and appearance of the development within the rural street scene and the openness the Green Belt in accordance with Policies CS5, CS12 and CS27 of Dacorum Core Strategy 2013.</p>
6	<p>Notwithstanding the details submitted with this application details submitted for the approval of the local planning authority in accordance with Condition (1) and other conditions shall include:</p> <p>(a) all materials, (b) means of enclosure; (c) soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants (to include structurally diverse habitat and local species of provenance), noting species, plant sizes and</p>

	<p>proposed numbers/densities where appropriate. Details shall include replacement hedgerow planting;</p> <p>(d) existing trees and hedgerows to be retained;</p> <p>(e) restoration scheme for the retained main building and icehouse;</p> <p>(f) tree removal;</p> <p>(g) tree planting, including species, planting location, timing of planting, specification and maintenance. Details shall include details of the community open space;</p> <p>(h) tree protection measures during the whole duration of the construction of the development;</p> <p>(i) measures for biodiversity enhancement;</p> <p>(j) a programme for the management for the soft planting and all areas of open space;</p> <p>(k) proposed finished levels;</p> <p>(m) external lighting;</p> <p>(r) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs etc.); and</p> <p>s) the rear elevation of the dwelling on Plot 2 shall be positioned 23m from the nearest elevation two storey part of Highcroft Farm.</p> <p>The requirements of (a) to (d), (g), (j) and (k) inclusively shall be submitted within one month of the date of the commencement of the development and the requirements of (e), (f), (h) and (i) shall be submitted before the commencement of the development hereby permitted .</p> <p>All the approved hard and soft landscape works shall be carried out fully in accordance with a specified timetable fully in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS12 , CS13, CS25, CS26, CS27 and CS32 of Dacorum Core Strategy 2013 and saved Policies 99, 100, 102 and 113 and Appendices 3 and 8 of Dacorum Local Plan.</p>
7	<p>Ten percent of the dwellings hereby permitted shall be designed as lifetime homes.</p> <p>Reason: To accord with the background paragraph 14.29 of the Dacorum Core Strategy and its associated Polices CS18 and CS29 and saved Policy 18 of Dacorum Borough Local Plan.</p>
8	<p>An Ecological and Landscape Management Plan shall be submitted to, and approved in writing by, the local planning authority prior to the demolition of any buildings at the site, as part of the reserved matters. This shall include long term design objectives, a timetable, the permanent management responsibilities and maintenance schedules for the communal amenity and landscape areas, details of the mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the plan are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The</p>

	<p>Management Plan shall be carried out fully in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS12, CS13, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100, 102 and 113 and Appendices 3 and 8 of Dacorum Local Plan.</p>
9	<p>Any tree, hedge 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 another tree, shrub or section of hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation. For the purposes of this condition the planting season is between 1 October and 31 March.</p> <p>Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS10, CS12, CS13, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100 and 102 of Dacorum Local Plan.</p>
10	<p>Before the commencement of the development hereby permitted details of any earth works relating to the land within the vicinity of the preserved trees and icehouse shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of the land areas with reference to the levels and contours to be formed, showing relationship with the existing preserved trees and tree protection measures. Development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the site and biodiversity in accordance with Policies CS5, CS12, CS13, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100, 102 and 113 and Appendices 3 and 8 of Dacorum Local Plan.</p>
11	<p>No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.</p> <p>Risk assessment of potentially damaging construction activities. Identification of 'biodiversity protection zones'. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). The location and timings of sensitive works to avoid harm to biodiversity features. The times during which construction when specialist ecologists need to be present on site to oversee works. Responsible persons and lines of communication. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. Use of protective fences, exclusion barriers and warning signs.</p>

	<p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In the interests of landscape and biodiversity in accordance with Policies CS5, CS12, CS25, CS26 and CS29 of Dacorum Core Strategy 2013 and saved Policies 99, 100 and 102 of Dacorum Local Plan.</p>
12	<p>The provision of the two mobile homes shall be ready for full occupation with all services, including all fire access arrangements, in advance of the removal and clearance of any part of the mobile home park and before any demolition works (excluding the demolition of the existing garage to facilitate the accommodation of the mobile homes) and before the commencement of the development hereby permitted a Demolition Method Statement shall be submitted to and approved in writing by the local planning authority for a management scheme . The development shall be carried out fully in accordance with the approved Demolition Method Statement.</p> <p>Reason: To ensure that the mobile homes are available for occupation and the development is safely carried out in accordance with Policy CS32 of Dacorum Core Strategy 2013.</p> <p>Informative</p> <p>The Demolition Method Statement's purpose is 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>
13	<p>Notwithstanding the submitted details and other conditions subject to this planning permission before the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the local planning authority to illustrate the following and where appropriate alternative details to those shown by the layout PS04 Rev H:</p> <ul style="list-style-type: none"> i) Roads, footways. ii) Cycleways and cycle storage. iii) Foul and surface water drainage. iv) Visibility splays/sight lines. v) Access arrangements including access for persons with disabilities. vi) Parking provision in accordance with adopted parking standards based upon the approved layout with 4% of the spaces designed for persons with disabilities and 4 additional parking spaces available for communal use. vii) Turning areas and swept path analysis/ assessment including fire access requirements (with reference to the loading capacity and accessibility for fire tenders for access to all parts of the development and fire hydrants) and refuse vehicles, including Stable Lodge and the mobile homes. viii) Individual and communal refuse storage for all units with shared footpath access to the rear gardens for Plots 9 to 12 and alternative locations for the bin

	<p>stores.</p> <p>ix). Electrical Charging points.</p> <p>x). Slab levels in relation to all parking and turning areas.</p> <p>Setting aside the requirements to service the mobile homes hereby permitted subject Condition 12 shall the approved details shall be provided before the occupation of any of the dwellings hereby permitted and thereafter all the approved details shall be retained and maintained fully in accordance with the approved details and only used for the approved purposes.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance in the interests of ensuring highway safety and that the development is served by an adequate roadway for fire , refuse and other servicing vehicles and to provide adequate parking in accordance with Policies CS8 and CS12 of Dacorum Core Strategy 2013 and Policies 54 and 58, Appendices 3 and 5 of the saved Dacorum Borough Local Plan and Policy 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).</p>
14	<p>At least three months before the first occupation of the approved development (with the exception of the mobile homes) a Travel Plan Statement 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 Statement shall be implemented at all times.</p> <p>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).</p>
15	<p>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:</p> <ul style="list-style-type: none"> 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. <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and</p>

	22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies CS8 and CS12 of Dacorum Core Strategy 2013.
16	<p>In addition to the drainage requirements as required by Hertfordshire County Council Highways under Condition 13 the development hereby permitted shall be carried out fully in accordance with the following drainage requirements:</p> <p>A) The Flood Risk Assessment and Outline Drainage Strategy carried out by Curtins reference 070240-CUR-00-XX-RP-D-92001 Rev V02 dated 24 October 2018 and the email dated 04 February 2019 and the following mitigation measures:</p> <ol style="list-style-type: none"> 1. Provision of 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, and 2. Implementation of a drainage strategy based on infiltration and permeable paving as indicated and infiltration basin on the proposed drainage strategy drawing. <p>B) No development shall commence until the final design of the drainage scheme is completed and submitted to and approved in writing by the local planning . The surface water drainage system shall be based on the submitted the Flood Risk Assessment and Outline Drainage Strategy carried out by Curtins reference 070240-CUR-00-XX-RP-D-92001 Rev V02 dated 24 October 2018, email dated 04 February 2019. The scheme shall also include:</p> <ol style="list-style-type: none"> 1. Detailed infiltration testing carried out at the location of the proposed SuDS features. 2. Demonstration of an appropriate SuDS management and treatment train for surface water from the highway and the inclusion of above ground features. 3. 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. This shall be supported by a clearly labelled drainage layout plan showing pipe networks. The plan shall show any pipe 'node numbers' that have been referred to in network calculations and it shall also show invert and cover levels of manholes. 4. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths. 5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event. <p>C). Upon the 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 the following details shall be submitted to and approved in writing by the local planning authority. The scheme shall include:</p> <ol style="list-style-type: none"> 1. Provision of complete set of as built drawings for site drainage.

	<p>2. Maintenance and operational activities. 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</p> <p>Reason: To ensure that the site is served by an acceptable drainage scheme in accordance with Policies CBS 29 and CS31 of Dacorum Core Strategy. with specific reference to the following:</p> <p>A). To reduce the risk of flooding to the proposed development and future occupants .</p> <p>B). To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site</p> <p>c). To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p>
17	<p>Prior to the commencement of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For the purposes of this condition 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 Policy CS32 of the Dacorum Core Strategy 2013.</p>
18	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 17 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</p>

	<p>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 Policy CS32 of the Dacorum Core Strategy 2013.</p> <p>Informative: Paragraph 178 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>
19	<p>Before the commencement of the development hereby permitted an assessment of the noise on each habitable room (due to its exposure to transportation noise) shall be submitted to the local planning authority. 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. The approved scheme of mitigation shall be carried out fully in accordance with the approved details before the occupation of any of the dwellings hereby permitted and thereafter the approved measures shall be retained and maintained at all times.</p> <p>Reason: In the interests of the residential amenity of the dwellings hereby permitted in accordance with Policy CS32 of Dacorum Core Strategy 2013.</p>
20	<p>Any exterior lighting serving the development hereby permitted be shall be installed and thereafter retained and maintained fully in accordance with details submitted to and approved in writing by the local planning authority. All the lighting shall be installed before the first occupation of any of the dwellings hereby permitted.</p> <p>Reason: In the interests of the local environment and highway safety in accordance with accord with the requirements of Policies CS12, CS27, CS29 and CS32 of the Dacorum Core Strategy 2013, Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan and Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). This is also with specific reference to the specific responses of Hertfordshire Ecology and Hertfordshire County Council Highways which have both expressed the need to address exterior lighting. In this respect Hertfordshire County Council Highways has advised that no development shall commence until a review of road lighting has been undertaken as part of the Section 278 Agreement and Detailed Design review.</p>

21	<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 within Plots 2, 3 4 , 14 and 15 with the exception of a an outbuilding measuring no greater than 3m in length by 3m n width and 4 metres in height in the case of a building with a dual-pitched roof, 2.5 metres in the case of an outbuilding, within 2 metres of the boundary of the curtilage of the dwelling house 3 metres in any other case:</p> <p>Schedule 2 Part 1 Classes A and E.</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of and the Green Belt in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy 2013.</p>
22	<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>PS -02 Rev B PS 04 Rev G</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which lead 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.</p> <p>INFORMATIVES</p> <p>Contamination</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.</p> <p>Advice from the Environment Agency</p> <p>We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific</p>

advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend, however, that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be in addition to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our Groundwater Protection guidance (previously covered by the GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

? No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause groundwater pollution.

? Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

? Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

? From www.gov.uk:

- The Environment Agency's approach to groundwater protection (2017)
- Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
- Use MCERTS accredited methods for testing contaminated soils at the site

? From the National Planning Practice Guidance:

- Land affected by contamination

? British Standards when investigating potentially contaminated sites and groundwater:

- BS 5930:2015 Code of practice for site investigations;
- BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated sites
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points
- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person.

The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Section 278 Agreement

Any changes to the highway network would be subject to a Section 278 Agreement, in particular changes to the proposed site access arrangements and for the provision of a pedestrian crossing at a suitable location near the site.

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-](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx)

[developer-information/business-licences/business-licences.aspx](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx) or by telephoning 0300

1234047.

Obstruction of public highway land

It is an offence under section 137 of the Highways Act 1980

Electrical Charging

Hertfordshire County Council Highways has advised that development should include provision for 10% (site by site decision depending on nature and size of development) of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready (domestic and/or fast) charging points.

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).

Ecological Issues

Hertfordshire Ecology has advised :

1 The Phase 1 Habitat Survey (June 2017) includes a bat Preliminary Roost Assessment in respect of building inspections. No evidence was found but buildings and several trees had potential. An ice house was not inspected. The Habitat Survey described the habitat features within the site and appears to be a reasonable and valid account. Other than mature trees no features of particular significance were identified although the semi-improved grassland (Target Notes S1, S2) was considered to have a good diversity of plants.

Breeding bird potential was identified. No evidence of badgers other than potential for foraging. There is potential for hedgehogs. The need for various further surveys was also identified – mainly bats and reptiles. It is, however, disappointing that the survey Target Notes results are not included within the Report, so there is no means of assessing the conclusions based upon the evidence presented.

2.2 The site is considered to have low-moderate ecological potential. This is a reasonable assessment – but in the context of the site itself. Given its location, other surrounding habitats would probably have a similar value. Consequently, the ecological value does not represent a significant constraint on development.

3.1 Further bat activity surveys (July-Sept 2017) found evidence of bat roosting in a number of buildings, low numbers of common pipistrelle and brown long-eared bats, with other bat species foraging. The building complex has an associated complex array of roof structures, so some use is not surprising. It is interesting to note that activity was especially high around T1 which is immediately adjacent to the Ice House, although obviously there is no direct connection unless the building is used for roosting, for which there is no evidence. Outline mitigation has been proposed which includes bat boxes and access tiles, and is acceptable. It is recognised an EPS licence will be required and there is no reason to believe that such a licence would not be issued.

3.2 Bat enhancements are suggested, including limiting lighting and associated advice, which HE support. The only missing aspect is the ice house, which should be subject to protection, surveys and enhancement for bats for use as a roosting or hibernation resource. Such proposals were not identified with previous surveys, but should certainly be considered now.

4. The reptile survey (August-Sept 2017) found no evidence of reptiles although habitat enhancements are suggested.

5. An Ecological update report (Sept 2018) has been provided. HE support the mitigation and enhancements proposed, although no details on Target Notes have been provided. The report does not identify any major constraints and HE have no reason to consider otherwise. Consequently HE have no objections to the development on the grounds of ecology.

6. HE consider the proposals will impact on the local ecology in a number of ways leading to a local net loss, although HE consider this to be relatively minor for what is essentially a largely developed site. New tree planting and retained areas will largely compensate for any losses.

7. HE consider the most significant aspects of the site to be the retained trees, ice house and adjacent habitat, and the area of open grassland in the south of the site. The proposals are not clear for this area – one plan suggests retention of trees on this area – but there aren't any other than along the boundary. HE acknowledge the proposed ecological enhancements but do not consider they make the most of the opportunities available on this site associated with the most valuable features HE has highlighted.

8. Consequently in respect of further enhancement, HE consider the following needs to be developed further:

8.1 Conservation and enhancement of the Ice House and surrounding habitat for bats;

8.2 Retention and management of the open grassland in the south of the site, also identified as supporting self-set trees and saplings. Currently no development proposals have been presented for this area – it is identified in the site layout plan (Fig 3, Planning Statement) for retention (Drawing PS-04) although it is also shown as Public Open Space and 'attenuation feature' within the Arboricultural Impact Assessment (p.17, Tree Retention and Removal Plan). This could be cleared and retained and managed as a wildflower meadow for the benefit of ecology and the local community, depending on whether the site already has some interest; however, it is not possible to determine this from the survey information – which HE consider should be provided in order to make an informed judgement;

8.3 Alternatively – or in addition to the grassland management - the area could be planted to create a local community orchard, which would provide both an amenity and ecological asset. This would be suitable if the existing grassland was not of particularly high quality. Currently no proposals for use or management of this area have been provided, so this remains a valuable opportunity without compromising the existing development proposals themselves.

9. Consequently, if approved, HE would consider that a landscape and ecology management plan (LEMP) should be submitted as a Condition to the satisfaction of the LPA which addresses these issues. I can provide further advice in respect of orchard creation if requested.

10. A lighting plan should also be submitted as a Condition to demonstrate how local impacts of light pollution will be controlled and reduced, particularly in the area of the ice house.

11. HE consider the enhancements outlined above are consistent with the aims of NPPF in respect of generating ecological gains from development.

12. If the above approach is not supported by the LPA or the development – HE suspect the open grassland area is likely to be identified for general amenity use and also possibly for SUDS – which will largely remove any existing interest or potential – then HE would expect this impact to be compensated with appropriate Biodiversity Offsetting support for projects elsewhere in the local area. I can advise further on opportunities for this if requested.

Crime Prevention/ Security

Hertfordshire Constabulary Design Out Crime Officer confirms that there is no objection to this application, however there is no reference to of security or crime prevention in the documentation. It is requested t the applicant considers building the development to the Physical Security standard Secured by Design which will also meet the requirements of Building Regulations (Approved document Q).

Thames Water Advice

Waste Comments

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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 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 recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments

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

Cadent Gas Advice

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are

adhered to.

Energy Source Condition

With the applicant failing to state explicitly in the submitted energy report the site energy source; 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.

a). Prior to the development commencing, evidence to demonstrate compliance with these emission limits should be 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 5Um. Details to demonstrate compliance with this condition must be submitted to the local authority for approval prior to works commencing.

Site Waste Management Plan

Hertfordshire County Council has advised:

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.

Appendix 1

Consultation Responses: Original scheme

Bovingdon Parish Council

We consider these proposals to be an overdevelopment of the site.

