



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 30 JANUARY 2020 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 McDowell |
| Councillor Maddern | Councillor Uttley |
| Councillor Riddick | Councillor Woolner |
| Councillor C Wyatt-Lowe (Vice-Chairman) | Councillor Symington |
| Councillor Beauchamp | Councillor Hobson |
| Councillor Durrant | Councillor R Sutton |
| Councillor Oguchi | |

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

AGENDA

1. MINUTES

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) 19/02735/MFA - Construction of 10 new dwellings with associated access road, parking and landscaping - Land East Of Hardwick Barnes Lane Kings Langley Hertfordshire (Pages 5 - 65)
- (b) 4/00134/19/FUL - Conversion of building to six flats, demolition of buildings to rear and construction of three dwellings - 13 Shrublands Road Berkhamsted HP4 3HY (Pages 66 - 111)
- (c) 19/02712/FUL - Six 3-bedroom terraced dwellings with associated car parking provision of 15 spaces and landscaping. Separate parking provision of 9 spaces for restaurant and general public use. - The Spice Village The Street Chipperfield Kings Langley Hertfordshire WD4 9BH (Pages 112 - 122)
- (d) 4/00670/19/FUL - Construction of stables. Refurbishment of existing building for use as store. Upgrading of land for use as Paddock. - Land Adjoining Reservoir Upper Bourne End Lane Bourne End Hemel Hempstead HP1 2RR (Pages 123 - 138)
- (e) 19/02790/FUL - Open fronted pole barn and stable building - 2 Woodend Cottages Little Woodend Markyate St Albans Hertfordshire AL3 8AX (Pages 139 - 146)
- (f) 19/02908/FHA - Garden Office and Store Room - 9 Queens Road Berkhamsted Hertfordshire HP4 3HU (Pages 147 - 154)

6. APPEALS (Pages 155 - 164)

7. QUARTERLY ENFORCEMENT REPORT (Pages 165 - 177)

Item 5a 19/025735/MFA

CONSTRUCTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

LAND EAST OF HARDWICK BARNES LANE, KINGS LANGLEY, HERTFORDSHIRE

| Coniston Road Development | |
|----------------------------|-------------------------|
| Area | |
| 18no. Parking Spaces | |
| 1no. Carport | |
| 19no. Parking Spaces Total | |
| Total Site Area: | 0.391 Hectares |
| Total Number of Dwellings: | 10 houses |
| Dwellings per Hectare: | 25.57 dwellings/hectare |



Item 5a 19/025735/MFA

CONSTRUCTION OF 10 DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

LAND EAST OF HARDWICK BARNES LANE, KINGS LANGLEY, HERTFORDSHIRE



Proposed Street Elevation A



Proposed Street Elevation B - Scale 1:200

Site Boundary

80m - 90m
Coniston Road

Coniston Road

ITEM NUMBER: 5a

| | | |
|-------------------------------|--|----------------------|
| 19/02735/MFA | Construction of 10 new dwellings with associated access road, parking and landscaping | |
| Site Address: | Land East Of Hardwick Barnes Lane Kings Langley Hertfordshire | |
| Applicant/Agent: | Mr Weir | |
| Case Officer: | Colin Lecart | |
| Parish/Ward: | Kings Langley Parish Council | Kings Langley |
| Referral to Committee: | Council Scheme on Council owned land | |

1. RECOMMENDATION

1.1 Delegate with a view to approval subject to the completion of a Section 106 Agreement (100% affordable housing – social rent) and satisfactory comments/ recommended conditions being received from the Lead Local Flood Authority.

2. SUMMARY

2.1 Overall, the development is acceptable in principle. The site is allocated for housing and would optimise the use of currently under-utilised land while also contributing to affordable housing provision within the local area. The design and layout of the proposal respects the character of the surrounding area while providing a certain level of innovation in built form, thus creating visual interest. No harm relating to the street scene or residential amenity can be identified. While the loss of the four poplar trees to the front of the site is unfortunate, these would be replaced with a species more suited to be located within close proximity to residential development.

3. SITE DESCRIPTION

3.1 The application site comprises mostly open grassland with an electrical substation that is fenced off and accessed via Barnes Lane as well as a fenced area on the north western part of the site that is used as a horse paddock. The site gently slopes down from south to north away from Coniston Road. Coniston Road which consists of two storey terraced properties lies to the east and Barnes Lane, consisting of two storey detached properties, lies to the west. The site is bounded by the Green Belt to the North.

4. PROPOSAL

4.1 The application seeks permission for the construction of 10 new dwellings with associated access road, parking and landscaping. The proposal would include 7 no. 2 bed properties and 3 no. 3 bed properties and 19 car parking spaces in total.

5. PLANNING HISTORY

No relevant planning history

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
Special Control for Advertisements: Advert Spec Contr
CIL Zone: CIL2

Former Land Use (Risk Zone): Barnes Lane Landfill, Kings Langley
Green Belt: Policy: CS5
LHR Wind Turbine
Large Village: Kings Langley
Parish: Kings Langley CP
RAF Halton and Chenies Zone: Green (15.2m)
Residential Area (Town/Village): Residential Area in Town Village (King Langley)
EA Source Protection Zone: 3
EA Source Protection Zone: 2

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

National Planning Policy Framework

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places

Local Planning Policies

Dacorum Borough Core Strategy

- NP1 - Supporting Development
- CS1 - Distribution of Development
- CS4 - The Towns and Large Villages
- CS8 - Sustainable Transport
- CS9 - Management of Roads
- CS10 - Quality of Settlement Design
- CS11 - Quality of Neighbourhood Design
- CS12 - Quality of Site Design
- CS13 - Quality of Public Realm
- CS17 - New Housing
- CS18 - Mix of Housing

- CS29 - Sustainable Design and Construction
- CS35 - Infrastructure and Developer Contributions

Dacorum Borough Local Plan (Saved Policies)

- Policy 10 - Optimising the use of Urban Land
- Policy 18 - Size of New Dwellings
- Policy 21 - Density of Residential Development
- Policy 51 - Development and Transport Impacts
- Policy 57 - Provision and Management of Parking
- Policy 58 - Private Parking Provision
- Policy 99 - Preservation of Trees, Hedgerows and Woodlands
- Appendix 1 - Sustainability Checklist
- Appendix 3 - Layout and Design of Residential Areas
- Appendix 5 - Parking Provision Appendices

Supplementary Planning Guidance/Documents

- Accessibility Zones for the Application of Car Parking Standards (2002)
- Manual for Streets (2010)
- Planning Obligations (2011)
- Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
- Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
 The design, layout and impact on the surrounding area
 The impact on residential amenity
 Trees and Landscaping
 The impact on highway safety and car parking.
 Affordable housing provision
 Ecology
 Drainage
 Contaminated Land
 Community Infrastructure Levy

Policy and Principle of Development

9.2 With respect to the delivery of housing, the council can no longer demonstrate a 5-year land supply. At the heart of the National Planning Policy Framework (2019) lies a presumption in favour of sustainable development where paragraph 11 section d states that for decision making this means:

9.3 Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- i) *The application of policies in this Framework that protect areas or assets of particular important provides a clear reason for refusing the development proposed; or*

- ii) *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.*

9.4 Paragraph 117 of the Framework states that planning policies and decision should promote an effective use of land in meeting the need for homes and other uses. Paragraph 118 section d states that planning policies and decisions should promote and support the development of under-utilised land and buildings.