The plans introduce three large blocks fronting the Hempstead Road which collectively have a greater height and density than the existing hotel building and are set too close to the road.

The proposed flats are out of keeping with the street scene of single dwelling homes in a semi-rural unlit area and therefore, are inappropriate in this location.

We are concerned that it is proposed to put houses to the rear of the site on a large area of undeveloped Green Belt land. This we believe to be contrary to National Planning Policy guidelines and would cause considerable harm to the openness of the Green Belt.

We consider the parking provision to be inadequate in respect of the larger dwellings with only 3 space for the 4 and 5 bedroomed properties and for the one bedroom flats with 0.8 parking spaces.

The distance to the village of Bovingdon is considerable with no footpath on this side of the road, residents would have to cross a fast and busy main road in order to access the village on foot. Although there is a bus stop situated near to the site, the service is poor and infrequent.

In the absence of any alternative proposal we would support a lower density residential development on this site if it were more in keeping with the neighbouring properties.

Strategic Planning

Response awaited.

Conservation & Design

Brief description of proposal: Replace hotel with dwellings.

The site comprises of a number of different elements. The Bobsleigh hotel (originally called Highcroft) would appear to have originally been a substantial arts and crafts style dwelling constructed at the end of the 19th century. It is of two storeys with an additional storey in the attic, brick plinth with a rendered first floor including stucco column details to the corners. The steeply pitched tiled roofs with dormers and substantial decorative chimneys complete the ensemble. There is an interesting stair tower to the rear. To the rear of the main site the historic structures appear to have been the service buildings for the main house which have been converted. Part of the block, which appears to have been the stable/ cottage is within the development site the rest have already been sold off. The remaining stable building is of interest with single storey painted brick and tiled roof with decoration to the ridge however the conversion could be better.

The house also has some social history of local interest named in honour of the owners son winning a gold medal at the winter Olympics. During WW2 various celebrities stayed at the hotel whilst entertaining the armed forces at the nearby airforce base. These are said to have included Bob Hope, James Stewart and Glenn Miller. Therefore due to both the architectural interest and social history interest we would consider this building to be a non designated heritage asset.

Attached to the main building are a number of substantial late 20th century extensions. These are of lesser merit. To the rear is a former caravan park in poor condition. Within the grounds is a small grotto/ folly constructed in brick with flint and puddingstone entrance walls. Above this are some substantial TPO trees. Work needs to be undertaken to repair elements of this structure.

In relation to the proposals we would comment as follows:

The Bobsleigh (original building) would appear to be of some interest. The architecture and detailing are of a reasonable quality and it makes a positive contribution to the streetscape and the understanding of the development of Bovingdon and the surrounding area. It would therefore be recommended that the original dwelling be retained with all the later accretions removed. This would result in an L shaped building. This could potentially either be sold as a large single dwelling with the grounds immediately to the rear. Alternatively one could convert it into either a number of houses or apartments. This would be beneficial to the streetscape in that it would anchor the new development within a context, provide some maturity to the site and provide a strong visual link to relate heights and mass in particular to the prominent roadside portion of the scheme.

In relation to this it would be possible to construct two other large blocks to provide additional apartments. These blocks could either be in traditional forms or perhaps it would be beneficial to take a more contemporary approach which would allow lower ridge heights and perhaps other features which could better exploit the site and its setting. A slight set back from the building line of the existing would be beneficial to the wider streetscape.

It would be recommend that the wider site layout be reviewed. Ideally the amount of road and car parking space could be reduced. The layout should consider the site lines when accessing the area as at present garages terminate some views as do the sides of buildings and parking is somewhat prominent. It would also be beneficial to completely reconsider the area beyond the Bobsleigh within the wood. The house closest to the road should face it and perhaps be in the style of an arts and crafts lodge. The rear area should be re-planned. It would be recommended that the existing stable conversion be amended to fit more sympathetically in with the rest of the building.

We would also recommend that there are variations in the height of the properties and that there is a mixture of detached, semi detached and terraced properties. Materials should include clay roof tiles and local brick. Planting to the roadside would need careful consideration as should a crossing point to access the pavement into the village on the opposite side of the road. Within the site landscaping and tree planting would be most welcome. Ideally the grotto feature could be retained as part of this scheme.

Recommendation The redevelopment of the site would be acceptable but the original house should be retained and converted. The layout and design of properties should be reconsidered.

Building Control

Response awaited.

Strategic Housing

Strategic Housing comments are as follows in response to the proposal below:

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

Therefore, 20 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.

Trees & Woodlands

- Initial

Just looking through the above application and came across the following statement in their Planning Statement:-

‘Trees & Woodlands - Based upon discussions it is understood there are no fundamental objections.’. Page 124 of 234.

Can you confirm where this comment originated? And who was consulted for the pre-application/application? I believe this will be a delicate application (probably why it landed on your desk!) and I'd like consistency in Tree and Woodlands approach to comments/conditions.

- Full

The application outlines the demolition of the existing structure and construction of 58 new dwellings. In order to facilitate the construction a number of trees are proposed to be removed, as part of the redevelopment. The trees identified for removal are predominately of a young or early age group and are considered to have low amenity value, being categorised as ‘C’ in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. Consequently, I have no concerns with regards to the trees proposed for removal.

The applicant has submitted an Arboricultural Study to support retention of higher quality trees. According to the report, encroachment into the Root Protection Area (RPA) is anticipated with a number of trees throughout the site. Excavation within the RPA will have a detrimental effect owing to the severance of structural and fibrous roots. Although this is not ideal the construction encroachment is expected to be minimal apart for T57, T73, and T74. With respect to these trees, I expect the applicant to investigate an alternative to direct excavation for hard surfaces (no dig options) in order to ensure the trees are retained post-development.

Parks & Open Spaces

Response awaited.

Rights of Way

Response awaited.

Scientific Officer

We have no objection to the proposed development in relation to Noise, Air Quality and

Land Contamination.

However, having given adequate consideration to the submitted planning statement, energy report with reference C7288 prepared by Thornley and Lumb partnership Ltd with the nature of the proposed development, the following planning conditions and informative are recommend should planning permission be granted.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

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

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

Reason: To ensure that the issue of contamination is adequately addressed and to

ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).

Informative:

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

2). 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). Energy Source Condition

With the applicant failing to state explicitly in the submitted energy report the site energy source; 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 NO_x 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).

4). 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 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.

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

Refuse Controller

Response awaited.

Hertfordshire County Council: Highways

Application type Full application.

Proposal Demolition of existing hotel premises and associated buildings and construction of 58 dwellings, made up of 36 apartments and 22 houses.

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 recommends that permission be refused for the following reasons:

Hertfordshire County Council (HCC) as Highway Authority wishes to recommend refusal of the planning application as additional information is required to demonstrate that the proposed development accesses and internal layout are safe and suitable for the intended use. Additionally, the number and location of cycle parking provisions is required to demonstrate a dedication to modal shift at the site and promote sustainable

transport, in line with HCC's Local Transport Plan 4.

The following should be provided as part of any revised submission:

- Swept path assessments are required to demonstrate:
- Refuse vehicle and a car passing each other within the site;
- Refuse vehicle accessing the access serving the three houses, or more detail on the servicing arrangements for these dwellings;
- Emergency servicing vehicles accessing all locations within the site;
- Cars accessing the car parking spaces in the shared car park; and,
- Car accessing the site when a car is at the give-way line to depart the site.
- Servicing and delivery arrangements as there is no indication of where refuse vehicles would be travelling to access bin stores, etc.
- Number and location of cycle parking spaces.
- Additional details regarding the third access and the purpose of maintaining its use/operation.

Whilst not a reason for refusal on their own, the following should be provided in any amended submission:

- Travel Plan Statement.
- Policy review to demonstrate a consideration and understanding of local planning policy, in particular HCC's LTP4.

Description of the Proposal

The proposals are for the demolition of the former Bobsleigh Hotel and for the construction of 58 dwellings, with associated access, car and cycle parking and landscaping. The proposed development will comprise a mixture of apartments and houses. The composition of the dwellings, as set out in the Transport Statement (TS) would be as follows:

- 36 apartments; and
- 22 houses.

The TS does not state how many bedrooms there will be in the apartments or houses, and it does not state how many will be private/ affordable/ shared ownership.

Site Description

At present the site is occupied by the former Bobsleigh Hotel and a static caravan park. The hotel included 47 guest bedrooms, restaurant, function room and swimming pool, and a circa 60 space car park.

The hotel is currently accessed via two priority junctions on Hempstead Road (A4505). The main access junction provides direct vehicular access to the hotel car park and the secondary access, 45m to the southeast, provides access to the hotel's awing. A third vehicle access on Hempstead Road is located 55m southwest, servicing the static caravan park.

The site is located near a post office, pharmacy, convenience store, library and doctor's surgery, all within 11 - 13 minutes' walk from the site.

History

No pre-application advice was sought by the transport consultant and therefore this is the first time Hertfordshire County Council have had a chance to review the proposals.

Analysis

Policy Review

The applicant has not provided a policy review within the Transport Statement. It is advised that a policy review of the following documents should be provided:

- National Planning Policy Framework (July 2018);
- Dacorum Core Strategy 2006-2031 (September 2013);
- Dacorum Local Plan 2001-2011 (Saved Policies September 2013); and,
- Hertfordshire County Council's Local Transport Plan 4 (LTP4).

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 proposed site use was provided in the TS. No trip generation was provided for the existing use of the site, as it has been vacant for some time. This is considered acceptable.

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

Proposed Use

The categories 'Residential - Houses Privately Own' and 'Flats Privately Owned' were utilised for the purposes of obtaining trip rates in TRICS for the proposed development. This is considered to be acceptable. The following parameters were used in the interrogation of TRICS for obtaining the trip rates in the TS:

- Vehicles;
- Sites within Greater London, Scotland and Ireland have been excluded from the dataset;
- 6 - 4,334 units;
- Monday to Friday; and,
- Edge of Town Centre, Edge of Town, Neighborhood Centre, Suburban Area, Residential Zone and Village.

Sites from Wales have been included within the 'Houses Privately Owned' and 'Flats Privately Owned' trip generation which should be excluded. The trip generation should be run again excluding sites from Wales. In addition, the trip generation should include sites from a smaller range of units which are considered to be more comparable and 'village' should not be selected as a selected location. Multi-modal trip generation rates should have also been provided.

The resultant trip rates per unit and associated trip generation based on 58 units in the TS are as follows:

- AM Peak:
 - Trip Rate: 0.130 arrivals and 0.364 departures (private housing)
 - No. Trips: 3 arrivals and 8 departures resulting in 11 two-way trips (private housing)
 - Trip Rate: 0.063 arrivals and 0.216 departures (affordable housing)
 - No. Trips: 3 arrivals and 8 departures resulting in 11 two-way trips (affordable housing)
- Total AM: 6 arrivals, 16 departures for a total of 22 two-way trips
- PM Peak:

- Trip Rate: 0.308 arrivals and 0.154 departures (private housing)
- No. Trips: 7 arrivals and 4 departures resulting in 11 two-way trips (private housing)
- Trip Rate: 0.201 arrivals and 0.096 departures (affordable housing)
- No. Trips: 7 arrivals and 4 departures resulting in 11 two-way trips (affordable housing)
- Total PM: 14 arrivals, 8 departures for a total of 22 two-way trips

Therefore, the proposed development results in an additional 22 two-way trips in the AM and PM peaks, and 22 two-way trips across throughout a full day.

Whilst the parameters used are not considered acceptable, an interrogation of TRICS demonstrated that, due to the scale of the proposals, the change in trip rates associated with amended selection criterion would be negligible. Therefore, for the purposes of this assessment, this is considered acceptable.

Impact on the highway

- Traffic Impact at Local Junctions

No traffic impact analysis has been undertaken at the site access junctions to determine the percentage impacts of the proposed development at the access points. However, due to the low trip generation profile for the proposed development, it is considered that this would not be required.

- Highway safety

HCC provided Personal Injury Collision (PIC) data for the five-year period between 01/01/ 2012 and 31/12/2017, including between Vicarage Lane and Bushfield Road on Hempstead Road. It would also be useful to know the accident analysis at the double mini roundabout with Hempstead Road/ High Street/ Chesham Road/ Newhouse Road as it is likely that the majority of car trips will use this junction to get to Bovingdon town centre.

The PIC data showed that one collision was reported on the local highway network during the study period. The collision occurred in 2014 between two vehicles and was classified as being 'slight' in severity. No serious or fatal accidents were reported on the local highway network during the study period. HCC do not anticipate that any existing highway safety issues will be exacerbated by the development proposals, however it is advised that a road safety audit should be undertaken at the new access points.

Highway layout

- Vehicle site access

The main vehicular access to the site is from Hempstead Road, 15m north of the existing access serving 36 apartments and 19 houses. A separate access is also proposed further north along Hempstead Road providing access to a cul-de-sac serving 3 houses. A former caravan park access adjacent to the site's southern boundary will be retained, serving as a separate shared-level access.

ATCs were undertaken on Hempstead Road to determine the average speed and appropriate visibility splays. The applicant has provided the kerb radii, visibility splays and width of the access arrangements to demonstrate that they are safe and suitable for the scale of the development. Swept path analysis has not been provided for a

large car accessing the site. The proposed access arrangements appear insufficient for shared use and more details are required to demonstrate that they are safe and suitable. This includes additional swept path assessment drawings showing two-way movement is accommodated and additional information relating to the refuse collection and servicing at the site.

The visibility splays for the site have been designed in accordance with guidance set out in Design Manual for Roads and Bridges (DMRB), these are considered acceptable.

- Pedestrian access

The development proposals include off-site works within the adopted highway boundary to provide a 2m footway along the southern end of Hempstead Road connecting the site accesses.

The proposed footway would improve pedestrian access to the local amenities and improve public transport connections to the local bus stops.

- Swept Path Assessment

The applicant has not provided car swept path assessment drawings for the proposed site. These are required demonstrate safe and suitable access is achievable at the site.

There are a number of bays within the cul de sac which appear to be inaccessible without overrunning the landscaping. Swept path analysis of a large car should be provided.

- Refuse and Servicing Arrangements

The applicant has provided refuse swept path assessment drawings for the proposed site, but it is not clear if it has been provided for both access points. The refuse swept path does not illustrate the refuse storage areas, collection points or drag distance. The applicant has not provided servicing or emergency vehicles swept path analysis which is required for the purposes of this application submission. Furthermore, the applicant has not demonstrated that a car can safely avoid a refuse vehicle accessing the site. Swept path assessment showing a car passing a refuse vehicle should be provided.

Parking

- Car parking provisions and layout

It is stated in the TS that the applicant will provide parking bays in line with Dacorum Borough Council's parking standards which state the following car parking requirements for residential use outside of the defined zones 1 and 2:

- One Bedroom: 1.25 spaces per dwelling;
- Two Bedroom: 1.75 spaces per dwelling;
- Three Bedroom: 2.30 spaces per dwelling; and
- Four Bedroom: 3 spaces per dwelling.

The TS does not state how many bays will be provided in total, or detail how many 1,

2, 3 and 4 bedroom units there will be, therefore the unit breakdown from the Planning Statement has been used to determine how many bays could be provided in line with the parking standards.

A maximum of 121 parking bays can be provided based on the 59 units proposed. The number of proposed parking bays has been determined from the proposed site masterplan in Appendix B where 115 bays are shown.

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 parking standards require 20% active and 20% passive electric charging bays for all schemes with sites larger than 10 dwellings.

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. 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 1 cycle parking space should be provided per unit if there is no garage or shed provided. It is stated in the TS that cycle parking will be provided in line with Dacorum's standards, however it does not state how many cycle parking spaces will be provided, or where they will be located.

Accessibility

- Public transport

Bus

The public transport infrastructure surrounding the site provides suitable access to and from a range of locations. HCC notes that a map showing the locations of the local bus stops in relation to the site would have been of use, particularly if advised walking/cycling routes were identified.

The closest bus stops are located on Hempstead Road, within immediate access of the proposed development. HCC notes that the stops on Hempstead Road do not have shelters seating or a dedicated layby.

A summary of the bus services available on Hempstead Road is included within Table 4.3 of the TS.

These services are summarised below:

Hempstead Road Stops

- 105 Hemel Hempstead - Uxbridge: Mon-Sat every 30 mins, no Sun
- 352 Hemel Hempstead - Watford: Mon-Sat every hour, no Sun
- 1A High Wycombe - Hemel Hempstead: Sunday every hour

Bus 51 also serves the sites Chipperfield to Hemel Hempstead on Tuesday and Thursday only.

The above summary illustrates the variety of bus routes available, including local town services and inter-urban routes. Route 105 is the route with the most regular timetable and best coverage of the day. This gives access to central Hemel Hempstead and Hemel Hempstead rail station as well as Chesham and Amersham.

The 352 has only limited services but gives access to central Hemel Hempstead and Watford and both Hemel Hempstead and Watford Junction rail stations.

It should be noted that contribution should be provided towards the provision of easy

access kerbing at both bus stops and the provision of an area of hand standing for the stop outside the site.

Rail

Hemel Hempstead railway station is the closest station to the proposed development site and is located approximately a 3.5km away. Hemel Hempstead railway station lies on the West Coast Main Line, which runs from London to Scotland via Birmingham and Manchester. It is served by the London Midland Train Operating Company.

Again, HCC notes that a map showing the location of the railway station in relation to the site, and suggested walking/cycling would be of benefit.

Walking and Cycling

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

Bovingdon High Street is approximately 0.5 miles away which is within walking/cycling distance (along the B4505) and residents are likely to want to travel further afield for a wider range of services and facilities. There would be an alternative route to the High St via Public Right of Way no 21 to the north of the site and Stoney Lane, although this is further.

It is noted that the proposed 2m footway on the access road would provide better pedestrian accessibility from the site to the local amenities and access to public transport connections in Bovingdon.

Hemel Hempstead is served by Sustrans National Cycle Route 57 which runs from Welwyn Garden City to Farringdon, near Cheltenham, where it meets Route 48.

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

The proposed footway on the southern side of Hempstead Road should extend as far as the bus stop to enable easy pedestrian access. A contribution of £15,000 would allow the stop outside the site to be upgraded, and £8,000 would allow the provision of easy access kerbing at the stop opposite the site. Alternatively, the works to the stop outside the site and footway provision could be secured through a S278 agreement.

Travel Plan Statement

The development qualifies for a Travel Plan Statement; however, one has not been provided. This would be required and would be obtained by Section 106 Agreement or Condition.

Construction

A Construction Traffic Management Plan will be required to ensure that construction vehicles would not have a detrimental impact on the highway network within 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 the highway safety. It will also need to take account of vulnerable pedestrians and delivery and servicing arrangements to ensure conflict is avoided at all times.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council adopted a Community Infrastructure Levy (CIL) in July 2015. Contributions towards local strategic schemes will be sought by DBC via CIL.

A Section 106 Agreement would be required to contribute to improvement schemes in the area

Conclusion

HCC as highway authority has reviewed the application submission and wishes to object to the proposed development until further details are provided on the outstanding points highlighted within this response. In addition, a Travel Plan Statement should be provided to due to the number of dwellings proposed.

Hertfordshire County Council: Minerals & Waste

I am writing in response to the above outline planning application insofar as it raises issues in connection with minerals and 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.

Hertfordshire County Council: Growth & Infrastructure

The 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 CIL Zone 2 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 : Lead Flood Authority_

The Flood Risk Assessment and Outline Drainage Strategy carried out by Curtins reference 070240-CUR-00-XX-RP-D-92001 Rev V02 dated 24 October 2018, and the information submitted in support of this application does not currently provide a suitable basis for assessment to be made of the flood risk 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. Confirmation of a feasible discharge location
2. Drainage plan demonstrating a SuDS management treatment train and above ground features.

Overcoming our objection

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

1. It is assumed the existing site currently discharges into soakaways. Therefore the proposed drainage strategy is based upon infiltration; however infiltration tests have not yet been carried out. Infiltration testing in accordance with BRE Digest 365 should

be provided to ensure the feasibility of the proposals. If infiltration tests cannot be carried out this should be justified and an alternative strategy provided either based on discharge to the foul sewer or utilise deep borehole soakaways.

We note there are no watercourses or surface water sewers within the vicinity of the site and that a potential connection into the foul water sewer has been briefly explored. However no further details been provided in relation to the alternative drainage strategy. At full planning application stage we would expect as a minimum the discharge rate into the foul sewer and the attenuation volumes that are required for the site for the 1 in 100 year rainfall event plus climate change.

Discharging into foul sewer is not sustainable as it mixes clean surface water with foul drainage and the surface water could surcharge the foul system. Therefore when discharging into the foul system we would expect the flow rates to be reduced to as low as practicably possible. We require clarification of the existing run-off rates and indicate the overall reduction in flows. Previously developed sites should aim to discharge at the pre-development greenfield rate for the whole site area where possible. If not, a significant reduction in the current rate of discharge should be achieved and evidence provided as to why greenfield rates are not viable.

2. The drainage strategy at present consists of the large infiltration basin to cater for the 1 in 100 year plus climate change event. However redevelopment of site presents opportunities for above ground features and sub-catchment approach. The use of a sub catchment approach with attenuation provided throughout the site rather than in one large feature would provide opportunities for the use of additional SuDS components which would provide source control and opportunities for additional management and treatment stages prior to the infiltration/discharge. Surface water run-off from the Highway should go through a minimum of two stages of SuDS management treatment train.

Above ground measures such as permeable paving, swales etc. could be used on green space and areas of landscaping. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.

For further advice on what we expect to be contained within the FRA to support an outline 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/>

Informative to the LPA

The applicant will need to satisfy the LPA that the proposed drainage scheme can be adopted and maintained for its lifetime by providing a maintenance plan, detailing key operations and management.

We ask to be re-consulted with the results of the surface water drainage assessment. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate surface water drainage assessment has been submitted www.hertfordshire.gov.uk

Sustainable Drainage Systems Officer
Environmental Resource Planning

Growth & Infrastructure Unit: Environment & Infrastructure, Hertfordshire County Council,

Do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum CIL Zone 2 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 : Historic Environment

While the proposed development is of considerable size and would involve much ground disturbance there are no known archaeological sites, finds or features in the vicinity. The proposed development area has also at least partially been built on already.

In this instance, therefore, 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

Hertfordshire Ecology

Initial Response

HMWT have not objected to the principle of development; they object to the lack of metric and demonstrable net gain – neither of which are mandatory. If the impact is not objected to, then net gain could easily be demonstrated – you don't need a metric to do this, especially if the site is poor to begin with. Consequently I can provide views and see whether I need to attend; I doubt I will depending on the nature of the area impacted – it isn't reasonable to expect such a top heavy approach in such circumstances, in my view.

Full Response

1. There is no data for this site within the HERC database.

2.1 The Phase 1 Habitat Survey (June 2017) includes a bat **Preliminary Roost Assessment** in respect of building inspections. No evidence was found but buildings and several trees had potential. An ice house was not inspected. The **Habitat Survey** described the habitat features within the site and appears to be a reasonable and valid account. Other than mature trees no features of particular significance were identified although the semi-improved grassland (Target Notes S1, S2) was considered to have a good diversity of plants. **Breeding bird** potential was identified. No evidence of badgers other than potential for foraging. There is potential for **hedgehogs**. The need for various further surveys was also identified – mainly bats and reptiles. It is, however, disappointing that the survey Target Notes results are not included within the Report, so I have no means of assessing the conclusions based upon the evidence presented.

2.2 The site is considered to have **low-moderate ecological potential**. I consider this to be a reasonable assessment – but **in the context of the site itself**. Given its location, other surrounding habitats would probably have a similar value. Consequently, the **ecological value does not represent a significant constraint on development**.

3.1 **Further bat activity surveys** (July-Sept 2017) found evidence of **bat roosting** in a number of buildings, **low numbers of common pipistrelle and brown long-eared bats**, with other bat species foraging. The building complex has an associated complex array of roof structures, so some use is not surprising. It is interesting to note that activity was especially high around T1 which is immediately adjacent to the Ice House, although obviously there is no direct connection unless the building is used for roosting, for which there is no evidence. **Outline mitigation has been proposed** which includes bat boxes and access tiles, and is acceptable. It is recognised an EPS licence will be required and I have no reason to believe that such a licence would not be issued.

3.2 Bat enhancements are suggested, including limiting **lighting** and associated advice, which I support. The only **missing** aspect is the **ice house**, which should be subject to protection, surveys and enhancement for bats for use as a roosting or hibernation resource. Such proposals were not identified with previous surveys, but should certainly be considered now.

4. The reptile survey (August-Sept 2017) found **no evidence of reptiles** although habitat enhancements are suggested.

5. An Ecological update report (Sept 2018) has been provided. **I support the mitigation and enhancements proposed**, although no details on Target Notes have been provided. The report does not identify any major constraints and I have no reason to consider otherwise. Consequently I have **no objections to the development on the grounds of ecology**.

6. I consider the proposals will impact on the local ecology in a number of ways leading to a **local net loss**, although I consider this to be relatively **minor** for what is essentially a largely developed site. New tree planting and retained areas will largely compensate for any losses.

7. I consider the most significant aspects of the site to be the **retained trees, ice house** and adjacent habitat, and the area of **open grassland** in the south of the site. The proposals are not clear for this area – one plan suggests retention of trees on this area – but there aren't any other than along the boundary. I acknowledge the proposed **ecological enhancements** but do **not consider they make the most of the opportunities available** on this site associated with the most valuable features I have highlighted.

8. Consequently in respect of **further enhancement**, I consider the following needs to be developed further:

8.1 Conservation and enhancement of the **Ice House and surrounding habitat for bats**;

8.2 **Retention and management of the open grassland** in the south of the site, also identified as supporting self-set trees and saplings. Currently no development proposals have been presented for this area – it is identified in the site layout plan (Fig 3, Planning Statement) for retention (Drawing PS-04) although it is also shown as Public Open Space and 'attenuation feature' within the Arboricultural Impact Assessment (p.17, Tree Retention and Removal Plan). This could be cleared and retained and managed as a **wildflower meadow** for the benefit of ecology and the local community, depending on whether the site already has some interest; however, it

is not possible to determine this from the survey information – which I consider should be provided in order to make an informed judgement;

8.3 Alternatively – or in addition to the grassland management - the area could be planted to create a **local community orchard**, which would provide both an amenity and ecological asset. This would be suitable if the existing grassland was not of particularly high quality. Currently no proposals for use or management of this area have been provided, so this remains a valuable opportunity without compromising the existing development proposals themselves.

9. Consequently, if approved, I would consider that a **landscape and ecology management plan** (LEMP) should be submitted as a Condition to the satisfaction of the LPA which addresses these issues. I can provide further advice in respect of orchard creation if requested.

10. A **lighting plan** should also be submitted as a Condition to demonstrate how local impacts of light pollution will be controlled and reduced, particularly in the area of the ice house.

11. I consider the enhancements outlined above are **consistent with the aims of NPPF** in respect of generating ecological gains from development.

12. If the above approach is **not supported** by the LPA or the development – I suspect the open grassland area is likely to be identified for general amenity use and also possibly for SUDS – which will largely remove any existing interest or potential – then I would expect this impact to be compensated with appropriate Biodiversity Offsetting support for projects elsewhere in the local area. I can advise further on opportunities for this if requested.

I trust these comments are of assistance,

Hertfordshire & Middlesex Wildlife Trust

Objection: DEFRA Biodiversity Impact Assessment Calculator required to demonstrate no net loss or net gain to biodiversity. Ecological report not compliant with BS 42020.

The concept of development on most of this site (the previously developed area) is not contested. The issue is has enough mitigation or compensation been provided and definitively described (including ongoing management) to offset the loss of onsite habitat and provide net gains in biodiversity value - as required by NPPF?

The Ecological Impact Assessment does not quantify the impacts of the development in any meaningful, measurable way, and does not offer any compensation for these losses. It does highlight that there will be losses to species rich semi improved grassland, ruderal and scrub habitats, together with impacts on hedges and trees. No definitive compensation is offered for any of these impacts.

In order to legitimately demonstrate that the development delivers net gain it should employ the DEFRA Biodiversity Impact Assessment Calculator (e.g. BIAC v19 2018, Warwickshire CC). This is the most objective way of assessing net gain on a habitat basis. It assesses ecological value pre and post development and has been upheld by the planning inspectorate as an appropriate mechanism for achieving the ecological aims of NPPF.

Within the MCIEEM EclA guidelines, to which the report refers, the DEFRA metric (which forms the basis of the biodiversity offsets concept) is described thus:

'Biodiversity offsets have a formal requirement for measurable outcomes. The main requirement is to quantify losses (through effects) and gains (through offsets) using the same 'metric', for example hectares of habitat of a particular quality. Using an offset metric in this way provides for transparency of outcome and enables explicit demonstration of 'no net loss''

It is possible that the development as proposed is capable of delivering net gain, but this must be clearly demonstrated by applying the calculator. It will also give more direction to what habitats could be created within the green infrastructure to meet the requisite number of ecological units. Retention of a proportion of the existing rough grassland cannot be considered an enhancement - particularly when the proximity of a new large development is factored in. It will be necessary to provide higher quality habitats such as wildflower meadows in order to measurably achieve no net loss. This calculator will enable this to be quantified.

BS 42020 states:

'8.1 Making decisions based on adequate information

The decision-maker should undertake a thorough analysis of the applicant's ecological report as part of its wider determination of the application. In reaching a decision, the decision-maker should take the following into account:

h) Whether there is a clear indication of likely significant losses and gains for biodiversity.'

Clear definitive proposals that address this point are required. Impacts should be quantified and measures put forward that ensure a net gain to biodiversity.

A number of recommendations have been included in the ecological report but are not stated definitively, e.g.

'Any removal of hedgerow should be kept to an absolute minimum.'

It should be made absolutely clear which hedgerows are proposed to be removed and what compensation will be offered in order to achieve net gain. Similarly suggested enhancements which 'could' or 'may' happen must be proposed definitively so that it is known exactly what will be delivered to achieve net gain.

Recommendations or potential measures are not compliant with BS 42020. In order to properly understand what is being proposed, all ecological measures must be clearly stated and marked on maps. For example, integrated or free hanging bird boxes must be definitively described (e.g. number, model, location) and translated into the plans. In order to properly understand what is being proposed all ecological measures must be clearly proposed and marked on maps. BS 42020 states:

'6.6.2 An ecological report should avoid language that suggests that recommended actions "may" or "might" or "could" be carried out by the applicant/developer (e.g. when describing proposed mitigation, compensation or enhancement measures). Instead, the report should be written such that it is clear and unambiguous as to whether a

recommended course of action is necessary and is to be followed or implemented by the applicant.'

Finally it is proposed that a EPSML is required for the impact on bats and the loss of active roosts. The following condition should be applied to secure this, as derived from BS 42020:

The following works (demolition, roof stripping) shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Hertfordshire Constabulary: Design out Crime Officer

I have no objection to this application, however I can see no mention of security or crime prevention in the documentation. I would ask that the applicant considers building the development to the Physical Security standard Secured by Design, this will also meet the requirements of building regulations (Approved document Q).

Environment Agency

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend, however, that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be in addition to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our Groundwater Protection guidance (previously covered by the GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

- ? No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause groundwater pollution.
- ? Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- ? Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

? From www.gov.uk:

- The Environment Agency's approach to groundwater protection (2017)
- Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
- Use MCERTS accredited methods for testing contaminated soils at the site

? From the National Planning Practice Guidance:

- Land affected by contamination

? British Standards when investigating potentially contaminated sites and groundwater:

- BS 5930:2015 Code of practice for site investigations;
- BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated sites
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points
- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

You may wish to consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

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>

National Health Service

Response awaited.

National Health Clinical Commissioning Group

Response awaited.

Thames Water

Waste Comments

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

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Water Comments

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

Cadent Gas Ltd

Should you be minded to approve this application please can the following notes be included an informative note for the Applicant

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

EDF Energy

Response awaited.

NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this

application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Defence Infrastructure Organisation (DIO)

This application relates to a site outside of Ministry of Defence safeguarding areas. I can therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.

I trust this adequately explains our position on this matter.

Chiltern Society

The Chiltern Society has no objection to this proposal for development of the former hotel to residential. However, we have concerns about the scale and design of the development. As this is green belt development there is a need to consider the impact on the surrounding green belt land in terms of openness, detrimental impact on its surroundings and on habitats and ecosystems.

Whilst the front aspect is onto a busy road, the rear slopes down into a small valley area and the impact on the southern and south easterly aspect is an issue. Arguably, the development will cause significant impact and harm to this amenity.

The site falls within the Chilterns area, and this Society, with well over 7000 members, has as its stated aims to conserve the unique character of the Chilterns which includes high standards of design . Any brown field development on green belt still needs to meet these standards, and whilst the 35% affordable housing is applauded here, the design needs to be sympathetic to its surroundings. In our view, the detail shown on the application documents does not demonstrate this.

Another issue is biodiversity, ecology etc and other objectors have touched on this in detail and we support the Wildlife Trusts comments.

Ribbon like development along Box Lane is happening here and other sites along the road, there needs to be a better explanation as to how residents of this site can access the village of Bovington and buses etc safely. This is a busy road with few if any pavements.

In conclusion, further thought needs to be given to design of the residential units, and mitigation measures including tree planting and layout as well as acces to the main road and the village should be conditions of any development.

Consultation Responses: Revised Scheme

Bovington Parish Council

Object - We consider these proposals to be an overdevelopment of the site.

The plans introduce two large blocks fronting the Hempstead Road which collectively have a greater height and density than the existing hotel building and are set too close to the road. We welcome the retention of the original building.

The proposed flats are out of keeping with the street scene of single dwelling homes in a semi-rural unlit area and therefore, are inappropriate in this location.

We are concerned that it is proposed to put houses to the rear of the site on a large area of undeveloped Green Belt land. This we believe to be contrary to National Planning Policy guidelines and would cause considerable harm to the openness of the Green Belt.