9.5 Furthermore, the site is located within an established residential area of Kings Langley where in accordance with Policy CS4 of the Core Strategy (2004) the principle of residential development is acceptable. The site has also been allocated for housing (approximately 12 units) under proposal H/18 of Dacorum's Adopted Site Allocations (2017).

9.6 From the above, it is considered that the residential development of the site is acceptable in principle, both in national and local policy. It should be noted that the site does not lie within the Green Belt, which extends from the northern boundary of the site.

Design, Layout and Impact on Surrounding Area

9.7. Paragraph 124 of the Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. As such, good design is a key aspect of sustainable development. Paragraph 124 states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

9.8 Policies CS10, CS11 and CS12 of the Core Strategy (2013) are overarching design principles that generally state developments should respect/enhance the character of the surrounding area.

9.9 In terms of layout, plots 7-10 have been designed to follow the character of the existing terraced rows along Coniston Road, while plots 1-6 would face onto the road. Fenestrations and brick detailing would be introduced onto the flank elevation of plot 10 which would face onto the street; this is considered an improvement upon the blank gable ends of the existing properties that currently face onto the street. Whilst plots 1-6 would differ in orientation to the existing properties along the road, they would be set back approximately 20m from the street scene, with further landscaping in between this to soften their appearance. Plots 1 and 2 have been rotated slightly to meet the minimum distances set by UKPN from the substation and overhead cables.

9.10 The new dwellings would measure approximately 8m in height. The existing terraced rows on Coniston Road measure approximately 7.3m in height. The increase of approximately 700m in height is not considered to be harmful. As mentioned, plots 7-10 would be significantly set back from the street scene to mitigate against this and plot 10's flank elevation would feature fenestrations and detailing to break up the expanse of brick wall facing the street. It is not considered the change in land levels is significant enough to alter the perception of the development to an extent that would result in harm to the character of the area. The original proposed levels of the site have been lowered to further mitigate against concerns regarding height, but also due to any future remediation works linked to land contamination that would need to be conducted should permission be granted. Furthermore, the development would sit at the end of the street between the terraced rows of Coniston Road and the taller dwellings located along Barnes Lane. The proposed form of the dwellings would thus represent a transition between the two streets.

9.11 Every unit within the site would exhibit slight variations in form which would create visual interest and a sense of place within the development. This combined with the differing materials used for the road surfaces within the site is considered to create a high quality design that would respect the surrounding area while also providing a level of innovation to the existing street scene.

It should be noted that Paragraph 127, section c states development should be sympathetic to local character while not preventing or discouraging appropriate innovation or change and it is considered the proposal meets this criteria.

9.12 Due to the above, it is considered the development would not result in harm to the surrounding area. The development would respect the street scene while providing a level of innovation and visual interest to the existing built form of the street. Whilst the layout does differ, the units facing onto Coniston Road would be significantly set back. It is considered that the increase in height of the units over the existing terraced properties is modest and does not constitute harm, especially when taking into account the location of the proposal between the properties on Barnes Lane and the terraced properties on Coniston Road.

Impact on Residential Amenity

9.13 Policy CS12 of the Core Strategy (2013) states that development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Saved Appendix 3 of the Local Plan (2004) also provides guidance relating to design and residential amenity.

9.14 Saved Appendix 3 states that a minimum back to back distance of 23m should be maintained between dwellings. The rear of plot 8 would be approximately 32m away from the rear of 90 Coniston Road. Plot 10 would be located approximately 38m away from 86 Coniston Road. Thus, the minimum distance has been met and it is considered that the excess beyond the 23m guidance would mitigate against the gradual increase in land level from the existing properties to the site. Furthermore, the existing terraced properties fenestrations would be slightly orientated away from the fenestrations of the new properties. It should also be noted that a certain level of overlooking between rear gardens is expected in built up residential areas.

9.15 Due to the above, it is considered the development would not have a detrimental impact on nearby properties in terms of loss of outlook, privacy and light.

9.16 With regards to the properties on Barnes Lane, unit 1 would be positioned approximately 38.5m away from the property known as Merlins and approximately 35m from the property known as Hardwick. Existing landscaping along Barnes Lane would also be retained which would screen the development in addition to these distances.

9.17 The garden depths of each plot would vary and they are included below (approximate):

Plot 1 – 10.9m
Plot 2 – 8.3m
Plot 3 – 9.7m
Plot 4 – 9.8m
Plot 5 – 9.8m
Plot 6 – 9.6m
Plot 7 – 10.4m
Plot 8 – 8.75m
Plot 9 – 9.7m
Plot 10- 9.6m

9.18 The above depths would fall below the 11.5m require contained within Saved Appendix 3. However, it is considered that these amenity spaces would all be functional areas large enough to be used by future residents. Moreover, Appendix 3 states that reduced distances are acceptable if the development backs onto open land or is for the provision of starter homes. Plots 1-6 would all back onto the fields to the north and so no sense of enclosure would occur as a result of the

reduced garden depths. Kings Langley Common is also located to the south with woodland located to the south east.

9.19 UKPN guidance states that if a substation is located outside, dwellings should be located at least 10m away. At its closest point, plot 1 would be located 10.6m away and so meets this guidance. Landscaping would also be planted around the substation to soften views and plot 1 and 2 have been orientated to face away from the station to limit direct views onto it from these properties.

9.20 The application is considered to comply with Policy CS12 of the Core Strategy (2012) and Saved Appendix 3 of the Local Plan (2004) in terms of the potential impacts on residential amenity.

Trees and Landscaping

9.21 Policy CS12 of the Core Strategy states that on each development site, planting trees and shrubs help assimilate development and softly screen settlement edges. As well as this, any trees removed should be replaced with suitable species if their loss is justified. Saved Policy 99 of the Local Plan also states that the position of existing and proposed trees within the development should be carefully considered so that a harmonious relationship is achieved.

9.22 The development would result in the removal of 32 existing trees and the planting of 22 replacements. This is a net loss in terms of tree coverage. However, the removed trees would largely consist of category C and U trees according to the submitted tree survey. Many of these trees, which are at the centre of the site, are of little merit from a visual sense and thus their removal can be justified. The four poplar trees to the front of the site are proposed to be removed as the root protection zones are considered to cause significant issues to the proposed house and road levels. These would be replaced with four semi mature trees "Carpinus Betulus" (Hornbeam). The Trees and Woodlands officer considers these replacements to be of a suitable species, stating that they are more suited to exist in close proximity to residential development than the existing species which tends to shed limbs.

9.23 The proposed replacement of *Carpinus Betulus* (fastigiata) is a species which can grow up to 17-22 metres upon full maturity and features a dense canopy. It is considered that in time, these would be an appropriate replacement for the poplar trees visually.

9.24 An Arboricultural Impact Assessment and Tree Protection Plan have been submitted with the proposal. These outline protection measures for the trees to be retained. A new Tree Protection Plan would be secured by condition to include trees not previously covered by the plan at the advice of the tree officer.