We consider the parking provision to be inadequate in respect of the larger dwellings with only 3 spaces for the 4 and 5 bed roomed properties and 0.8 parking spaces for the one bedroom flats.

Whilst we note that the applicant proposes to provide a footpath, the distance to the village of Bovingdon is in excess of 800 metres. Residents would have to cross a fast and busy main road in order to access the bus stop near to the site. For these reasons we consider this location impractical for a family orientated development.

In the absence of any alternative proposal we would support a lower density residential development on this site if it were more in keeping with the neighbouring properties.

Conservation & Design

As previously noted:

The site comprises of a number of different elements. The Bobsleigh hotel (originally called Highcroft) would appear to have originally been a substantial arts and crafts style dwelling constructed at the end of the 19th century. It is of two storeys with an additional storey in the attic, brick plinth with a rendered first floor including stucco column details to the corners. The steeply pitched tiled roofs with dormers and substantial decorative chimneys complete the ensemble. There is an interesting stair tower to the rear. To the rear of the main site the historic structures appear to have been the service buildings for the main house which have been converted. Part of the block, which appears to have been the stable/ cottage is within the development site the rest have already been sold off. The remaining stable building is of interest with single storey painted brick and tiled roof with decoration to the ridge however the conversion could be better.

The house also has some social history of local interest named in honour of the owners son winning a gold medal at the winter Olympics. During WW2 various celebrities stayed at the hotel whilst entertaining the armed forces at the nearby airforce base. These are said to have included Bob Hope, James Stewart and Glenn Miller. Therefore due to both the architectural interest and social history interest we would consider this building to be a non designated heritage asset.

Attached to the main building are a number of substantial late 20th century extensions. These are of lesser merit. To the rear is a former caravan park in poor condition. Within the grounds is a small grotto/ folly constructed in brick with flint and puddingstone entrance walls. Above this are some substantial TPO trees. Work needs to be undertaken to repair elements of this structure.

In relation to the proposals we would comment as follows:

The proposal to retain the original house and build an extension to provide a U shaped courtyard is most welcome. The design and detailing of the extension, facade and landscaping to the building in particular to the roadside would be required to be sympathetic with the overall building however we welcome the broad approach. The only minor area of concern is having the bin store as a block to fill in the open flank of the courtyard. This could either be built into the new extension or should be repositioned elsewhere on the site.

We also welcome the conversion of the stable lodge into a dwelling.

This would retain the interesting history of the site and with the new landscaping help it to integrate within the wider environment.

The layout of the site has substantially improved we believe that as a general concept it appears to sit more comfortably within the landscape. Clearly great care will need to be taken to ensure that appropriate materials in particular red/orange brick and clay tiles be used to ensure it does not detract from the wider area. Another key element to consider would be the landscaping to the road frontage. As the surroundings are generally well screened from the road it would be recommended that the frontage be planted with a suitable mix of native hedgerow with trees planted at regular intervals. The large leylandii trees in front of the second block of flats should be removed and replaced with this form of planting to allow a cohesive frontage. Any subdivision within the site should use either brick and flint walls or estate fencing and hedges rather than close boarded fencing which would be detrimental and out of keeping.

Recommendation The redevelopment of the site would be acceptable. We welcome the conversion of the original house and stable lodge. The layout appears much improved and we would not object to this element of the scheme. As well as the design and materials for the proposed dwellings and apartments a suitable landscaping scheme will be key to the success or otherwise of these proposals.

Housing

The proposal currently complies with the Affordable Housing Policy with 35% on site provision and required tenure split of 75% affordable Rent, 25% shared ownership.

There is also no objection to the current location of the affordable units as they seem to be adequately positioned around the site, although we'd like to make sure all the units are cannot be differentiated in terms of tenure. This means that it's not easy to distinguish which units are affordable and which ones are for private sale.

There is currently a demand for 1 & 2 bedroom flats and 2 & 3 bedroom houses which is reflected within the proposed affordable housing mix.

Noise & Pollution

The location of the development site has the potential to be impacted by road traffic noise. The application is not supported by any information which considers noise due to road transportation sources. Noise is recognised with national planning policy and supporting documents (Noise Policy Statement of England, Planning Policy Guidance: Noise) as relevant to planning due to impacts on health and quality of life.

I would recommend this development is subject to a planning condition which requires an assessment of noise impact at submission of reserved matters. The reason is that as the development may require an alternative, and mechanical, means of ventilation (in place of or in addition to opening windows) to provide an adequate level of amenity. Alternative control mechanisms may be to reorient the internal layout so that the living space and bedroom is located at the rear and shielded by non-habitable spaces.

Suggested Condition – noise

Upon submission of reserved matters the applicant shall submit to the LPA an assessment of noise exposure to transportation noise. Where the assessment identifies that mitigation measures are necessary to protect occupiers from noise, the assessment shall provide an outline mitigation statement having regard to the proposed design. Any scheme of mitigation shall also be subject to approval by the LPA, and once approved shall be in accordance with the approval prior to first occupation and retained thereafter.

Reason

Policy CS32 – any development proposals which could cause harm from a significant increase in noise (near a water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell light, noise and vibration not permitted.

Construction Hours of Working – (Plant & Machinery) Informative

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

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out other measures as necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Management Practice used at all times. The applicant is advised to consider the control of dust and emissions from construction sites, Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites Informative

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

Scientific Officer

Having reviewed the documentation submitted with the above planning application and having considered the information held by the Environmental Health Department I have the following advice and recommendations in relation to land contamination.

The application is for the introduction of a residential land use on to a site that has a commercial land use history and so the possibility of the presence of ground

contamination that could adversely impact the proposed development and its residents cannot be ruled out at this time. As such it is recommended that the following planning conditions are imposed on the permission should it be granted.

Contaminated Land Conditions:

Condition 1:

- (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

Rights of Way

North east boundary abuts Bovingdon public footpath 21

Retaining trees and existing screening is a positive. Will it/can it be augmented by native species where appropriate.

Hertfordshire County Council: Lead Flood Authority

Following the review of the Environment Agency maps for surface water flood risk, the proposed development is at a predicted low risk of flooding from surface water. The Drainage Strategy 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. Infiltration testing in accordance with BRE Digest 365 to ensure the feasibility of the proposed scheme.

Overcoming our objection

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

There are no surface water or combined public sewers shown within the area. The existing site is of the former Bobsleigh Hotel and therefore existing private sewers are present. The historic drainage record indicates that the drainage is a separate foul and surface water system. The surface water drainage from the site appears to discharge to soakaways which are positioned across the site. The type or size of soakaway is unknown, and the infiltration rate is unconfirmed.

The drainage strategy at present consists of the large infiltration basin and permeable paving to cater for the 1 in 100 year plus climate change event. However it is not clear whether infiltration testing has been carried out. We would expect as a minimum the geology to be confirmed with permeability tests to establish at the outset the feasibility of the proposed drainage strategy. Tests should be conducted to BRE Digest 365 Standards and record the levels of ground water. If this cannot be done a justification should be provided along with an alternative drainage solution based on attenuation

and discharge into the foul sewer or infiltration via deep borehole soakaways. Where it is proposed to discharge to foul sewer, rates should be limited to as low as practicably possible. We would need confirmation from Thames Water that they are happy with the proposed discharge rates and volume. For further advice on what we expect to be contained within the FRA to support an outline 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/>.

Informative to the LPA

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.

Hertfordshire County Council:Highways

Proposal Demolition of existing hotel premises and associated buildings and construction of 58 dwellings, made up of 36 apartments and 22 houses

Amendment to proposal:

https://planning.dacorum.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=DCAPR_227115

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 subject to the following conditions:

Hertfordshire County Council (HCC) as Highway Authority wishes to recommend permitting the proposed development, subject to suitable planning conditions and obligations.

Conditions:

Condition 1: Detailed Design Drawings

No development shall commence until plans have been submitted to and approved in writing by the Local Planning Authority to illustrate the site access arrangements, roads, footways, cycleways, foul and surface water drainage. All construction works shall be carried out in accordance with the approved plans.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

Condition 2: Construction Traffic Management Plan

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).

Condition 3: Travel Plan Statement

At least 3 months prior to the first occupation of the approved development a Travel Plan Statement 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 Statement 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).

Condition 4: Provision of Parking and Servicing Areas

Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable a standard size car and refuse vehicle to park, turn and re-enter the highway in a forward gear. This area shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and retained thereafter available for that specific use.

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

Condition 5: Access Gradient

The gradient of the vehicular access shall not exceed 1:20 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.

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).

Condition 6: Electric Vehicle Charging Points

Prior to the occupation of the development hereby permitted, the development shall include provision for 10% (site by site decision depending on nature and size of development) of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready [domestic and/or fast] charging points.

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).

Condition 7: Road Lighting Review

No development shall commence until a review of road lighting has been undertaken as part of the Section 278 Agreement and Detailed Design review.

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

Planning obligations would be sought via Section 106 Agreement for the following:

- £15,000 to allow the bus stop outside the site to be upgraded; and,
- £8,000 to allow the provision of easy access kerbing at the bus stop opposite the site.

Section 278 Agreement

Any changes to the highway network would be subject to a Section 278 Agreement, in particular changes to the proposed site access arrangements and for the provision of a pedestrian crossing at a suitable location near the site.

Informatives:

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.

Storage of materials

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/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Obstruction of the highway

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/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway

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

- 5 four bedroom houses; and
- 5 five bedroom houses.

The development proposals include 2 mobile homes which already occupy the site. The Transport Statement suggests that all of the housing is classified as private.

Site Description

At present the site is occupied by the former Bobsleigh Hotel and a static caravan park. The former hotel included 47 guest bedrooms, restaurant, function room and swimming pool, and a circa 60 space car park.

The hotel is currently accessed via two priority junctions on Hempstead Road (A4505). The main access junction provides direct vehicular access to the hotel car park and the secondary access 45m southeast, provides access to the hotel's awing. A third vehicle access on Hempstead Road is located 55m southwest, servicing the static caravan park.

The site is located near a post office, pharmacy, convenience store, library and doctor's surgery, all within 11-13 minutes walk from the site.

History

A Transport Statement was submitted in November 2018 and a subsequent Technical Note was submitted in February 2019 which was reviewed by HCC in March 2019. The scheme was granted permission subject to a number of conditions, as detailed within this response.

Analysis

Policy Review

The applicant has provided a policy review within the Transport Statement of the following documents|:

- National Planning Policy Framework (2018);
- DBC's Core Strategy 2006 - 2031;
- DBC's Local Plan 2001-2011; and,
- HCC's Local Transport Plan 4.

This is considered acceptable.

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 proposed site use were provided in the TS. No trip generation was provided for the existing use of the site, as it has been vacant for some time.

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

Proposed Use

The categories 'Residential - Houses Privately Own' and 'Flats Privately Owned' was utilised for the purposes of obtaining trip rates in TRICS for the proposed development. The following parameters were used in the interrogation of TRICS for obtaining the trip rates in the TS:

- Vehicles;
- Sites within Greater London, Scotland and Ireland have been excluded from the dataset;
- 6 - 4,334 units;
- Monday to Friday; and,
- Edge of Town Centre, Edge of Town, Neighbourhood Centre, Suburban Area, Residential Zone and Village.

Sites from Wales have been included within the 'Houses Privately Owned' and Flats Privately Owned' trip generation which should be excluded. The trip generation should be run again excluding sites from Wales. In addition the trip generation should include sites from a smaller range of units which are considered to be more comparable and 'village' should not be selected as a selected location.

The resultant trip rates per unit and associated trip generation based on 61 units in the TS are as follows:

- AM Peak:

- Trip Rate: 0.130 arrivals and 0.364 departures (private housing)

- No. Trips: 4 arrivals and 10 departures resulting in 14 two-way trips (private housing)

- Trip Rate: 0.063 arrivals and 0.216 departures (private apartments)

- No. Trips: 3 arrivals and 8 departures resulting in 11 two-way trips (private housing)

Total AM Peak Trip Generation:

- No. Trips: 7 arrivals and 18 departures resulting in 25 two-way trips (private housing)

- PM Peak:

- Trip Rate: 0.308 arrivals and 0.154 departures (private housing)

- No. Trips: 9 arrivals and 4 departures resulting in 13 two-way trips (private housing)

- Trip Rate: 0.201 arrivals and 0.096 departures (private apartments)

- No. Trips: 7 arrivals and 4 departures resulting in 11 two-way trips (private housing)

Total PM Peak Trip Generation:

- No. Trips: 16 arrivals and 8 departures resulting in 24 two-way trips (private housing)

Whilst the parameters used are not considered acceptable, an interrogation of TRICS demonstrated that, due to the scale of the proposals, the change in trip rates associated with amended selection criterion would be negligible. Therefore, for the purposes of this assessment, this is considered acceptable.

Impact on the highway

Traffic Impact at Local Junctions

No traffic impact analysis has been undertaken at the site access junctions to determine the percentage impacts of the proposed development at the access points. However, due to the low trip generation profile for the proposed development, it is considered that this would not be required.

Highway safety

Personal Injury Collision (PIC) data has been obtained from Crashmap between January 2014 and December 2018. The study area includes Hempstead Road (A4505) from Bushfield Road to the double mini-roundabout junction with High Street/ Chesham Road/ Newhouse Road.

The PIC data showed that there were three 'slight' collisions reported on the local highway network during the study period. No serious or fatal accidents were reported on the local highway network during the study period. HCC do not anticipate that any existing highway safety issues will be exacerbated by the development proposals, however it is advised that a road safety audit should be undertaken at the new access points.

Highway layout

Vehicle site access

The main vehicular access to the site is from Hempstead Road, 15m north to the existing access serving the apartments and houses. A separate access is also proposed further north along Hempstead Road providing access to a cul-de-sac serving the relocated mobile homes and one house. The former caravan park access adjacent to the sites southern boundary will be retained, serving as a separate shared-level access.

ATCs were undertaken on Hempstead Road to determine the average speed and appropriate visibility splays. The applicant has provided the kerb radii, visibility splays

and width of the access arrangements to demonstrate that they are safe and suitable for the scale of the development. Swept path analysis has also been provided for a large car accessing the site. This is considered to be acceptable.

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

Pedestrian access

The TS does not describe the pedestrian access, however the previous TS and Technical Note both detailed the off-site works within the adopted highway boundary to provide a 2m footway along the southern end of Hempstead Road connecting the site accesses. The proposed works will be obtained via S278 or S106 Agreement.

The proposed footway would improve pedestrian access to the local amenities and improve public transport connections to the local bus stops.

Swept Path Assessment

The applicant has provided car swept path assessment drawings for the proposed site which are acceptable.

Refuse and Servicing Arrangements

The applicant has provided refuse swept path assessment drawings for the proposed site, but it is not clear if it has been provided for both access points. The refuse swept path does not illustrate the refuse storage areas, collection points or drag distance.

The applicant has provided emergency vehicles swept path analysis which is acceptable. Furthermore, the applicant has demonstrated that a car can safely avoid a refuse vehicle accessing the site.

Road Safety Audit

A Stage 1 Road Safety Audit (RSA) was undertaken and identified 4 issues to be addressed. A Designers Response was also provided. The following issues and respective Designers Response were identified:

1. Potential for bus waiting at south-westbound bus stop to impact on visibility of vehicles departing the site. It was recommended that the bus stop is moved such that it would not impact the visibility from the site access.

Response: Designer did not accept the proposed recommendation as it they stated that the frequency of the existing service at the location, in conjunction with the usage and stop duration, would not be high enough risk to warrant relocation of the existing provision.

HCC support the response.

2. Pedestrians crossing the highway may be struck by vehicles. It was recommended that a suitable crossing is provided.

Response: Designer response agreed to the recommendation. A location for pedestrian crossing will be provided, comprising dropped kerbs and tactile paving.

HCC support the response and would condition or obtain a crossing through Section 106 / Section 278 Agreement.

3. Abrupt end to footway in any direction may result in pedestrians entering the highway and being struck. It was recommended that the footway provision from the site is suitably linked to the existing footway and into intended walk routes to / from the site. It was also recommended that the footway is extended to public footpath 21.

Response: Designer response agreed to the recommendation and will provided footway provision to

tie into the existing footway along the southern side of Hempstead Road and up to the public footpath

21.

4. Potential for night time collision was identified as an issue. It was recommended that a road lighting review is undertaken.

Response: Designer response agreed to the recommendation and has stated that a review of road

lighting will be undertaken as part of the Detailed Design stage.

HCC support the response and will require by planning condition that it is undertaken as part of a

Section 278 Agreement and Detailed Design Review.

Parking

Car parking provisions and layout

It is stated in the TS that the applicant will provide parking bays in excess of Dacorum Borough Council's parking standards which state the following car parking requirements for residential use outside of the defined zones 1 and 2:

- One Bedroom: 1.25 spaces per dwelling;
- Two Bedroom: 1.75 spaces per dwelling;
- Three Bedroom: 2.30 spaces per dwelling; and
- Four Bedroom: 3 spaces per dwelling.