9.25 The submitted landscaping scheme is considered acceptable, providing provisions of landscaping to break up hard surfaced areas, soften the frontage of the site and the substation, and provide wildflower planting along the access to the fields to the north.

9.26 Overall, it is considered soft landscaping would be successfully integrated into the scheme to provide a development that includes a variety of planting to complement the range of materials used in the hard surfaces of the development and the dwellings themselves. The new trees to be planted are located in positions where their long term futures would not be threatened.

Impact on Highway Safety

Access, safety and capacity

9.27 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety. Paragraph 109 of the Framework states, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

9.28 Hertfordshire Highway Authority have been consulted on the application and has no objection to the proposal. The submitted transport statement demonstrates visibility splays of 2.4m x 25m from the proposed access and this is considered acceptable. The applicant would need to enter into a section 278 agreement with the Highway Authority with regards to the construction of the new access. A pre-commencement condition relating to further details on alterations/relocation of the existing raised table and a submission of a Stage 1 Road Safety Audit would be attached to any permission.

9.29 The parameters used to generate the TRICS assessment within the Transport Statement are considered acceptable by Highways. The vehicular trip rates calculated for the development are as follows:

*AM Peak (08:00-09:00) – Arrivals: 2
Departures: 4*

*PM Peak (17:00-18:00) – Arrivals: 2
Departures: 2*

9.30 Hertfordshire Highway Authority notes that the above trip generation for the proposed site is unlikely to have a significant impact on the performance of the highway network.

9.31 It is accepted that the road becomes congested during school drop off and pick up times due to Kings Langley Primary and Secondary schools being located close by. The Highway Authority has provided accident information which shows that there have been no reported accidents on this stretch of Coniston Road in the last five years. From a highway perspective, there are no existing accident clusters/hotspots nearby to the site.

9.32 Swept path analysis drawings for refuse vehicles have been provided in Figures 3.2 and 3.3 of the TS. The drawings demonstrate that a large refuse vehicle would be able to enter the site from either direction on Coniston Road, manoeuvre around the site, and leave the site in a forward gear. This would allow refuse vehicles to be within 25m of all dwellings. The drawings demonstrate that vehicles are able to safely manoeuvre around the site to an acceptable standard.

9.33 Due to the above, it is considered the development could not be refused on highway grounds when taking into account Paragraph 109 of the National Planning Policy Framework.

Parking Provision

9.34 Policy CS12 seeks to ensure developments have sufficient parking provision. The Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles.

9.35 Dacorum's local parking standards (as set out in saved Appendix 5 of the Local Plan) require, as a maximum, 1.25 parking spaces per 1-bedroom dwelling, 1.5 spaces per 2-bedroom dwelling and 2.25 spaces per 3-bedroom dwelling.

9.36 The development proposed would provide 7 two bedroom dwellings and 3 three bedroom dwellings. 19 car parking spaces would be provided within the development and this exceeds the maximum standard outlined in Appendix 5 of the Local Plan. Exceeding this maximum standard is

considered acceptable when considering the on street parking stress that currently exists on the road.

9.37 Infrastructure related to electric vehicle charging would be provided for each dwelling. This would enable the provision of future charging points for each dwelling as demand for electric vehicles increases.

Affordable Housing

9.38 Policy CS19 relates to the provision of affordable housing. The guidance contained within this policy is outdated. However, Figure 2 contained within Dacorum's Affordable Housing Clarification note (2019) updates this guidance and states that for a development of 10 units or more on site provision of 35% affordable housing will be sought.

9.39 A Section 106 Agreement relating to the provision of 100% on site affordable housing (social rent) is currently being drafted. Any permission granted would be subject to the signing of this agreement.

Ecology

9.40 Paragraph 170 of the National Planning Policy Framework (2019) states that planning decisions should contribute to and enhance the natural and local environment. Policy CS26 of the Core Strategy (2013) states that development should contribute towards to the conservation and restoration of habitats and species.

9.41 Hertfordshire Ecology have been consulted on the application and it is considered the ecological value of the site is such that it would not represent a constraint to development; its ecological value would exist at site level only.

9.42 A landscape plan has been submitted which outlines new planting of trees, hedges and wildflower, as well as the inclusion of bat/bird boxes and log piles which is welcomed. An amended site plan and landscape plan has been submitted to show a new hedge to be planted along the northern boundary of the site. This would provide mitigation for the loss of the existing hedgerow that runs through the site. The Ecology Officer considered this Hedgerow to be species poor and unlikely to be considered 'important' under the hedgerow regulations.

9.43 It is considered the use of horizontal LED luminaires are appropriate to limit significant aspects of light pollution such as light spill, direct glare and the type of light provided.

Drainage

9.44 Policy CS31 of the Core Strategy (2013) places states that development would be required to avoid Flood Zones 2 and 3 , minimise water run-off, reduce the impact of flooding, and avoid damage to Ground Water Protection Zones.

9.45 The Lead Local Flood Authority were consulted on the application and have objected to it and have required an amended drainage strategy. The Flood Authority have stated they would object in principle to discharge via infiltration unless the applicant can demonstrate ground water would not become contaminated. Amended drainage details have been received and the Flood Authority have been re-consulted.

9.46 The recommendation for delegate with a view to approval would be subject to satisfactory comments being received from the Flood Authority on the amended details.

Contaminated Land

9.47 Policy CS32 of the Core Strategy (2013) states that development will be required to maintain soil quality standards and remediate contaminated land.

9.48 The Scientific Officer has requested conditions relating to the submission of a Phase II environmental risk assessment and remediation method statement to ensure the issue of contamination is adequately addressed.

Community Infrastructure Levy

9.49 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is CIL Liable.

10. CONCLUSION

10.1 Overall, the development is acceptable in principle. The site is allocated for housing and would optimise the use of currently under-utilised land while also contributing to affordable housing provision within the local area. The design and layout of the proposal respects the character of the surrounding area while providing a certain level of innovation in built form, thus creating visual interest. No harm relating to the street scene or residential amenity can be identified. While the loss of the four poplar trees to the front of the site is unfortunate, these would be replaced with a species more suited to be located within close proximity to residential development.

10.2 The application is thus recommended to be delegated with a view to approval subject to the signing of a Section 106 Agreement (100% affordable housing – social rent) and satisfactory comments/recommended conditions being received from the Flood Authority.

11. RECOMMENDATION – Delegate with a view to approval subject to the completion of a Section 106 Agreement (100% affordable housing – social rent) and satisfactory comments/recommended conditions being received from the Lead Local Flood Authority and subject to the following conditions:

Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

18058WD2.06 Rev B
18058WD2.08 Rev C
18058WD2.10 Rev B
18058WD2.12 Rev B
18058WD2.14 Rev B
18058WD2.05 Rev B
18058WD2.07 Rev C
18058WD2.09 Rev B

18058WD2.11 Rev B
18058WD2.13 Rev B
18058wd2.01 Rev O
18058wd2.02 Rev D

INSERT NEW SITE PLAN/STREET SCENE NUMBERS

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

3. No development (excluding demolition/ground investigations) 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.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4. No development above slab level shall take place until details of all materials to be used for hard surfaced areas within the site including full details of the finalised materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

5. The landscaping works shown on drawing LSDP 1403-01 Rev E must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 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.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

6. Tree protection measures shall be carried out in accordance with the submitted Arboricultural Method Statement (BHA Trees Ltd ref 3865B & 3833C V2) and Tree Protection Plan (BHA Trees Ltd - 19/02/20),

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019).