A maximum of 114 parking bays can be provided based on the 61 units proposed.

However, the applicant is providing 117 spaces which is three additional spaces than the parking standards permit. The number of spaces should be reduced to 114 spaces in order to comply with Dacorum's parking standards.

The TS states that as none of the apartments have been designed to mobility standards, that no disabled parking should be provided. This is not acceptable, as at least 10% of the dwellings should be designed for those with mobility impairments.

It is noted that 20% active and 20% passive electric charging bays will be provided in line with Dacorum's policy.

However, whilst HCC would seek to revise the proposed parking provisions, it is not considered that 3 car parking spaces above the recommended maximum would have a significant impact on the highway. Therefore, this does not warrant a recommendation for refusal. It is ultimately the decision of DBC to determine the suitability of 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. 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 1 cycle parking space should be provided per unit if there is no garage or shed provided. It is stated in the TS that cycle parking will be provided in line with Dacorum's standards, and that the cycle storage locations will be provided in each of the apartment blocks and each dwelling will have a shed or garage where cycles can be stored. HCC are satisfied with the proposed cycle parking provisions.

Accessibility

Public transport

Bus

The public transport infrastructure surrounding the site provides suitable access to and

from a range of locations. HCC notes that a map showing the locations of the local bus stops in relation to the site would have been of use, particularly if advised walking/cycling routes were identified.

The closest bus stops are located on Hempstead Road, within immediate access of the proposed development. HCC notes that the stops on Hempstead Road do not have shelters seating or a dedicated layby.

A summary of the bus services available on Hempstead Road is included within Table 4.3 of the TS.

These services are summarised below:

Hempstead Road Stops

- 105 Hemel Hempstead - Uxbridge: Mon-Sat every 30 mins, no Sun

- 352 Hemel Hempstead - Watford: Mon-Sat every hour, no Sun

- 1A High Wycombe - Hemel Hempstead: Sunday every hour

Bus 51 also serves the sites Chipperfield to Hemel Hempstead on Tuesday and Thursday only.

The above summary illustrates the variety of bus routes available, including local town services and inter-urban routes. Route 105 is the route with the most regular timetable and best coverage of the day. This gives access to central Hemel Hempstead and Hemel Hempstead rail station as well as Chesham and Amersham.

The 352 has only limited services but gives access to central Hemel Hempstead and Watford and both Hemel Hempstead and Watford Junction rail stations.

It should be noted that contribution should be provided towards the provision of easy access kerbing at both bus stops and the provision of an area of hand standing for the stop outside the site

Rail

Hemel Hempstead Railway Station is the closest station, it is located approximately a 3.5km away from the site. Hemel Hempstead Railway Station lies on the West Coast Main Line, which runs from London to Scotland via Birmingham and Manchester. It is served by the London Midland Train Operating Company.

Again, HCC notes that a map showing the location of the Railway Station in relation to the site, and suggested walking/cycling would be of benefit.

Walking and Cycling

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

Bovingdon High Street is approx. 0.5 miles away which is within walking/cycling distance (along the B4505) and residents are likely to want to travel further afield for a wider range of services and facilities. There would be an alternative route to the High St via Public Right of Way no 21 to the north of the site and Stoney Lane, although this is further.

It is noted that the proposed 2m footway on the access road will provide better pedestrian accessibility from the site to the local amenities and access to public transport connections in Bovingdon.

Hemel Hempstead is served by Sustrans National Cycle Route 57 which runs from Welwyn Garden City to Farrington, near Cheltenham, where it meets Route 48.

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

The proposed footway on the southern side of Hempstead Road should extend as far as the bus stop to enable easy pedestrian access. A contribution of £15,000 would allow the stop outside the site to be upgraded, and £8,000 would allow the provision of easy access kerbing at the stop opposite the site. Alternatively, the works to the stop outside the site and footway provision could be secured through a S278 agreement.

Travel Plan Statement

The development qualifies for a Travel Plan Statement; however, one has not been provided. This would be required and would be obtained by Section 106 Agreement or Condition.

Construction

A Construction Traffic Management Plan will be required to ensure that construction vehicles would not have a detrimental impact on the highway network within 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 the highway safety. It will also need to take account of vulnerable pedestrians and delivery and servicing arrangements to ensure conflict is avoided at all times.

Planning Obligations / Community Infrastructure Levy (CIL)

Dacorum Borough Council adopted a Community Infrastructure Levy (CIL) in July 2015. Contributions towards local strategic schemes will be sought by DBC via CIL. A Section 106 Agreement would be required to contribute to improvement schemes in the area.

Conclusion

HCC as highway authority has reviewed the additional information submitted to support the planning application and wishes to recommend the proposed development, subject to suitable planning conditions and obligations.

Hertfordshire County Council: Historic Environment

The development proposal is unlikely to have a significant impact on heritage assets of archaeological interest and we therefore have no additional comments to make upon the amended application. _

Herts Growth and 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 2 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 : Minerals and Waste Planning Authority

No further comments to make on the application.

Hertfordshire County Council: Lead Flood Authority

In summary the objection has been addressed subject to the imposition of drainage conditions.

Sport England

Sport England has no further comment to make on this particular application

NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route)

Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Thames Water

Waste Comments

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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 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 recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water would advise that with regard to waste water network and waste water process 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. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Appendix 2: Comments received from local residents/Response to Site Notice/ Publicity: Original Scheme

8 Boundary Cottages

Why is this not deemed within the Greenbelt?

What additional Infrastructure provision will be in place for the additional traffic?

Object

Brooklyn House, Bushfield Road

I strongly object to this proposed development on the Bobsleigh Hotel site. The plan to build 58 dwellings is ridiculous, given the current (and already struggling) infrastructure of the village. Additionally, Box Lane is already too busy, with frequent traffic jams, disruptions and issues. I also object to Green Belt land being developed behind the site and what this means for any future applications on Green Belt land. I am also concerned about vehicular access to the proposed houses and the consequential effect on existing properties in the area.

43 Dinmore

We object to this development as we feel it is not in keeping with the surrounding area. It will also put an extra strain on the village school and doctors surgeries.

Whitelea, Stoney Lane

Stoney Lane House, Stoney Lane

This is clearly a very significant new build request on Greenbelt land (Greenbelt starts from Vicarage lane / Box lane (B4505) intersection moving away from Bovingdon)

Object for the following reasons:

- 1). This development is on Greenbelt land and we wish to preserve this protected status. The enlarged total "developed area" (7,890 square metres) is over 1,000 square metres larger than the existing developed area (I disagree that existing caravans are a "existing developed area" as per the application).
- 2). Environmentally unfriendly - the 58 new buildings would undoubtedly destroy existing wildlife, trees and land.
- 3). Significant increase in traffic volumes on Box lane B4505. We already experience excessive traffic delays moving from Bushfield Lane to the A4251 or towards Bovingdon along Box Lane (B4505). We disagree with the conclusions presented in the "Mode" Transport planning Statement which claims minimal impact - they assessed traffic flows over only a 7 day period (7th Sept to 13th Sept 2018) which is clearly too short a time period, ignores seasonal peaks and concludes at least another 224 two way trips throughout the day, every day, if the consent is provided. This does not take into account the long term experiences of residents that have lived in the area for many years (as opposed to one week) who travel along Box lane continuously and experience significant traffic jams. we have zero interest in increasing traffic flows in the local area given existing current delays to road travel.
- 4). The purchase price (including stamp duty) and ongoing value of our property was

predicated on the understanding that the surrounding Greenbelt would be protected by our local council and not at the mercy of developers. To the extent this application is approved, the precedent is set for further large scale development and destruction of local Greenbelt land which we find totally unacceptable.

Strong Objection.

Rainhill Spring

This is the worst idea ever. Box Lane is regularly jammed right up to Bovingdon for hours. This will add to that. Dacorum has pledged to keep Bovingdon separate from Hemel Hempstead and this idea contravenes that stipulation by Dacorum Council. This would be another big building project on Box Lane, paving the way for further developments, ruining the countryside for greed. Absolutely object.

Rainhill Spring, Stoney Lane

I would like to register my formal objection to the above planning application. In particular I am concerned with the additional traffic that this very large number of dwellings would create on what is, I am informed, the busiest B road in Hertfordshire. There are often traffic jams stretching halfway down this long road. Plus I am concerned with the encroachment on to the Green Belt.

Random Farm Bungalow

My observations are the following.

1. The dog-leg part of the development that is to the rear of the site and extends to the southern boundary does not appear to be previously developed land, so not brownfield.
2. The existing structures to the rear of the hotel are only single storey not as proposed.
3. The number of dwellings put forward are equivalent to a hamlet but in isolation away from the village.
4. Traffic implications.
5. The current drainage system from the site is inadequate.

Oak Tree House HP3, ODR

I would like to register my objection to the above planning application. Some of the houses I understand will be built on green belt land, Hempstead Road is already the busiest B road in Hertfordshire and very quickly get snarled up, even with temporary traffic lights! We already have overburden local facilities schools, roads, parking, doctors surgery. This will only increase the burden.

I would ask for a reduced plan.

This application has not been widely advertised to the local community and I only found out about it a couple of days ago. Proper time should be allowed for consultation with them.

Personally I was always in favour of a Hotel development and expressed these views to the Council at the time and would still prefer to see a hotel development.

Resident of Stoney Lane

We live on Stoney lane and object for the following reasons

- 1). The enlarged total “developed area” (7,890 square metres) is over 1,000 square metres larger than the existing developed area (I disagree that existing caravans are a “developed area” as per the application).
- 2). Environmentally unfriendly – the 58 new builds would undoubtedly destroy existing wildlife, trees and land.
- 3). significant increase in traffic volumes on Box lane B4505. We already experience excessive traffic delays moving from Bushfield Lane to the A4251 or towards Bovingdon along Box Lane (B4505). We disagree with the conclusions presented in the “Mode” Transport planning Statement which claims minimal impact – they assessed traffic flows over only a 7 day period (7th Sept to 13th Sept 2018) which is clearly too short a time period, ignores seasonal peaks and concludes at least another 224 two way trips throughout the day, every day, if the consent is provided. This does not take into account the long term experiences of residents that have lived in the area for many years (as opposed to one week) who travel along Box lane continuously and experience significant traffic jams. We have no interest in increasing traffic flows in the local area given existing current delays to road travel.
- 4). The purchase price (including stamp duty) and ongoing value of our property was predicated on the understanding that the surrounding Greenbelt would be protected by our local council and not at the mercy of developers. To the extent this application is approved, the precedent is set for further large scale development and destruction of local Greenbelt land which we find unacceptable.

A few private homes may be acceptable but a housing estate of 58 homes is not especially given the Bovingdon high street and traffic are already near or past breaking point and there are no plans for extra infra structure to accommodate the inhabitants of these new homes

Postal address Unknown

Please accept my apologies for the lateness in responding to the above application. My concern is that the proposed development of the apartments is too close to the Hempstead Road even accounting for the screening of trees. Secondly the development on the site of 22 houses is in a Green Belt area. Thirdly, vehicular access on to the busy Hempstead Road will cause me some concern. I would quite happily support a more modest development within the existing foot print area.

Random Farm

Comments: My observations are the following.

1. The dog-leg part of the development that is to the rear of the site and extends to the southern boundary does not appear to be previously developed land, so not brownfield.
2. The existing structures to the rear of the hotel are only single storey not as proposed.
3. The number of dwellings put forward are equivalent to a hamlet but in isolation away from the village.
4. Traffic implications.
5. The current drainage system from the site is inadequate.

Firsdon, Bushfield Road

Please accept this letter **in support** of the above application at the Bobsleigh Inn on Hempstead Road, Bovingdon.

I support this application presented by Macdonald Hotels to bring this site back into use. Macdonald Hotels have previously submitted a number of applications to extend/renovate the hotel and its grounds however these applications have been refused. I recognise and fully support these efforts over previous years to redevelop this site and bring it back into use. I would like to see this site redeveloped and I fully support this application for new housing in Bovingdon. If this application is not approved, it will continue to remain derelict and unsightly which is undesirable.

Since the hotel closed in 2014, over the past 4 years, the site has gradually fallen into disrepair and it is an eye sore. This derelict site and the vacant buildings look out of place in Bovingdon which is surrounded by well-kept and maintained housing. When driving along Hempstead Road, past the hotel, it looks unsightly and does not encourage passers-by to visit Bovingdon or the surrounding area. I welcome this well-designed residential scheme which is considered to be more in-keeping and reflective of the existing housing and development in the nearby vicinity and Bovingdon. The scheme, which has been proposed, will significantly improve the overall appearance of the site and reduce the visual impact which it is currently having.

One of my main concerns is that this vacant site is attracting anti-social behaviour. The derelict site is causing youths to congregate around the site, is attracting trespassers and is encouraging people to try and break and enter into the site. This is undesirable for local residents, the Council and the owner. This raises serious health and safety concerns which we feel can only be resolved if the site were to be redeveloped and occupied.

I consider this site to be an appropriate location for new housing in Bovingdon. It is considered to be sustainable given that it is located a short walking distance from the local shops and services in Bovingdon. By providing new housing in this location, it will help to support our local shops and facilities.

I welcome this opportunity to have new residents spending money and supporting our local area.

I support this application and the provision of new residential dwellings for Bovingdon. The scheme provides a mix of 1, 2 and 3 bedroom apartments, as well as a range of 2 – 5 bedroom houses. This mix of housing types and sizes will provide for a wide variety of future residents in Bovingdon. The range of different sized dwellings, which have been proposed, are welcomed as opposed to just large executive style dwellings. The scheme will also provide much needed affordable housing which is currently lacking in this area. House prices are rising significantly and making it more difficult for people to get onto the property ladder. This scheme will provide people the opportunity to access more affordable housing and therefore we fully support this scheme.

The scheme has been designed to reflect the design, building heights, spacing etc of the existing housing in this area. I also welcome Macdonald Hotels efforts to retain the trees and the TPO's where possible. As seen on the plans, landscaped areas and areas of open space have been included.

I consider residential development to be the most appropriate development for this location. Given the site is adjacent to existing residential dwellings, I consider this to be the most suitable and appropriate use as opposed to other uses for example commercial development. Residential uses would also respect the living conditions of the existing residents and ensure that this development does not have a detrimental impact on our quality of life and standard of living.

As suggested in the planning statement, the bus stops outside of the site will be improved/replaced. Macdonald Hotels also propose to improve the footpath in front of the site. These improvements will benefit those houses in close proximity to the site and facilitate pedestrians walking to and from the site. We welcome Macdonald Hotels efforts to improve the local area as part of this scheme.

In conclusion, I would like to express my support for this scheme and the redevelopment of this site for residential uses. If you have any additional questions, please do not hesitate to get in contact with me.

Huntsmoor , Stoney Lane, Off Bushfield Road

Please accept this letter IN SUPPORT of the above application

In view of the fact that permission to build a new hotel has been rejected in the past the site is becoming an eyesore and the vacant site is attracting antisocial behaviour.

The site is just a short walk to the local shops and close to existing dwellings. More residents spending money in the village should be supported.

I do not think that there will be an increase in traffic compared to the amount of traffic

from this site when the hotel was running at full steam.

Please contact me if you have any further questions regarding this matter.

3 Wheatlands, Eaton Bray

I am writing to support, in principle, the above application submitted by The Bobsleigh Hotel. Previous applications by the owners to rebuild and enlarge the hotel have been rejected, and after the lapse of several years since the hotel was closed they have determined that a hotel on that site would no longer be commercially viable. In the meantime, the subsequent deterioration of the property has blighted the entrance to the village.

It is difficult to imagine that any alternative commercial activity would be acceptable in that locality, situated as it is in a residential area of high value housing. With the proviso that the design and quality of the new houses were sympathetic to the surrounding properties, I consider that the application should be approved by the relevant authorities. It is unrealistic to think the nothing should be done.

2 and 4 Highcroft Trailer Gardens

We would like to discuss with the LPA about living in Stable Cottage and what the plans are for this.

Also we would be happy to have a second hand newer mobile home the same size as we live in now because there are two of us, and be put anywhere on the site .

We are flexible and look forward to hearing from you.

4 Highcroft Trailer Gardens

Having visited my Uncle over Christmas I am surprised that there is no further news for the residents re the application number above.

We have looked at the Dacorum website regarding the proposal and are amazed that there are reports on the impact of the proposal on Bats, Ecological and Arboriculture but not the current 3 residents in 2 units, all of whom are elderly and been resident for many years. I understand that there has to be a provision of the issues surrounding wildlife but to not have any proposals for the current residents is very concerning.

The previous planning application did show that an area for 2 units with parking would be provided for the current residents however in the most recent proposal there seems to be no plans. My uncle has lived at the site, owns the unit and paid ground rent for many years and before that my aunt lived there from 1993 before her death in 2015, now leaving my uncle living there solely. My aunt originally bought the unit well before she moved in.

The other unit is occupied by an elderly couple who have lived there since before my aunt first moved in. No one seems to consider their feelings, worries or concerns as they should be able live in peace and relaxation in their older years. Is there to be some rehousing plan via Dacorum DC or Macdonald Hotels or alternatively a payment to compensate them for their loss of residence?