7. No development (except demolition and site clearance) shall take place until details of the proposed slab, finished floor and ridge levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land shall have been submitted to and approved in writing by the local planning authority. The building(s) shall be constructed in accordance with the approved levels.

Reason: For the avoidance of doubt, to ensure a satisfactory form of development and in the interests of the residential amenity of the surrounding dwellings, in accordance with saved Appendix 3 of the Dacorum Local Plan (2004), Policies CS11, CS12 and of the Dacorum Core Strategy (2013).

8. Details of the proposed electric vehicle charging infrastructure and associated maintenance arrangement for the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to first occupation in accordance with the agreed details.

Reason: To enable future occupiers to charge low emission vehicles in a safe and accessible way in accordance with Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 110 (e) of the National Planning Policy Framework (2019).

9. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number 18058wd2.01 Rev L. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policies CS8, CS12 and CS31 of the Core Strategy (2013)

10. Prior to the first occupation of the development hereby permitted the proposed access and onsite car and cycle parking areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

11. Road Safety: No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following: i) Any alterations required to the existing raised table and/or possible relocation would be subject to the submission and approval of a Stage 1 Road Safety Audit.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policies CS8 and CS12 of the Core Strategy (2013).

12. (a) 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:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

- (ii) The results from the application of an appropriate risk assessment methodology

- (b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.

- (c) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) 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.

(ii) 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

13. Any contamination, other than that reported by virtue of Condition 12 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

14. Lighting for the development shall be inserted in accordance with the submitted lighting plan (Thoriux Lighting - 16/01/20).

Reason: To ensure that the lighting is designed to minimise problems of glare, protect residential amenity, to minimise impacts on biodiversity and avoid unnecessary light pollution in accordance with Policies CS12 and CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 172 of the National Planning Policy Framework (2019).

15. 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:

Schedule 2, Part 1, Class B

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

Informatives:

1. 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.
2. You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

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

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

3. 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 are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't 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>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

4. Construction Hours of Working - (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1730hrs on Monday to Friday, 08:00 - 13:00 Saturday and no works are permitted at any time 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 of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Noise on Construction/Demolition Sites Informative

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

5. 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.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
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| Environment Agency | <p>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.</p> <p>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).</p> <p>In order to protect groundwater quality from further deterioration:</p> <ul style="list-style-type: none"> - 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.

Advice for Applicant - Deep Borehole Soakaways

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| | <p>Infiltration via deep borehole soakaways are not acceptable, other than when a drainage and hydrogeological risk assessment shows this to be the only viable option and that any risks to groundwater will be adequately mitigated.</p> <p>In line with position statement G9 in The Environment Agency's approach to groundwater protection (formerly GP3) we would usually only agree to the use of deep infiltration systems for surface water if you can demonstrate the following:</p> <ul style="list-style-type: none"> - There are no other feasible options such as shallow infiltration systems or drainage fields / mounds that can be operated in accordance with the with the appropriate British standard; (e.g. discharge to a shallow infiltration system, surface water or sewer) - The system is no deeper than is required to obtain sufficient soakage; - Acceptable pollution control measures are in place; <p>Risk assessment demonstrates that no unacceptable discharge to groundwater will take place; and,</p> <ul style="list-style-type: none"> - There are sufficient mitigating factors or measures to compensate for the increase risk arising from the use of deep structures. <p>The above should be read in conjunction with the position statement G1. Please note that we cannot issue an Environmental Permit for the direct discharge of hazardous substances into groundwater.</p> <p>G1 - Direct inputs into groundwater</p> <p>The Environment Agency must take all necessary measures to:</p> <ul style="list-style-type: none"> - prevent the input of any hazardous substance to groundwater - limit the input of non-hazardous pollutants to groundwater so as to ensure that such inputs do not cause pollution of groundwater <p>The Environment Agency will only agree to the direct input of non-hazardous pollutants into groundwater if all of the following apply:</p> <ul style="list-style-type: none"> - it will not result in pollution of groundwater - there are clear and overriding reasons why the discharge cannot reasonably be made indirectly - there is adequate evidence to show that the increased pollution risk from direct inputs will be mitigated <p>Please refer to our 'Groundwater Protection' webpages for further information.</p> |
| <p>Affinity Water - Three Valleys Water PLC</p> | <p>Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p> |

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| | <p>You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Hunton Bridge Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p> |
| Thames Water | <p>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</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't 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.</p> <p>We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:</p> |

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| | <p>"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> |
| <p>Hertfordshire Highways (HCC)</p> | <p>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:</p> <p>1. New Access: Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number 18058wd2.01 Rev L. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Provision of Parking and Servicing Areas - When shown on plan: Prior to the first occupation of the development hereby permitted the proposed access and onsite car and cycle parking areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure 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).</p> |

3. Road Safety: No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following: i) Any alterations required to the existing raised table and/or possible relocation would be subject to the submission and approval of a Stage 1 Road Safety Audit.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

HIGHWAY INFORMATIVES: Hertfordshire County Council (HCC) as Highway Authority recommends inclusion of the following Advisory Notes (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx.

AN2) 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.

AN3) 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.

AN4) 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>.

AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 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.

COMMENTS / ANALYSIS: The proposals in the application are for the construction of 10 new dwellings, consisting of seven two-bed and three three-bed houses, with an associated access road, parking, and landscaping at land in the corner of Coniston Road and Barnes Lane, Kings Langley.

A Transport Statement (TS), Design and Access Statement (DAS), and plans and drawings of the proposed and existing site have been submitted as part of the application.

ACCESS ARRANGEMENTS: The proposals include a new proposed access and access road from Coniston Road, which would lead to the dwellings and parking spaces. Coniston Road is an unclassified local access road with a speed limit of 20mph and is highway maintainable at public expense.

The proposed new access is at the location of the existing raised table on Coniston Road and the new access road would be 4.8m in width with 2m wide footways and sections of shared use. The proposed access is a bellmouth access and would need to have tactile paving on the footway at the entrance. This should all be installed by Hertfordshire County Council (HCC) or a contractor approved by HCC. The applicant would need to enter into a Section 278 agreement regarding the proposed new access, further details regarding this are in the relevant informative.

HCC notes that the proposed access is onto the existing raised table on Coniston Road. The raised table would either need to be widened or relocated to an appropriate location. Any alterations required to the existing raised table and/or possible relocation would be subject to the submission and approval of a Stage 1 Road Safety Audit, as mentioned in the above condition.

The applicant has provided visibility splay drawings at the proposed access in Figure 3.1, which demonstrate visibility of 2.4 x 25m. The level of visibility is acceptable to HCC.

HCC also notes that there is an unmarked bus stop located by the site entrance, however it is in a hail and ride area so the proposed access would unlikely disrupt the service.

PARKING AND MANOEUVRABILITY: Kings Langley is located with Zone 4 of Dacorum Borough Council's (DBC) parking accessibility zones. For the two-bed houses, 1.5 parking space is the maximum, and for the three-bed houses 2.25 spaces would be the maximum. From this, the total maximum number of parking spaces at the site would be 17. From drawing 18058wd2.01 Rev H it appears that 18 total spaces are provided, one of which is a car port. Four spaces are identified as visitor parking spaces.