We would appreciate an update in the near future, with focus on what the plans are for the current residents when 1. the works may commence and 2. thereafter.

Stoney Lane House

Comment 2

We note that the one comment of support for this material construction on Greenbelt land with all the negative local consequences outlined, is submitted from a dwelling c. 15 miles / 30 minutes drive away from the prospective construction site. OBJECTION remains.

Potters Road, Barnet

Whilst not living in the village at present, I maintain an interest on a property in Bovingdon and have closely followed the applications to date.

I have the following issues of note:-

- this application is a significant departure from previous proposals and whilst I am supportive of housing for this location, I have major concerns with regard to density and over development of the green belt. I am not convinced the architectural proposals address the requirement for outstanding design in such circumstances. I also see little regard in terms of appropriateness of development in relation to existing site.
- for a proposal of this nature, I am surprised Dacorum Council have not insisted on a public consultation being held. I am concerned local residents will not have the appropriate forum to review the proposals and voice their opinion in the correct manner.
- I note Dacorum anticipate using delegated powers to review this application. Again, due to the size, scale and nature of this major application with significant contentious aspects, a decision surely needs to be referred to committee.
- having reviewed the transport assessment, the document appears to be ignoring the actual traffic speeds on Hempstead Road vs the imposed speed limit - sadly I can recall at least 3 fatalities on this stretch of road. Whilst the speed restriction to the development boundary is 40mph, there are no traffic calming measures in place and traffic regularly assumes speeds in excess of 60mph. The swept path analysis is a desktop interpretation and absolutely unfit for purpose. T-junctions are in no way appropriate and slips to reduce the speed of traffic would be far more effective and reduce the opportunity for collision. Stationary traffic leaving Bovingdon regularly performing a right hand turn on such a fast road is not acceptable. To this end, the apartment buildings fronting the road should be pulled back from the public highway to allow for suitable remodelling.
- FRA confirms Thames Water does not have an existing surface water network available for discharge. Both Thames Water and Curtins recommend the use of soakaways and to carry out necessary surveys to determine viability. This appears to be outstanding yet a fundamental of the design.
- Arboricultural survey has contradictory colour coding classification. The colour chart on page 36 does not correspond to the plans. In addition, the site photographs on

focus on the perimeter trees and fails to disclose photographs of the well established former hotel gardens containing immaculate species. I note the trees located in this area are generally classified as CAT B/C and I would suggest this is reviewed at case officer level and a site visit to be necessary.

4 Highcroft Tralier Park

I am surprised that there is no further news for the residents re the application number above.

We have looked at the Dacorum website regarding the proposal and are amazed that there are reports on the impact of the proposal on Bats, Ecological and Arboriculture but not the current 3 residents in 2 units, all of whom are elderly and been resident for many years. I understand that there has to be a provision of the issues surrounding wildlife but to not have any proposals for the current residents is very concerning.

The previous planning application did show that an area for 2 units with parking would be provided for the current residents however in the most recent proposal there seems to be no plans. My uncle has lived at the site, owns the unit and paid ground rent for many years and before that my aunt lived there from 1993 before her death in 2015, now leaving my uncle living there solely. My aunt originally bought the unit well before she moved in.

The other unit is occupied by an elderly couple who have lived there since before my aunt first moved in. No one seems to consider their feelings, worries or concerns as they should be able live in peace and relaxation in their older years. Is there to be some rehousing plan via Dacorum DC or Macdonald Hotels or alternatively a payment to compensate them for their loss of residence?

We would appreciate an update in the near future, with focus on what the plans are for the current residents when 1. the works may commence and 2. thereafter

Comments received from local residents/Response to Site Notice/ Publicity: Revised Scheme

Rowans , Hempstead Road

I would like to object to this application on the following grounds:

- 1) it is not in keeping with the village aspect, and destroys the rural nature of the area.
- 2) it builds upon Green Belt. A precious resource we should take pains to preserve
- 3) it will put strain upon the village services in particular the school
- 4) it will disrupt the traffic with the flow of 61 sets of cars ...probably a minimum of 120 cars filtering onto the road at peak times
- 5) the sewerage in this area has not been designed for the additional load of 61 dwellings
- 6) the density of the dwellings is not in keeping with the area.
- 7) the wildlife at the proposed site will be disrupted.

Highcroft Farm

Glad to see the site redeveloped / improved . However have some concerns so must object.

The rear of the site is totally undeveloped Green Belt which should be maintained as such to preserve the visual impact of the area amongst other things.

Increased traffic on to Hempstead Road which is extremely busy at certain times of the day.

It is surprising that moving the caravans to the garden of Stable Lodge / Highcroft is being suggested given the amount of land there is available. Do these count as temporary housing or it be considered a footprint for future development on the site. It will certainly have a substantial negative visual impact.

Concerned about overloading the already stretched village facilities such as the school, doctors and dentists.

Concerned at the lack of a decent footpath for pedestrians to walk to the village.

Finally anxious to preserve Highcroft Farm's right of access to the rear of HF's outbuildings for maintenance and to read meters etc. It is hoped that HF will be contacted about rights before any development starts.

Stoney Lane House, Stoney Lane

Main Comment.

STRONG OBJECTION.

60 new dwellings on / near Greenbelt Land is unacceptable. A constant attempt to incrementally destroy Greenbelt Land, if successful and supported, ultimately results in zero Greenbelt Land. I am unwilling to be a part of this destruction and will use all legal resources available to protect our countryside for our community - and I would expect the elected officials to take a similar view. The incremental destruction of greenbelt is not an acceptable solution for the challenges of housing around London. The expansion of housing outside the Greenbelt is the only answer, with the correct generational infrastructure investment associated with the same and I would expect the Government and Councils to respect this conservation.

In addition, those of us on Stoney Lane and Bushfield Rd already feel to be 'prisoners' in their own homes given the unacceptable levels of traffic volume on Box Lane which creates a 30-40 minutes journey to the A4251 (even in absence of current road works, which serve to exacerbate the existing nightmare for residence). Another 60 homes on Box Lane (another 60-120 cars ?) is so obviously a ridiculous suggestion given the existing traffic grid lock already blighting residents' lives. I rely on our Council officials to deny this application.

Additional Comment: Request for Additional Time to Respond

In follow up to the the comment I note a 7 day response deadline for planning permission requests on your attached 'hard copy' correspondence which is extremely tight.

It is not unusual for families to take 2-3 weeks holiday (particularly over the Summer) and therefore they will not be available to open post at home and will definitely therefore miss response deadlines of 7 days

While I understand this is not intentional, I would politely request that the time period within which impacted persons are asked to submit any objections regarding local planning permission be extended to 4 weeks.

Green Acre, Stoney Lane

There are a number of reasons why a development of this type and on this scale would have a highly detrimental effect on Bovingdon and the wider area. These mainly spring from the fact that the proposal is a change of use from a hotel to housing, increasing the number of permanent residents in a part of the local area that is singularly unsuited for such a change:

Traffic. Box Lane, and in particular the bottleneck at the junction with the A4251 London Road, cannot cope with the volume of traffic that uses it now. On busy market days the traffic already backs up from that junction as far as the Bobsleigh site. The village is then effectively cut off to the east. To add so many new dwellings would make the traffic situation much worse.

2. Parking. The development is too far from Bovingdon to be within easy walking distance. The likelihood is that residents would drive. (This is in contrast to some other proposed developments on the western edge of the village). Bovingdon currently has too few parking spaces, so to create a large new pool of drivers would probably overwhelm the village.

3. Merging Bovingdon with Hemel Hempstead. At present there is reasonable separation between the town and the village. Any significant building development would only add to the sense that Bovingdon has become a satellite of Hemel. The proposed development adds two large buildings alongside the existing large hotel structure.

4. Damaging the rural character. Stoney Lane as it runs from Bovingdon to Bushfield Road and then beyond to Shothanger Way is a beautiful unmetalled rural lane. The new proposal would be clearly visible from the lane, spoiling an important amenity for the village and indeed the many other people who use the lane for country walks.

Rainhill Spring, Stoney Lane

Building on Box Lane, is the WORST idea. Have you seen the traffic that we have daily at the Bottom of Box lane? On Saturdays, it is often lined up back to Bushfield Road with traffic going to and from the Prison/Bovingdon Market.

This is absolutely a bad idea. Local government has pledged to keep a separation from over building between Hemel and Bovingdon. It must be adhered to.

Brooklyn House, Bushfield Road

We continue to strongly object to the council's plans to develop the Bobsleigh hotel. Any development here will contribute massively to the already congested Box

Lane and all its roadworks and temporary traffic lights that have caused so many ongoing (and seemingly never-ending) traffic problems for local residents over the years. 60 new dwellings on the proposed site will also put a heavy strain on Bovingdon village, which again, is already overrun with far too many vehicles. We fear that once Greenbelt land is developed, it opens up other Greenbelt areas for development. We chose to live in Bovingdon for its semi-rural location. If development is allowed, our area will quickly become part of Hemel Hempstead's urban sprawl and we will lose the beautiful countryside we all chose for our families. Strongly object.

Cestria, Bushfield Road

This proposed development will erode greenbelt, place an excessive traffic strain on already busy roads and runs the risk of encouraging further development proposals to further erode adjoining greenbelt.

The application is in conflict with good practice regarding protection of greenbelt and disproportionate in its impact on the environment.

Sunnyside, Bushfield Road

I object to the development of this site on the grounds that:-

The construction of 36 new apartments, 24 new houses with associated roadways and parking is a significant increase in the extent of development of this site.

The proposal will be out of line with the neighbourhood plan being prepared by the Parish Council on which local residents views were extensively sought. This development would be a breach of this plan before it has even been published so what is the point of developing such plans.

The local authorities planning policies do not support use of green belt land in this location.

The claimed "significant economic, social and environmental" claims seem spurious and no evidence is provided to support such claims.

The generation of £108,000 council tax revenue p.a. would be offset by additional council costs.

Once green belt land is lost it cannot be returned and in this new era of recognition of the importance of the natural environment to the health of the planet it seems inappropriate to define benefits in purely economic terms.

I am unclear how this development will "protect green belt land" or "conserve and enhance the natural environment"

One development on its own of course does not join Bovingdon with Hemel but nearby landowners are watching this case with interest because it will set a precedent for their ambitions to develop adjoining sites.

Much reference is made to the rejection of plans for a Hotel which I personally had no objection to.

Hazels, Bushfield Road

Strong objection to the application for the following reasons:

- 1) Any encroachment on to Green Belt land and high density development adjacent to it is unacceptable. The Green Belt was established for a purpose which is just as relevant today as it has always been, and the benefits it provides to all should not be underestimated.
- 2) The amount and type of housing proposed is inappropriate to the area and would give rise to further development between the site and the village of Bovingdon.
- 3) The proposed development would result in a considerable rise in the amount of traffic using Hempstead Road / Box Lane which is already congested. (I frequently have difficulty turning from Bushfield Road into Hempstead Road, and at very busy times, traffic can be at a standstill in either direction.)

I trust our elected representatives will reject this proposal.

The Meadow, Stoney Lane

Response 1

STRONG OBJECTION.

60 new dwellings on / near Greenbelt Land is unacceptable. A constant attempt to incrementally destroy Greenbelt Land, if successful and supported, ultimately results in zero Greenbelt Land. I am unwilling to be a part of this destruction and will use all legal resources available to protect our countryside for our community - and I would expect the elected officials to take a similar view.

The incremental destruction of greenbelt is not an acceptable solution for the challenges of housing around London. The expansion of housing outside the Greenbelt is the only answer, with the correct generational infrastructure investment associated with the same and I would expect the Government and Councils to respect this conservation.

In addition, those of us on Stoney Lane and Bushfield Rd are already 'prisoners' in their own homes given the unacceptable levels of traffic volume on Box Lane which creates a 30-40 minutes journey to the A4251 (even in absence of current road works, which serve to exacerbate the existing nightmare for residence). Another 60 homes on Box Lane (another 60-120 cars ?) is so obviously a ridiculous suggestion given the existing traffic grid lock already blighting residents' lives. I rely on our Council officials to deny this application.

Response 2

Apart from the obvious erosion of green belt that I strongly object to the traffic situation on Box Lane clearly demonstrates that such a development would be a disaster for the community and Bovingdon as box lane cannot cope with this development.

There are many other areas in Bovingdon that are more suitable for development.

Oak Tree House, Bushfield Road

I write to strongly object to this planning application for the following reasons:

1. This is Green belt land, therefore protected and not for building on.
2. Box lane/ Hempstead Rd simply can't cope with any further traffic and is subject to long traffic jams on a daily basis.
3. Our local school and doctors surgery are all already over subscribed.

6. APPEALS UPDATE

A. LODGED

4/00095/18/FUL MRS HOLDERNESS
CONSTRUCTION OF A SINGLE DETACHED DWELLING
THE GRANGE, 8 HIGH STREET, MARKYATE, ST ALBANS, AL3
8PD
[View online application](#)

4/00493/19/FHA MacGregor
SINGLE STOREY SIDE EXTENSION
GRANARY COTTAGE, 89 FLAUNDEN, HEMEL HEMPSTEAD,
HP3 0PP
[View online application](#)

4/00926/19/FUL Cosgrave
TWO NEW DETACHED RESIDENTIAL DWELLINGS (AMENDED
SCHEME)
TWO BAYS, LONG LANE, BOVINGDON, HEMEL HEMPSTEAD,
HP3 0NE
[View online application](#)

4/01848/19/ENA Rickett
APPEAL AGAINST ENFORCEMENT NOTICE - MARQUEE
BOXMOOR LODGE, LONDON ROAD, HEMEL HEMPSTEAD,
HP1 2RA
[View online application](#)

4/02781/18/MFA Hobbs Developments Ltd
DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION
OF 21 ONE-BED FLATS
MILBOR ENGINEERING HEMEL HEMPSTEAD LTD,
BELSWAINS LANE, HEMEL HEMPSTEAD, HP3 9XE
[View online application](#)

4/03018/18/FUL Rule
TWO THREE BED DWELLINGS WITH NEW ACCESS
131 TROWLEY HILL ROAD, FLAMSTEAD, ST ALBANS, AL3

B. WITHDRAWN

None

C. FORTHCOMING INQUIRIES

None

D. FORTHCOMING HEARINGS

None

E. DISMISSED

4/00519/19/FUL B Sterling
DEMOLITION OF EXISTING GARAGE AND SIDE/REAR
EXTENSIONS AND CONSTRUCTION OF TWO-STOREY SIDE
EXTENSION AND PART SINGLE, PART TWO-STOREY REAR
EXTENSION; CONVERSION FROM SINGLE DWELLING INTO
PAIR OF SEMI-DETACHED PROPERTIES (TOTAL 2 UNITS)
GREYMANTLE, HEMPSTEAD ROAD, BOVINGDON, HEMEL
HEMPSTEAD, HP3 0HF
[View online application](#)

Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Ben Sterling (Kedgling Development) against Dacorum Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the development on the living conditions of the occupants of the property known as Ivydene, with particular regard to privacy.

Reasons

4. Along with the proposed extensions and associated works, the development would involve the division of the existing dwelling into two separate dwellings. The submitted 'existing' plans show that two of the first-floor side windows which face the adjacent lying property, 'Ivydene', serve a bathroom and a bedroom. One of the existing windows would be removed and as a result of internal alterations the remaining side facing window ('the window') would serve a bedroom.

5. The window to be retained overlooks Ivydene. Due to the scale, position and clear glazing of the window, it would offer clear and elevated views of the dining room window and rear patio area associated with Ivydene. It would represent a significant intrusion, unacceptably diminishing the privacy for the occupants of this property, to the detriment of their living conditions.

6. I have been provided with a copy of a previous appeal decision for a similar proposal which was recently dismissed by the appeal Inspector. My findings concerning the impact on the living conditions of neighbouring occupants do not deviate from the previous appeal decision. Like the previous Inspector, I find that as the proposal involves a window which would serve a bedroom, which comprises a habitable room, it would be materially different and more harmful to adjacent living conditions than the existing use of the room as a bathroom, where overlooking of Ivydene through the window would not be as prevalent.

7. As part of this appeal, the appellant has included evidence to support a 'fall-back' position, which would entail changing the use of the room served by the window to a bedroom, to be used as part of a House in Multiple Occupation (HMO). To my mind, if the first-floor room closest to Ivydene was to be used as a bedroom in connection with an HMO, then it too would lead to an unacceptable loss of privacy for the occupants of Ivydene for the reasons I have already given.

8. The appellant states that it is their intention to instigate the fall-back option should this appeal fail. I observed on my site visit that some limited internal works had taken place within the appeal building, but there was no evidence to suggest that it was being used as an HMO, nor that the existing bathroom had been converted into a bedroom. Nevertheless, whilst there is no Lawful Development Certificate concerning the HMO use, the Council do not dispute that it would not require planning permission. I also understand that a separate HMO license may be required for such an HMO use, but the appellant has submitted uncontested evidence detailing over 90 HMO licenses granted by the Council since 2016, with none having been refused.