HCC notes that the proposed level of parking is acceptable if the visitor parking is used by residents. Otherwise, there is a risk on-street / pavement parking on both the access road and Coniston Road, which would have safety implications. The applicant is reminded that DBC are the parking authority for the borough and therefore ultimately should be satisfied with any proposed changes to the parking arrangement on the site.

REFUSE COLLECTION: Swept path analysis drawings for refuse vehicles have been provided in Figures 3.2 and 3.3 of the TS. The drawings demonstrate that a large refuse vehicle would be able to enter the site from either direction on Coniston Road, manoeuvre around the site, and leave the site in a forward gear. This would allow refuse vehicles to be within 25m of all dwellings. The drawings demonstrate that vehicles are able to safely manoeuvre around the site to an acceptable standard.

EMERGENCY VEHICLE ACCESS: The drawings provided for the refuse swept path analyses mentioned above (Figures 3.2 and 3.3) are sufficient to also demonstrate that emergency vehicles would be able to safely manoeuvre around the site and leave in a forward gear. This would enable emergency vehicles to be within 45 metres from all dwellings. This adheres to guidelines as recommended in 'MfS', 'Roads

in Hertfordshire: Highway Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwelling houses'.

TRIP GENERATION: The site currently does not generate any trips. The trip generation for the proposed site has been outlined in the TS using the TRICS database.

For the proposed site, the following parameters were used: o Residential - Afford / Local Authority Houses; o Edge of Town Centre, Suburban Area, and Edge of Town site; and o Sites in England (excluding Greater London). HCC notes that the parameters used for the proposed site are acceptable.

The vehicular trip rates and trip generation calculated for the proposed 10 dwellings are as follows: o Trip Rates: o AM Peak (08:00-09:00) Arrivals: 0.174 and Departures: 0.351 o PM Peak (17:00-18:00) Arrivals: 0.211 and Departures: 0.175 o Trip Generation: o AM Peak (08:00-09:00) Arrivals: 2 and Departures: 4 o PM Peak (17:00-18:00) Arrivals: 2 and Departures: 2

The trip generation calculations show that the site would generate 6 new trips in the AM Peak and 4 new trips in the PM Peak onto the network. The existing site currently does not generate any trips. HCC notes that the trip generation for the proposed site is unlikely to have a significant impact on the performance of the highway network.

SUSTAINABILITY AND ACCESSIBILITY: There are 10 proposed cycle parking spaces proposed at the development. In the TS, the local pedestrian and cycling facilities are highlighted, and it is noted that Kings Langley High Street is approximately 700m from the site, meaning that the site is within walking and cycling distance to local services and amenities. The TS notes that the pedestrian infrastructure is of a good quality, with paved footways between the site and key destinations such as the High Street, Kings Langley Primary School, and Kings Langley Secondary School. It is noted that the cycle infrastructure is limited, but most roads in Kings Langley are either subject to a speed limit of 20mph or 30mph, so likely to be suitable for cyclists.

Kings Langley railway station is approximately a 30-minute walk or a 10-minute cycle from the site. Kings Langley railway station is situated on the West Coast Main Line. Two trains per hour run to London Euston to the south, and two trains an hour run north to Tring. Apsley railway station is roughly the same distance away, with a similar level of services.

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| | <p>The nearest bus stop to the site is an unmarked stop directly outside the site on Coniston Road. The stop is served by the H19 bus twice a week. There are other bus stops on the High Street approximately a 10-minute walk away that run more regularly, including the 500 which runs between Aylesbury and Watford.</p> <p>CONCLUSION: HCC as Highway Authority considers that the proposal would not have an unacceptable impact on the safety and operation of the surrounding highway network. Therefore, HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions.</p> <p>23.12.2019:</p> <p>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:</p> <p>No additional comments to the original response with conditions sent on 03/12/2019.</p> |
| <p>Environmental And Community Protection (DBC)</p> | <p>Having reviewed the documentation submitted with the above planning application, in particular the RSK supplementary site investigation letter report dated October 2019, and having considered the pre-application advice provided in response to 4/01586/19/PRE I have the following advice and recommendations.</p> <p>The additional report has provided reassurance as to the nature of the waste deposited on the site and has provided some additional information about the extent of the area of the site impacted by the waste disposal activities. However:</p> <ul style="list-style-type: none"> o It has not established the southern extent of the landfilling activities sufficiently to be able to define the waste fill boundary as shown in Figure 3 of the October 2019 report. o Of the recommendations/advice provided in my pre-application response of 13/08/2019 the following have not been addressed in the October 2019 report: o The recommendations for further land contamination investigation within the above referenced reports are considered to be prudent and the report detailing its outcome should be submitted in support of a full application. Or alternatively it should be expected that |

it will need to be submitted in support of a future application to discharge a land contamination planning condition in the event that permission is granted.

o In addition to the stated purpose of delineating the extent of the landfilled area of the site, the recommended site investigation would also provide the opportunity to increase the confidence in the current interpretation of the land contamination risks posed to the end use by the topsoil and made ground. This comment is based on the fact that at present the datasets for these two ground types are fairly limited relative to a site investigation for a residential development with private garden end use.

o The drainage scheme for the proposed development is based on permeable paving and soakaways and there has been no detailed assessment of the suitability of this approach in relation to the presence of significant depths of anthropogenic waste material and the identification of elevated lead.

o It is surprising that the opportunity for a further round of landfill gas monitoring was not taken whilst on site carrying out the supplementary site investigation.

On the basis of the above comments, which I would be grateful if you would communicate to the applicant/developer, it is recommended that the following conditions are included on any permission that might be granted:

Contaminated Land Conditions:

Condition 1:

(a) 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:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology

(b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.

(c) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) 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.

(ii) 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.

Informatives:

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.

No objections on noise or air quality grounds.

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| | <p>As the site has existing residential neighbours in the vicinity and owing to scale of the project I would advise including the informative for construction noise and dust.</p> <p>Construction Hours of Working - (Plant & Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1730hrs on Monday to Friday, 08:00 - 13:00 Saturday and no works are permitted at any time on Sundays or bank holidays.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p> |
| <p>Hertfordshire Ecology</p> | <p>1. We have no existing ecological information available for this site. It is currently open land, supporting planted trees, native shrubs along existing field boundaries, an area of communal open grassland and a horse paddock. The development itself will lead to a net loss of biodiversity due to the impacts on open grassland, trees and shrubs, including 19 hawthorn and 6 elder bushes.</p> <p>2. The proposal has been submitted with a Preliminary Ecological Assessment (PEA). The bat potential in the horse stable is considered to be negligible. From the photograph I agree with this assessment. The grassland interest is considered to be improved or poor semi-improved</p> |

grassland. It is not entirely without some interest in supporting cuckooflower, wild strawberry, meadow buttercup etc. but I am satisfied that the grasslands are broadly as described and have little or no botanical interest. However this may be masked by the usual overgrazed horse paddock sward which makes identification of species difficult. The hedgerow through the site- whilst species poor - still provides a local ecological feature within the site which will be lost. Whilst it may be considered a priority habitat, it cannot be regarded as making the site of national value as stated as this really only relates to SSSI status; it is also most unlikely that the hedgerow would be considered 'Important' under the hedgerow regulations.

3. The ecological value of the site is such that it would not represent a constraint on the development. I would consider its value to be at the site level. However the loss of biodiversity and enhancement should still be addressed in pursuance of the need to deliver biodiversity net gain from the development as now expected by NPPF

4. The PEA recommendations are sound; however I do not consider they are sufficient to deliver net gain in respect of the losses to development of trees, shrubs and open grassland. These are local habitat resources compared to smaller, peripheral features which do not provide the same biodiversity extent of resource lost from the site.

5. I note the landscape plan proposes a hornbeam hedge along part of the south-east boundary and wildflower grassland either side of the access road. Whilst these are welcome, I do not consider the hedge will compensate for the existing one which will be lost given this is clearly a much larger feature. There is no detail as to how the grassland will be managed - which is key for any significant benefit to accrue from wildflower planting. No planting is proposed along the open field section of the NW boundary. However, I note the plan shows provision of bat and bird boxes and habitat piles, which is acceptable.

6. Consequently, I consider that the north west boundary should be defined as a wide, species-rich native hedgerow with some potential trees. This would replace the hedgerow lost and can be planted within the meadow area under the ownership of the applicant. The proposed wildflower grassland must also be accompanied by management notes on the landscape plan to ensure the grassland is enabled to flower and set seed - otherwise there is little point in sowing what would otherwise become gang-mown amenity grassland. This should be included as a revised landscape and ecology management plan (LEMP) as a condition of approval. It is the minimum I would consider sufficient to deliver biodiversity net gain; if these are not included within the LEMP, I would expect to see a metric produced to demonstrate how the net gain can be otherwise delivered as a result of the existing landscaping within the application site itself.

7. If desired, further habitat provision could be in the form of an orchard within the adjacent grass field on the adjacent land to the north-west which is within the ownership of the applicant. This could be a strip along the boundary, say three trees wide which would provide additional ecological and landscape value for the development and benefit the new houses. This could be perhaps 20m in width and 60m long, sufficient for 30 fruit trees at 6m spacing, or variations of this depending on rootstock size. This would benefit the development as a whole and create an additional buffer of landscape and ecological benefit against the new houses.

8. I can confirm that the use of horizontal LED luminaires are appropriate to limit significant aspects of light pollution such as light spill, direct glare and the type of light provided, although glare is often still visible from the side of such luminaires.

9. Further to the above, I do not consider there to be any other ecological constraints associated with the proposals.

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| <p>Trees & Woodlands</p> | <p>I understand the concern of residents regarding the removal of the Lombardy Poplar trees, as they are visually significant. However, this is one particular tree species quite unsuited to being near dwellings.</p> <p>Lombardy's grow very tall and quite quickly. A consequence of this is a fairly weak timber structure, so branch loss is fairly common.</p> <p>Below are three images of The Foxgloves / The Coltsfoot in Hemel Hempstead. The first two show a composite view of a row of Lombardy Poplar's in 2012. The row were actually TPO'd when the residential development was approved. The third image is an aerial view from 2019, showing only eight long tree shadows towards the right hand side; these are the remaining Poplars following removals. So many of the trees were dropping debris into rear gardens or in an unsafe condition that removal has been approved site by site, being replaced by another species.</p> <p>Anecdotally, Welwyn Hatfield Council are in the process of removing over 200 Lombardy's in their management due to issues with falling debris in public areas.</p> <p>I agree that the trees are significant, but would say that they're not compatible with new dwellings, access roads and parking being so close, especially as the Poplars will decline in condition as they grow older and taller.</p> <p>Hornbeam (<i>Carpinus betulus</i>) would be suitable replacement. The alternative species used as replacement in The Foxgloves / The Coltsfoot was <i>Quercus robur Fastigiata</i> Koster, a narrow upright Oak. Example image below. Same shape as Lombardy Poplar but a tougher tree.</p> |
| <p>Environmental And Community Protection (DBC)</p> | <p>Having reviewed the documentation submitted with the above planning application, in particular the RSK supplementary site investigation letter report dated October 2019, and having considered the pre-application advice provided in response to 4/01586/19/PRE I have the following advice and recommendations.</p> <p>The additional report has provided reassurance as to the nature of the waste deposited on the site and has provided some additional information about the extent of the area of the site impacted by the waste disposal activities. However:</p> |

o It has not established the southern extent of the landfilling activities sufficiently to be able to define the waste fill boundary as shown in Figure 3 of the October 2019 report.

o Of the recommendations/advice provided in my pre-application response of 13/08/2019 the following have not been addressed in the October 2019 report:

o The recommendations for further land contamination investigation within the above referenced reports are considered to be prudent and the report detailing its outcome should be submitted in support of a full application. Or alternatively it should be expected that it will need to be submitted in support of a future application to discharge a land contamination planning condition in the event that permission is granted.

o In addition to the stated purpose of delineating the extent of the landfilled area of the site, the recommended site investigation would also provide the opportunity to increase the confidence in the current interpretation of the land contamination risks posed to the end use by the topsoil and made ground. This comment is based on the fact that at present the datasets for these two ground types are fairly limited relative to a site investigation for a residential development with private garden end use.

o The drainage scheme for the proposed development is based on permeable paving and soakaways and there has been no detailed assessment of the suitability of this approach in relation to the presence of significant depths of anthropogenic waste material and the identification of elevated lead.

o It is surprising that the opportunity for a further round of landfill gas monitoring was not taken whilst on site carrying out the supplementary site investigation.

On the basis of the above comments, which I would be grateful if you would communicate to the applicant/developer, it is recommended that the following conditions are included on any permission that might be granted:

Contaminated Land Conditions:

Condition 1:

(a) 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:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology

(b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.

(c) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) 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.

(ii) 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.

Informatives:

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

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| | <p>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.</p> |
| <p>UK Power Networks</p> | <p>If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.</p> <p>Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.</p> <p>A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.</p> <p>In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:</p> <ol style="list-style-type: none"> 1.The distance between buildings and substations should be greater than seven metres or as far as is practically possible. 2.Care should be taken to ensure that footings of new buildings are kept separated from substation structures. |

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| | <p>3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation.</p> <p>4. If noise attenuation methods are found to be necessary we would expect to recover our costs from the developer.</p> <p>Other points to note:</p> <p>5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.</p> <p>6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.</p> <p>7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.</p> <p>8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.</p> <p>9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.</p> |
| <p>Conservation & Design (DBC)</p> | <p>The proposal involves the construction of 10 dwellings on an open area of land which in part includes a field. There are a number of trees on the site which add to the ambiance of the area.</p> <p>The proposed new housing shown in the revised plan is of an appropriate scale and design and in keeping with the general character of the area. It would add visual interest to the street scape. In general the development has tried to retain the character and feel of the area and as such we would be supportive. It is disappointing that the trees to the road are to be lost but we understand that the tree officer accepts the approach of removing the existing trees and replacing them with a species better suited to being adjacent to housing. However there are two minor points that could be addressed.</p> |