9. The Council have referred me to a recent and extant planning permission on the appeal site. Whilst I do not know the full details of the case, it appears that the permission involves the provision of an obscure glazed window in order to address the concerns relating to the living conditions of adjacent occupants. Therefore, even if I was to assume that the use of the building as an HMO could be implemented, the extant planning permission signals an intent to carry out a different development which casts some uncertainty over the appellant's contention that the appeal building would be used as an HMO. As a result of all the evidence I have before me, I have applied modest weight in connection with the fall-back position, but it does not outweigh the harm I have identified.

10. In conclusion, the development would unacceptably harm the living conditions of the occupants of the adjacent property, Ivydene, with particular regard to privacy. The development would conflict with Policy CS12 of the Dacorum Local Development Framework Core Strategy 2013 which requires, amongst other matters, to ensure development avoids loss of privacy to surrounding properties.

Other Matters

11. Third parties have raised concerns relating to a range of matters including highways and parking, design and appearance, and lack of amenity space for future occupants of the proposed development. The Council did not raise any specific concerns in respect of these matters. In any event, I am dismissing the appeal for the reasons given so I have had no reason to pursue these concerns further.

12. It has been put to me by the appellant that the proposed bedroom closest to Ivydene could be part of a single-family unit and may be used as a child's room or spare room which would limit the frequency of its use. However, there would be no restriction concerning the demographic or frequency of use of the proposed bedroom and, therefore, it is a matter to which I attach only limited weight and it does not outweigh the harm I have identified.

13. At some time in the past it appears that the window was obscure glazed. I do not know the lawful status of the current window. However, this has had no bearing on my decision which I have made based on the submitted plans which show that the window would be clear glazed as part of the proposal.

Conclusion

14. For the reasons given above, the appeal is dismissed.

Costs Decision

1. The application for an award of costs is refused.

Reasons

2. The Planning Practice Guidance (the PPG) advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary expense in the appeal process.

3. The applicant contends that the Council made their decision to refuse planning permission based on a previous appeal decision, without considering the alterations to the proposal which were made as part of the planning application. They also claim that the Council misrepresented the facts to justify the grounds of refusal and did not understand the application. Therefore, it is put to me that these actions resulted in

unnecessary and wasted expense.

4. The PPG indicates that local planning authorities will be at risk of an award being made against them if they fail to produce evidence to substantiate each reason for refusal, and if they delay a development that should have been granted permission. In this regard, the Council's officer report articulated the concerns relating to the impact of the proposed development on the living conditions of the occupants of the neighbouring property. These concerns were summarised in the reason for refusal on the decision notice.

5. Whilst the appeal site has several historic planning applications and appeal decisions, the Council assessed the proposal based on the submitted plans, whilst having regard to a recent appeal decision, which was a relevant material consideration. I find that the concerns raised by the Council were communicated in a clear and understandable way and for the reasons identified in the appeal decision, I share the concerns of the Council in this respect.

6. Furthermore, the Council acknowledged the 'fall-back' position relating to the potential to use the appeal building as a House in Multiple Occupation (HMO). Like the Council, and as reasoned in my appeal decision, I found that the weight afforded to the fall-back position was insufficient to outweigh the harm the development would cause to the living conditions of the neighbouring occupants. I therefore, do not find that the Council behaved unreasonably in coming to the conclusion that they did.

7. Although the actions of the Council during the application process can be a factor, any award of costs is primarily in relation to unnecessary or wasted expense from the behaviour of the parties during the appeal process. There is nothing before me in the evidence to suggest that the Council did not co-operate or otherwise acted unreasonably during the appeal process.

Conclusion

8. Taking all of the above into account, I find that unreasonable behaviour resulting in unnecessary or wasted expense has not been demonstrated in this case and that an award of costs is not justified.

4/00757/18/FUL

Barton

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION
OF TWO 4-BED DWELLINGS

OLD OAK, LONDON ROAD, BOURNE END, HEMEL
HEMPSTEAD, HP1 2RJ

[View online application](#)

1. The appeal is dismissed. Preliminary Matters

2. It appears from the appeal documentation that several versions of the scheme were discussed with the Council during the course of the planning application. However, following my request for clarification, both main parties confirmed the plans which were the subject of the Council's formal decision. Whilst the appellant requested the consideration of alternative plans in the appeal, I am mindful of the Planning Inspectorate's guidance which advises that the appeal process should not be used to

evolve a scheme. In this regard, it is important that what is considered by the Inspector is essentially what was considered by the Council, and on which interested people's views were sought.

3. The alternative plans differ materially in terms of their design and appearance from those upon which the decision was made, and the changes would not therefore be minor. Moreover, I cannot be certain that any third parties would not be prejudiced if I were to consider the appeal on the basis of the revised plans. I have therefore determined the appeal having regard solely to the plans submitted to, and considered by, the Council.

Main Issues

4. The main issues are: • Whether the proposal would be inappropriate development in the Green Belt having regard to relevant development plan policies and the National Planning Policy Framework (the Framework); • The effect on the character and appearance of the area, including whether the proposal would sustain and enhance the character or appearance of the Winkwell Conservation Area (WCA), the setting of the Grade II listed The Old Cottage and any non-designated heritage assets; • The effect on living conditions of the occupiers of neighbouring dwellings Collingwood and Ashdown having regard to outlook; • The effect on highway and pedestrian safety; and • Whether any 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 required to justify the development.

Reasons

Whether inappropriate development in the Green Belt

1. The appeal proposal seeks to demolish an existing single storey bungalow and erect two detached two-storey dwellings within the Green Belt.
2. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. As such, it indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
3. The Framework makes clear that the construction of new buildings in the Green Belt should be regarded as inappropriate, save for a limited list of specific exceptions. Two such exceptions, set out in paragraph 145a) and g), are respectively the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and the partial or complete redevelopment of previously developed land (PDL) which would not have a greater impact on the openness of the Green Belt than the existing development.
4. Policy CS5 of the adopted Dacorum Core Strategy 2006 – 2031 (2013) (the DCS) specifically defers to the national planning policies and is broadly consistent with the Framework.
5. I therefore consider these two possible two exceptions in turn below: Replacement buildings
6. In re-developing the existing building for two dwellings, no change of use would take place as a result of the scheme and the proposal would therefore satisfy the first part of the paragraph 145 d).
7. In terms of the increase in the size of the building, no local guidance as to what might be acceptable has been brought to my attention. Furthermore, irrespective of the dimensions of the dwelling as originally built in 19573, which is not a consideration set

out in DCS Policy CS5 or the Framework, the existing dwelling already spans practically the full width of the plot.

8. Nevertheless, the buildings would encroach somewhat further into the rear garden than the existing dwelling and would also be two-storey. They would therefore comprise significantly more built development in terms of volume and floorspace. In my judgement, therefore, the amount of built development on the site would be materially larger and consequently, the proposal does not qualify as an exception set out in bullet point d) of paragraph 145. Partial or complete redevelopment of PDL

9. I see no reason to disagree with the Council's view that the site is PDL having regard to the definition of such land set out in the Glossary to the Framework.

10. It is therefore necessary for me to consider whether the proposal would have a greater impact on the openness of the Green Belt than the existing development. In this context, 'openness' refers to the absence of development and this can have both a spatial and a visual dimension. Moreover, openness can relate to the way land is used.

11. As regards the latter consideration, the development would result in provision of a net additional dwelling. Given the site's location amongst other dwellings on London Road, I consider that any additional residential activity with attendant paraphernalia such as increased car parking and movements, would not be so significant as to be harmful to the openness of the Green Belt.

12. However, as noted above, the buildings would occupy an increased volume relative to the existing dwelling both in terms of overall footprint and height. In this regard, the appellant estimates the scheme would lead to an increase in built footprint of 15% relative to the existing building.

13. Furthermore, as taller buildings they would appear more visually prominent and this would not be significantly offset by the proposed narrow gap between the dwellings. Consequently, the development would have a greater impact on the openness of the Green Belt and the proposal therefore also fails to qualify as an exception under bullet point g) of paragraph 145 of the Framework.

14. In conclusion on this main issue, therefore, and taking all factors into consideration, I find that the proposal would be inappropriate development in the Green Belt and would therefore conflict with DCS Policy CS5 and the Framework. Character and appearance
General character and appearance

15. London road is built-up on its northern side and the land slopes quite sharply to the north towards a river and canal beyond the dwellings. As a result, the houses are set down at a considerably lower level than the road and mature tree planting and other landscaping forms a strong sylvan backdrop which is readily perceptible above the rooftops.

16. The dwellings are set in generous plots and display a wide variation in their style and design. Nevertheless, there is a strong consistency in that all the dwellings in this stretch of the road are large, single storey dwellings which tend to occupy a large proportion of the width of their respective plots. They are also set back a considerable distance from the road behind a mixture of boundary walls and landscaping, with a broadly consistent building line.

17. Given the topography, the dwellings do not appear as dominant features in the street scene. In subdividing the existing plot, however, the scheme would result in two dwellings occupying notably narrower plots than those of other dwellings which characterise the area and would be sited very close together. In this context, the dwellings would appear cramped within their respective plots. Whilst the appellant suggests that the plots would be equivalent to that of Willow Cottage further along London Road to the west of the appeal site, no substantive evidence has been provided in this regard.

18. Moreover, the dwellings would be two-storey, with increased eaves and ridge heights

and overall bulk compared to the existing dwelling and those in the surrounding area. They would also have pitched roofs, chimney stacks and matching front-facing gables. As such they would, overall, be strikingly at odds with the pattern of development in the area. Consequently, the proposed development would be discordant in the street scene and harmful to the character and appearance of the area. Designated and non-designated heritage assets

19. The lower portion of the existing garden lies within the designated Winkwell Conservation Area (WCA) although the building, and those proposed, lie outside of it. The WCA reflects the historical significance of the Grand Union Canal and its setting including the River Bulbourne and adjoining land.

20. The proposed development would extend the built footprint somewhat further into the garden towards the WCA boundary. However, the informal domestic edge backing onto the WCA would remain essentially unchanged and I have seen no evidence that would indicate that the proposed development would be harmful to the significance of the WCA. I therefore find that the proposal would not fail to sustain and enhance the character or appearance of this designated heritage asset.

21. Similarly, the Council refers to The Old Cottage, a listed building lying further to the east on London Road, although no evidence has been provided which would indicate that the proposed development would be harmful to its setting.

22. Whilst it appears that the appeal site once formed part of the grounds of The Old Cottage, the properties are not, in my judgement, closely affiliated in visual terms and are not viewed in the same context in the street scene. Furthermore, given the site is already developed, any historic associations would not be harmed by the development. I therefore find the proposal would not be harmful to the setting of this listed building.

23. I am mindful of my statutory duties in relation to preserving or enhancing the character or appearance of the WCA and the desirability of preserving the setting of listed buildings. Given the above, and having regard to the submitted evidence and my own observations, I find that no harm would result on any designated heritage assets.

24. The creation of a new access and driveway would require the removal of a section of the boundary wall to the front of the property to enable the creation of an additional driveway. The wall is a consistent feature running along the front of properties on London Road although I saw that it changes in appearance to a more modern brick construction beyond Ashdown to the west of the appeal site. The section that would be removed appears to have more affinity with the more longstanding structure which also forms an enclosure to Collingwood and The Old Cottage to the east. In this regard, the Council suggests that it is a 19th Century wall, most likely associated with The Old Cottage and should be regarded as a non-designated heritage asset.

25. No substantive evidence has been submitted to indicate the structure has hitherto been recognised as such. Nevertheless, the evidence shows it has some historic value. To my mind, the continuity and historic character of the wall is a strong feature in the street scene and it makes a positive contribution to the overall character and appearance of the area.

26. Whilst the appellant submits the wall is in need of repair, the removal of a section, together with an increased area of driveway/hardstanding, would nonetheless have a limited but negative effect on this non-designated heritage asset. This would add to the harm to the character and appearance of the area I have already found.

27. Drawing this main issue together, the proposed development would not give rise to harm to any designated heritage assets. However, for the reasons set out above, it would be harmful to the general character and appearance of the area including causing limited harm to a non-designated heritage asset.

28. As such it would conflict, or not accord, with DCS Policies CS5, CS12 and CS27. That is because those Policies only permit development in the Green Belt where there

would be no significant impact on the character and appearance of the countryside, where development would integrate into the streetscape and respect the character of adjoining properties and where the integrity, setting and distinctiveness of undesignated heritage assets are protected, conserved and if appropriate enhanced. Living conditions 29. The refusal notice reflects the Council's concerns that as the dwellings would project beyond the existing rear elevations of the neighbouring properties at Collingwood and Ashdown, they would be intrusive and dominating.

30. However, the positioning of the proposed dwellings is such that only oblique views of the rear parts of the dwellings would be apparent when viewed from inside the neighbouring properties which enjoy sweeping northwards views over generous gardens. As such, the additional bulk, mass and length of the proposed buildings would not be intrusive or lead to any unacceptable loss of outlook from the perspective of neighbouring properties' houses or gardens.

31. I therefore conclude in this respect that the proposal would accord with DCS Policy CS12 which requires developments, amongst other matters, to avoid visual intrusion to surrounding properties. The Council also cited Appendix 3 of the Saved Dacorum Borough Local Plan 1991 – 2011 (2004). However, my attention has not been drawn to any particular part of that document which would be relevant to the effects of the design of a proposal on neighbouring occupiers. It has not therefore been determinative to my decision. Highway and pedestrian safety

32. London Road is described by the Highway Authority as a main distributor principal A road and is subject to a 30mph speed limit. In common with other properties on the street, there is an existing cross-over and dropped kerb which provides access to the appeal property and the adjoining Collingwood.

33. Whilst I have not been provided with copies, the Council indicates that the Hertfordshire Local Transport Plan 3: Volume 2 (LTP3) (2011) and the 'Roads in Hertfordshire: Highway Design Guide' set out that new accesses directly onto primary distributor roads are not normally permitted. It is further advised that special circumstances will need to be shown to justify new accesses to such routes. However, no explanation is provided as to the reasons why such an approach should be taken.

34. Furthermore, no evidence has been provided to indicate the likely nature of the harm in terms of highway matters in this particular case. In this regard, I note the Council's refusal notice refers to highway and pedestrian safety whilst the Highway Authority representation appeared to allude to the operation of the highway network.

35. On my site visit I observed that, whilst not representative of all times of day, the road was fairly busy but traffic did not appear to be travelling at excessive speeds in this 30mph zone. I also saw that this part of London Road is flanked by fairly wide grass verges between the carriageway and the property boundaries.

36. Given the road conditions and good visibility for traffic and pedestrians in the vicinity of the appeal property, I see no reason to doubt that an additional access could be accommodated without unacceptable risk to pedestrians and vehicles, or adversely affect the operation of the highway network. Consequently, I find that the proposed development would accord with DCS Policies CS8 and CS12 which seek to give priority to the needs of pedestrians over the private car and require the provision of safe and satisfactory means of access for all users. Other considerations

37. The appellant has expressed a preference for alternative plans to have been considered by the Council which, it is submitted, would have overcome the planning objections. However as explained above, I must determine the appeal on the basis of the plans before me and on the individual merits of the proposed development and I have done so. Any alternative proposals are therefore a matter for the two main parties to consider if necessary and have not had a bearing on this appeal decision.

38. The appellant has also alluded to other planning permissions, apparently relating to

neighbouring properties where it is suggested similar proposals have been permitted. However, no further information has been provided in this respect which limits the weight I attach to that consideration in favour of the scheme.

Conclusions

39. The proposal would be inappropriate development in the Green Belt. The Framework makes clear that substantial weight should be given to any harm to the Green Belt. In addition, the scheme would be harmful to the character and appearance of the area. Whilst I have found no harm would arise in relation to the living conditions of occupiers of neighbouring dwellings or in respect of highways matters, those are neutral considerations.

40. Consequently, I find that the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist. Accordingly, the appeal should be dismissed.

4/01412/18/FHA

Martin

FIRST FLOOR AND ROOF EXTENSIONS WITH FRONT, REAR AND SIDE WINDOWS. NEW WINDOWS TO EXISTING NORTH ELEVATION, ALTERATION TO CHIMNEY AND FRONT ELEVATION INCLUDING PITCHED ROOF OVER FRONT DOOR ST ANNES, 16A QUEENS ROAD, BERKHAMSTED, HP4 3HU

[View online application](#)

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Preliminary Matters

3. During the course of the planning application the description of development was amended to reflect the proposed development that required planning permission. I have considered the proposal on the same basis as the Council, as 'First floor and roof extensions with front, rear and side windows. New windows to existing north elevation, alteration to chimney and front elevation including pitched roof over front door'.

4. I have not been provided with a copy of the front page from the Council's Area Based Policies Supplementary Planning Guidance May 2004. I have therefore taken this title from within the document itself.

Main Issue

5. It is clear that the Council considers the effect of the proposals on the living conditions for occupants of neighbouring properties is acceptable. Further, no objection is raised by the Council to the proposed zinc canopy above the front door, the replacement of tiles on the bay window with zinc, or provision of a zinc lintel above the first-floor window. Its concerns centre on the first-floor and roof extensions and their effect on the character

and appearance of the host building and surrounding area.