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| | <p>1 The proposed access road to the terrace (units)7-10 could perhaps be straight rather than curved. This would allow sight lines through to the field beyond in particular if this end boundary was hedged rather than the 1.8m high close boarded fence. This would help soften the boundary with the Green belt. Green space created would add to the general character of the area and perhaps be useful for additional planting.</p> <p>2 Ideally hedging should be planted beyond the boundary fence to the field and the access road to the field to soften the boundary and fit better with the surrounding landscape rather than the proposed 1.8m high fence. The hedging should be mixed native species. Opportunities should be taken for additional tree planting where possible.</p> |
| Hertfordshire Property Services (HCC) | <p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 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.</p> |
| Crime Prevention Design Advisor | <p>Thank you for sight of planning application 19/02735/MFA, Proposal: Construction of 10 new dwellings with associated access road, parking and landscaping, Land East Of Hardwick Barnes Lane Kings Langley Hertfordshire</p> <p>In relation to crime prevention & Security , I would ask that the development (10 social rent dwellings) is built to the police minimum security standard Secured by Design.</p> <p>Physical Security (SBD)</p> <p>Layout / Boundary No concerns with the layout , however secure boundary gates/fences required to the side and rear of the properties .</p> <p>Front entrance doors Certificated to BS PAS 24:2016</p> <p>Windows: Ground floor windows and those easily accessible certificated to BS PAS 24:2016 or LPS 1175 , including French doors.</p> <p>Security lighting : Individual dwellings.. (Dusk to dawn lighting). Please to see that bollard lighting will not be installed (as detailed in the D&A, 2.4 External lighting , page 10).</p> |

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| | <p>Car Park: Please to see that there is allocated parking in front of the dwellings.</p> |
| <p>Lead Local Flood Authority (HCC)</p> | <p>Thank you for consulting us on the above application for the construction of 10 new dwellings with associated access road, parking and landscaping at Land In The Corner Of Coniston Road And Barnes Lane, Kings Langley, Herts. The applicant has provided the following information in support of the application:</p> <p>Flood Risk Assessment and SuDS Strategy in relation to proposed residential development at Land at Coniston Road, Kings Langley, WD4 8DE, dated October 2019, Ref: H13732, prepared by Marks Heeley Drainage Strategy & SuDS Appraisal, dated 04/11/2019, Ref: 19-6140, prepared by Syntegra Consulting, Revision A. (It should be noted that this report has been supplied as three separate pdfs.)</p> <p>Contamination Report, dated 3rd October 2019, Ref: 1920453 L02 (00), prepared by RSK.</p> <p>We have reviewed the information submitted by the applicant in support of the planning application. However, the information provided to date does not provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development. Therefore we object to the grant of planning permission. 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 needed:</p> <p>1. Feasible surface water drainage strategy</p> <p>Overcoming our objection</p> <p>The drainage strategy is based on infiltration; however we have a number of concerns surrounding this.</p> |

One of the infiltration tests used in the calculations was not BRE Digest 365 compliant.

The applicant has stated how for the purpose of designing the proposed soakaways, they have used design values of 0.149 m/hr for plots 1-6 and the access road, and 0.026 m/hr for plots 7-10 (on the eastern boundary). However, only one test was undertaken to BRE Digest 365 standard. Further, the infiltration tests were not undertaken in the location and depth at which infiltration is proposed.

From a specific review of the trial pits, as detailed within the SuDS Strategy prepared by Marks Heeley and the Contamination Report prepared by RSK: in TP1, made ground was encountered until 1m depth, then clay with flints until the trial pit was terminated at 2m depth. In TP2 made ground encountered until 3.5m; with a further 10cm to find clay with flints formation until trial pit was terminated at 3.6m depth. In TP3 made ground until 3.6m. Only dug down a further 5cm to find clay with flints formation until trial pit was terminated at 3.65m depth. In TP4 made ground encountered to 3.8m, trial pit was terminated at 3.8m depth. In TP5 made ground to 3.4m, only dug down further 5cm to find clay with flints formation until trial pit was terminated at 3.45m depth.

In summary, TP2, TP3, TP4 and TP5 all encountered made ground up to a depth of greater than 3m deep. They are therefore not suitable locations for a 1.3m deep (or indeed a 2m deep) soakaways. No infiltration should occur through made ground, where it has been confirmed in the contamination report that former landfill waste material up to a depth of over 3m and with material to a width of 0.7m is present. Further, asbestos was found on site as well as other waste materials. Further, infiltration has also not been proven in the location of the majority of proposed soakaways. Whilst one trial pit has BRE 365 compliant infiltration tests, infiltration is being suggested throughout the site and not

solely in that location. Infiltration is being suggested in areas where made ground dominates.

From a review of the Groundwater Source Protection Zone mapping, the site is within SPZ 2 outer protection and SPZ 3 total catchment. There is therefore the potential for groundwater to be impacted by contaminants within the former landfill leaching.

Especially considering that from a review of the contamination report, it is stated how

"several coarse gravel sized asbestos containing material fragments (corrugated asbestos boards) were identified in TP1".

We would object in principle to discharge via infiltration unless the applicant can demonstrate that there is no risk of contamination leaching and thereby polluting the groundwater. No infiltration should occur through made ground where it is contaminated.

Further, even if all potential sources of contaminants are removed and the site is remediated; if infiltration is proposed, infiltration tests need to be carried out at the location and depth of the proposed infiltrating features.

Within the hand calculations and MicroDrainage calculations provided infiltration is proposed through both the sides and the base of the soakaway. Currently the base of the soakaways would be in made ground. If the applicant was to redesign the scheme so the base was not into the made ground, they should be aware that, no infiltration should be occurring through the sides of the soakaways, as this would be into the made ground.

In addition, we are unable to see the location of the soakaway trial pit S1 on the plan, Drawing title: Investigation Locations, Drawing No. 1920453-R01(00)D001A, dated 06.09.19, Rev A, prepared by RSK. However, it is acknowledged that the applicant has

provided a description of where these trial pits for soakaway testing were located ("Trial pit S1 was located in the north-eastern corner of the site, whilst trial pit S2 to the south east of the electricity substation"). However, S2 was not used for infiltration testing.

Within the RSK contamination report, it is stated how the purpose of the trial pits were to determine the full vertical and lateral extent of the landfill area and trial pits S1 and S2 were designed to determine infiltration characteristics. However, it is stated how a possible gas pipe was encountered in trial pit S2 at a depth of 1.4mbgl and therefore TP6 was utilised for the infiltration testing instead.

The applicant will also need to provide updated calculations and a supporting contributing area plan. Currently within the hand calculations, it is shown that the roof areas and access road have been included within the contributing area calculated. However, the areas of permeable paving which will also be positively drained have not been included. In addition to other potential areas which will be contributing. These should be shown on a contributing/impermeable area plan for clarity.

We would also highlight how within the calculations, SA1 are 6 individual soakaways, but modelled as 1, SA2 soakaway is in the road, SA3 are 3 individual soakaways with SA4 in the middle house plot. We would suggest that the entire drainage network should be modelled and calculated.