6. The main issue in this case therefore is the effect of the proposed first-floor and roof extensions on the character and appearance of the host building and surrounding area.

Reasons for the Recommendation

7. The appeal site comprises a detached dwelling house located on a prominent corner plot at the junction of Queens Road and West Road. The property is a relatively narrow building and occupies what was previously the side garden to No 18 Queens Road. The surrounding area is characterised by a diverse mix of house types and sizes, although dwellings are largely of traditional design and employ traditional materials, such as brick and render elevations beneath tiled or slate roofs. Due to the topography of the area, Queens Road slopes down from South to North with houses generally stepping down in height.

8. The proposed first-floor and roof extensions, due to their scale and massing would visually dominate the dwelling, imbuing it with a top-heavy appearance. Moreover, the introduction of a mansard roof would fail to respect the simple and restrained appearance of the host building in terms of its form and design and would result in an overtly vertical emphasis. This would be exacerbated by the presence of the new elongated stairwell window to the side elevation, which would project from the first floor into the roof extension. While the building is fairly narrow, I consider that the sense of vertical emphasis would unbalance the property and cause harm to its character and appearance.

9. Moreover, the pre-patinated zinc finish to the roof extension would introduce an unsympathetic material to the dwelling and appear incongruous and discordant against the traditional brick elevations. The appellant has suggested a condition could be imposed, should the appeal be allowed, that the roof extension be finished in more traditional tiles. Whilst such materials would reflect the character and appearance of the host property, their use would not overcome the harm that I have identified with regards the scale, form, massing and design of the proposals. I acknowledge that the appellant is proposing to use zinc elsewhere on the dwelling, however this does not justify harmful development.

10. The proposals would result in a significant gap between the first-floor windows and eaves of the dwelling. This gap would eschew the proportions of the host building and reinforce the incongruous, elongated appearance that would occur as a result of the proposals. Although the appellant has directed me to examples of other properties in the area where gaps exist between windows and eaves, none are as pronounced as what is proposed here. Moreover, the examples appear to be contemporaneous with the construction of the dwellings, as opposed to the result of a later addition as proposed, and so form an inherent part of the building's character.

11. Given my findings above, it follows that the contribution the host property makes to the character and appearance of the area would be significantly diminished as a result of the proposals. Moreover, the increase in eaves and ridge height proposed would disrupt the stepped rhythm of the street scene. I acknowledge that the area is of a mixed character and appearance, however, the extended dwelling would result in a prominent, incongruous and alien feature in the street scene, even when viewed from West Road, in the context of the rear elevation of No 16 Queens Road. Harm to the character and

appearance of the area would occur as a result of the extensions.

12. The appellant has referred me to a mansard roof at Nos 19 - 21 Shrubland Road. Whilst this is a short distance from the appeal site, I observed that the building it is of a different style and size to the appeal dwelling and is not therefore directly comparable. I also note that there are properties in Park View Road where zinc roofs are present, however there is no contextual relationship between the host property and this road. Reference has also been made to approved extensions at No 20a Shrublands Road and at Sand Banks, Water End, however the design of these extensions is not directly comparable to the scheme before me. Given my findings, I attach limited weight to these matters in my consideration of the proposal. These examples do not provide justification for the proposal before me. Each planning application and appeal are determined on their merits and this is the approach that I have taken in this case.

13. In light of my findings I conclude that the first-floor and roof extensions proposed would have an adverse and harmful effect on the character and appearance of the host building and surrounding area, in conflict with Policies CS11 and CS12 of the Core Strategy 2006-203 and saved Appendix 3 and Appendix 7 of the Dacorum Local Plan. There would also be conflict with the Area Based Policies Supplementary Planning Guidance and the National Planning Policy Framework (including paragraph 127 (c) referred to by the appellant). These policies and guidance seek, amongst other things, for development to be of a quality design, which respects the character and appearance of the area.

Conclusion and Recommendation

14. For the reasons given above, I conclude that the appeal should be dismissed.

4/02137/18/ROC Russell
VARIATION OF CONDITION 2 (APPROVED PLANS)
ATTACHED TO PLANNING PERMISSION 4/01142/17/FHA
(DEMOLITION OF EXISTING SINGLE STOREY SIDE
EXTENSION AND CONSTRUCTION OF NEW SINGLE STOREY
SIDE EXTENSION.)
2 NORTH ROAD, BERKHAMSTED, HP4 3DU
[View online application](#)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Charlie Russell against the decision of Dacorum Borough Council.
- The application Ref 4/02137/18/ROC, dated 23 August 2018, was refused by notice dated 18 December 2018.
- The application sought planning permission for single storey side and rear extensions, replacement of garage, internal alterations and loft conversion without complying with a condition attached to planning permission Ref 4/01142/17/FHA, dated 3 July 2017.
- The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans/documents: DD 17/053.2.
- The reason given for the condition is: For the avoidance of doubt and in the interests of proper planning.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Berkhamsted Conservation Area and the host dwelling. Reasons 3. The appeal site comprises a semi-detached dwelling fronting onto North Road. It is close to the junction with Charles Street and is located within the Berkhamsted Conservation Area. The area is characterised by residential properties of a relatively high density. The dwellings in the surrounding area, including the host property, are mainly late nineteenth and early twentieth century properties which have a relatively uniform appearance. The area presents a traditional and attractive character and appearance. The appeal property forms the first in a row of semi-detached and terraced dwellings on North Street, and is also set adjacent to properties which front onto Charles Street.

4. Planning permission was granted for single storey side and rear extensions, the replacement of a garage and a loft conversion which included the provision of three dormer windows. However, the dormers have been constructed differently to those shown on the approved plans. The constructed dormers have a greater width, a shallower pitch, are set higher on the roof, omit the barge boards, use different materials and are proportioned differently.

5. The Appellant and Council dispute the width increase of the dormers, nevertheless as a result of the amended width I find that they appear of a noticeably different proportion to the existing fenestration on the host property. Aside from the front bay windows set within the gable, which form a traditional feature of the dwelling, the windows all have a narrower form which is not replicated in the amended dormers.

6. Furthermore, along North Road, the dormers on other properties have a more traditional form which contribute to the predominant character of the area. Although set within the site and therefore not wholly visible from North Road, the dormers do not reflect the existing form and character of the surroundings.

7. The Appellant states the windows are sliding sash windows, a matter which is disputed by the Council. However, despite the window type, the use of the dark colour and materials gives a more modern appearance to the dormers which is at odds with the surroundings, which display traditional features and have timber windows in the main.

8. I have had regard to the examples of more modern dormers including the dormer at No 5 Montague Street, however I have not been provided with the full circumstances behind this example. Consequently, I cannot conclude that this is wholly comparable to the case before me and does not therefore set a precedent.

9. Whilst the alterations to the dormers are individually reasonably minor, their cumulative impact has resulted in modern features which are out of proportion with the existing character of the host property and surrounding area. I accept that one of the three dormers cannot be readily seen from the public realm and that the approved garage would introduce a structure between the site and North Road, however one dormer would still remain highly visible and accordingly the dormers as constructed would not preserve the character or appearance of the Berkhamsted Conservation Area.

10. The harm arising in this regard would be less than substantial, however Paragraph 196 of the National Planning Policy Framework (2019) (the Framework) requires that in these instances the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use. I have not been presented with sufficient public benefits of the development to outweigh the harm to the

Conservation Area in this instance.

11. The development therefore fails to comply with Policies CS27 of Dacorum's Local Planning Framework Core Strategy (2013), Saved Policy 120 of the Dacorum Local Plan (2004) and Section 16 of the Framework. Collectively, these seek to ensure that new developments, alterations or extensions preserve or enhance the established character or appearance of the conservation area in terms of scale, proportion and materials, amongst other things.

Conclusion

12. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

4/02614/18/FHA

Mr Cowan

CREATION OF OFF-STREET PARKING BAY

28 BOXWELL ROAD, BERKHAMSTED, HP4 3ET

[View online application](#)

The main issue is the effect of the development on the character and appearance of the Conservation Area.

Most terraces dwellings with the road feature brick walls and metal railings to the frontage along with a mix of hard and soft landscaping. The arrangement of the dwellings and the front gardens make an important contribution to the character of the Conservation Area. An article 4.2 Direction was served in recognition of the uniformity and quality of the street scape.

The development has resulted in a reduction of the width of the wall and the parking space is the visually dominant feature. The openness of the frontage and its position at the end of the terrace result in the parking space being a prominent feature of the site and locality.

Good quality materials have been used which suggests regard has been paid to the character, however these elements do not mitigate the harm caused.

Frontage parking has been provided to other sites but none are considered comparable. The more recent examples are part of the re-development of sites within the conservation area. No. 29 is an example and already exhibiting frontage parking. Most of the existing spaces are to the western side and benefit from taller boundary treatment and landscaping which makes them more discreet.

The parking space would cause less than substantial harm to a heritage asset and the personal benefit of the applicants would not outweigh the harm identified. The lack of other objection (town council etc) again does not override the harm caused.

The appeal is dismissed.

F. ALLOWED

4/00527/19/FHA Reading
TWO STOREY FRONT AND SIDE EXTENSION WITH
ALTERATIONS TO ROOF, REMOVAL OF CHIMNEY,
DETACHED OUTBUILDING AND ADDITIONAL CAR SPACES
3 MARY CROSS CLOSE, WIGGINGTON, TRING, HP23 6QL
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Decision

1. The appeal is allowed and planning permission is granted for a two storey front and side extension with alterations to roof, removal of chimney, detached outbuilding and additional car spaces at 3 Mary Cross Close, Wiggington HP23 6QL in accordance with the terms of the application, Ref 4/00527/19/FHA, dated 6 March 2019, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Location Plan, Drawing Nos 1B and 2A.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. In Part E of the appeal form it states that the description of development was changed from the original application form. I have therefore used the description of development from the appeal form in the above heading.

Main Issues

3. The main issues are

- whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy; and
- the effect of the development on the character and appearance of the host property and the area.

Reasons

Green Belt

4. The appeal site comprises a detached, two-storey dwelling located at the end of a small residential cul-de-sac. It is located within a Selected Small Village within the Green Belt.

5. Paragraph 143 of the Framework (2019) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the Framework identifies a list of developments that are not considered to be inappropriate which includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the

size of the original building.

6. Policy CS6 of Dacorum's Local Planning Framework Core Strategy 2006 – 2031 (2013) (Core Strategy) states that within Selected Small Villages in the Green Belt, which includes Wiggington, house extensions will be permitted where they are sympathetic to their surroundings in terms of local character, design, scale, landscaping and visual impact.

7. The proposed development would include a two storey extension to the side and part of the front of the existing property. It would be located adjacent to No 2 and would provide a dining room, utility, enlarged kitchen, shower room and new access doorway at ground floor. It would provide an additional bedroom and result in the reconfiguration of the first floor. A play room would be provided within the second floor of the extension.

8. The development would result in additional built form to the side boundary at ground floor. The extension would project forward to just over halfway across the front elevation at ground and first floor level. At first floor level the area above the existing garage would be infilled which would be stepped in from the side boundary. The main increase in the dwelling would occur at first floor level with a reasonably limited ground floor addition. I find that this level of additional accommodation would not be disproportionate over and above the size of the original building.

9. Consequently, I find that the proposed development would comply with paragraph 145 part c) of the Framework and is therefore not inappropriate. As a result, it is not necessary to consider matters of openness or very special circumstances. The proposed development would therefore comply with Policy CS6 of the Core Strategy and the provisions of Section 13 of the Framework.

Character and Appearance

10. Mary Cross Close is a small cul-de-sac development which comprises a mix of detached and semi-detached properties. The appeal site is located to the end of a private drive and is set back from adjoining properties. It forms the end dwelling along this side of the road.

11. The surrounding dwellings, although a comprehensive estate development, show variations in their appearance and designs. A common feature is the presence of gable elements. Whilst I note that many of these gable features are part of the original properties the Appellant has provided an indication of the comparative widths and heights of the existing gables in the area.

12. In addition to this I have had regard to the varied appearance of the dwellings in the area and the location of the host property. The development would introduce a reasonably large gable and result in a loss of some of the spaciousness between the properties. However, I do not find this to be unduly harmful to a degree which would render the development unacceptable.

13. The proposal would project forward of the existing front elevation. Saved Appendix 7 of the Dacorum Borough Local Plan 1991 – 2011 (2004) (Local Plan) states that a front extension may be acceptable providing it does not project beyond the front wall of the dwelling in a way which dominates the street scene, amongst other criteria. Whilst the proposed extension would be reasonably large, it would not project forward of the front

elevation of the adjacent dwelling, No 2. This, in combination with the location of the appeal property set back at the very end of the cul-de-sac would ensure that the proposal would not dominate the street scene.

14. The proposed extension would sit across part of the front elevation of the existing property, however for the above reasons I do not find that this would be harmful to the character of the host dwelling or the area. The fenestration would reflect the existing property and the ridge would be slightly set down from the main dwelling to achieve a degree of subservience in height. Consequently, as a result of the variations in designs in the cul-de-sac and the positioning of the existing dwelling, the proposed development would not be harmful to the character and appearance of the area.

15. It would therefore comply with Policies CS11 and CS12 of the Core Strategy. These seek to ensure that development enhances the character of an area, integrates with the streetscape character and respects adjoining properties, amongst other things. It would also comply with Saved Appendix 3 and 7 of the Local Plan which also require proposals to respect the character of the surrounding area and harmonise with the original design and character of the house.

Other Matters

16. The appeal property is located within the Chilterns AONB. Policy CS24 of the Core Strategy seeks to ensure that the special qualities of the AONB are conserved. The proposed development would be enclosed within the existing cul-de-sac and would not result in harm to the special qualities of the area.

Conditions

17. In addition to the standard time limit condition I have imposed a condition listing the approved plans as this provides certainty. A condition for the external materials to match the existing is necessary in the interest of the visual character of the area. The Council have requested no additional conditions and I consider none to be necessary.

Conclusion

18. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

4/01744/18/ROC

Nijkamp

VARIATION OF CONDITION 2 (APPROVED PLANS)

ATTACHED TO PLANNING PERMISSION 4/02079/17/FHA

(NEW DETACHED DOUBLE GARAGE, GARAGE CONVERSION AND ALTERATIONS TO DWELLING)

57 KINGS ROAD, BERKHAMSTED, HP4 3BP

[View online application](#)

Decision

1. The appeal is allowed and planning permission is granted for a new detached double garage, garage conversion and alterations to dwelling at 57 Kings Road, Berkhamsted,

Herts HP4 3BP in accordance with the application Ref 4/01744/18/ROC made on the 10 July 2018 without complying with condition No 2 set out in planning permission Ref 4/02079/17/FHA granted on 10 October 2017 by Dacorum Borough Council, but otherwise subject to the following conditions:

1) The development hereby permitted shall be retained in accordance with the following approved plans: Drawing Numbers NEB 02 C and NEB 08 D.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area and the living conditions of nearby residents.

Reasons

3. The appeal site is set at the end of a private driveway on land elevated above road level. It comprises a large detached dwelling set on the highest part of the site with a detached garage block set on the lower part of the site adjacent to the front boundary of the site.

4. Permission was granted for the detached garage block amongst other works however the garage block has been constructed differently to the approved plans. The differences consist of the addition of roof lights, a new window to the side elevation facing into the site and the addition of a mezzanine level with internal staircase access.

5. The garage is located at a substantial distance from the host property. The properties along the private drive are varied in their designs and appearance and the garage, as constructed, does not appear incongruous or out of keeping as a result of the amended windows and internal changes. The garage is not visible from the public highway due to the existing boundary screening and accordingly there is no harmful impact on the street scene or character of the area.

6. The side window faces into the site and towards the neighbouring property, No 59. The garage is set at a significant distance from No 59 and is on land which is set lower than this property. The side boundary comprises mature hedging and as a result, from the garage position, only the upper part of the dwelling is visible. From within the garage the views from the additional side window are largely obscured by the existing trees and hedging around the site.

7. The rooflights are set in a position and at an angle within the roof plane that precludes direct views of the neighbouring property and the use of the mezzanine would not give rise to any undue harm in terms of loss of privacy or excessive light spill to neighbouring properties as a result of the distance between the garage and existing dwellings and the level of existing tree screening.

8. Accordingly, for the above reasons the alterations to the garage do not give rise to any harm to the character and appearance of the area or the living conditions of neighbouring occupants. It therefore complies with Policy CS12 of Dacorum's Local Planning Framework Core Strategy 2006 – 2031 (2013) which seeks to ensure that development avoids adverse impacts to surrounding properties, respects adjoining properties and integrates with the streetscape character, amongst other things.

Conditions

9. I have not re-imposed the standard time limit condition as the development has been carried out. I have substituted the approved plans condition with the amended plans.

Conclusion

10. For the reasons given above I conclude that the appeal should succeed and I shall exercise the powers transferred to me accordingly. I will grant a new planning permission, substituting the disputed condition.