Volume calculations will need to be undertaken again to include all areas which are positively drained (including pervious paved areas); these areas are lined and are draining to the soakaway. If direct infiltration was found to be feasible from the permeable paving sub-base, this should be included as such, however this is currently not the case;

and indeed unlikely to be feasible due to the contaminated / deep made ground.

Further, we would recommend that all permeable paved areas are lined and connected into the wider drainage system, this is because no infiltration should occur through made ground.

If the access road is not proposed for adoption, we would question why it is also not a permeable surface. If it is to be maintained as tarmac, it must have adequate management and treatment. It is acknowledged that the applicant has stated how it will fall so that any runoff drains through the permeable paving. However, filter trenches/strips or swales will need to be incorporated if this is not possible.

As a result of the above comments, we would suggest the applicant needs to re-evaluate the surface water drainage strategy for the site, so that the surface water discharge mechanism proposed is feasible.

For further advice on what we expect to be contained within the surface water drainage assessment to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage.

Informative to the LPA

We ask to be re-consulted with the above addressed. 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.

Please note, if the LPA decides to grant planning permission, we wish to be notified for our records.

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| Local Parish | The Council had NO OBJECTION to this application |
| Local Parish | The Council OBJECTED to this application because: a) the poplar trees are being felled with, seemingly, little justification b) there is insufficient parking provision, especially to compensate for that being lost on Coniston Road to provide access to the development, exacerbating the already bad situation at school drop-off and pick-up times. |

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 26 | 21 | 0 | 21 | 0 |

Neighbour Responses

| Address | Comments |
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| 1. | <p>I live on Coniston Road and think that his new development would cause even higher level of traffic and lack of parking, especially during school run time. I am already experiencing difficulty parking coming home after work, as I only have 1 or 2 spaces free to park, and they are most of the time not outside my house. This new development would not provide sufficient parking spaces, which means that Coniston Road would have to absorb it. This would just increase the problem of parking space availability.</p> <p>It would also increase traffic through Coniston Road, increasing the danger of crossing the road and reducing safety of children on the road, especially bearing in mind the primary school next to it.</p> <p>Thirdly, the improvement to the S shape bends at the top of Coniston Road are desirable already, as it is already not especially safe to drive through there (especially, at night). I already have to stop letting larger vehicles from the upcoming traffic to drive first, as there is not enough space for two vehicles coming from opposite directions to drive through there at the same time. The new housing with no sufficient parking spaces there would only worsen this issue, and increase the risk of accidents.</p> <p>This development together with new housing in Rectory Farm would put more pressure on both Kings Langley Primary and Secondary Schools that are already experiencing issues with the inadequate vehicular infrastructure.</p> |

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| | <p>Moreover, the quality of air and low noise levels were main reasons for us when purchasing a house in Coniston Road. However, this new development with increased traffic and pressure on parking spaces would contribute towards worsened level of air and increase of noise levels in the area, which is very upsetting for us.</p> <p>Lastly, this development would back immediately onto green belt land, the rural views from the green belt would be blighted by houses which would be too tall.</p> <p>I strongly object the development of this new housing proposal.</p> |
| 2. | <p>Trees There are 4 beautiful poplar trees growing at the top end of Coniston Road, in a row parallel to the road, to the left of the proposed access road. I would be very unhappy for these to be cut down</p> |
| 3. | <p>Parking There is a shortfall in parking provisions for multiple car families. The current proposal allows for less than two cars per household - which is unrealistic. The same happened at red Lion Road, which is now completely congested at rush hour, and cars constantly obstruct the pathways. The same will happen on Coniston if this goes ahead - which is a road that already suffers greatly from lack of parking.</p> <p>Traffic As a resident on Coniston Road, I'm worried that the increase in traffic, especially on school run times. Coniston Road already suffers massively from congestion at school run times, and this will only make matters worse. The proposed site entrance At the top of Coniston Road is already a bottle neck, due to the tight S bend which doesn't allow two cars to pass easily which will be further impacted should this go ahead. If the plans were to go ahead, I would expect the S bend to be redesigned to prevent further congestion issues.</p> <p>alternations to original plans The application is substantially different to the original proposal. The roof heights are higher, and generally they won't be in keeping with the rest of the area.</p> <p>Environment There are 4 poplar trees which were going to be preserved in the original designs, which are now going to be removed and replaced with new trees which I feel is a huge shame and frankly unacceptable. Again, the developers have gone against their word based on the original plans in an attempt to keep local residents sweet,</p> <p>The future of Green Belt Another concern is the possibility of extended the plans to the green belt paddock once this application is granted. The designs lend themselves to further development, which will eat into our already decreasing open spaces.</p> |

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| <p>4.</p> | <p>I live on Coniston Road next to the field. I am very concerned that there may be expansion into this greenbelt, now that the field is in the process of being sold; from this new development of 10 houses.</p> <p>I totally agree with all other comments, especially parking, increased use of our overburdened infrastructure and services.</p> <p>The wildlife seen on this field needs to be protected. it is our responsibility. As do the mature Poplar trees at the top of Coniston, which we were initially assured were protected at the meeting held at the Nap in October this year.</p> <p>I have lived here for 15 years, and understand that this field may have historical significance to our community, and must have a geological survey.</p> |
| | <p>As a nearby neighbour I wish to register my particular objections to the proposed development above.</p> <p>I strongly suggest that you send some people up to the proposed site every day for a week at school drop off and pick up times (morning and evening) to see for yourselves the utter chaos that is already happening. There are cars coming into the small, narrow, tight bend in the road from all directions, at the same time of day plus scores of children from the ages of 5 -18 walking around - often in groups chatting instead of paying attention to traffic - this is already an accident waiting to happen. Add to that any access for emergency vehicles at these times of the day up/down Common Lane or Coniston Road which is virtually impossible. Adding 10 more houses to this immediate area would only make this whole situation worse. As a nearby resident I find it impossible some days to get out of or back to my house at these times of day.</p> <p>Another car related issue if the number of car parking spaces planned for the number of houses which, given the size of the houses does not seem to be adequate. Therefore I fear overflow parking in the streets around with all the knock on effects that would have. Access to the proposed development by Refuge trucks and other large vehicles is another concern - I wonder how/if such vehicles can actually enter and exit this complex!</p> <p>I am very concerned about the design and height of the proposed buildings which are not complimentary to the existing surrounding houses. I understand that the area currently in consideration is not Greenbelt although I believe a small area is (but it is deemed to be low value Greenbelt) but it looks to me as if access is being planned through to the adjoining field which is Greenbelt (where the horses are) and the fields /farmland beyond that. If the intention is to expand this project with other phased developments they would add to the things I have already mentioned not to mention carving up Greenbelt land which surely would fly in the face of the 'Climate Emergency' declared by Dacorum recently - erosion of natural habitat is under threat here. Also the very nature of the rural village of Kings Langley would be changed with many more houses putting pressure on infrastructure. It is not clear to me what is going to happen to the lovely poplar trees that have</p> |

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| | <p>graced this area for many year giving pleasure to many - again if they are removed this cannot be in line with preserving our green credentials.</p> <p>I see in local press regularly that we must build more houses but I feel that our village has already taken a massive hit with the enormous developments at Nash Mills, The Ovaltine and Apsley. Our roads, schools and doctors are full - the beautiful historic village of Kings Langley can't take much more!</p> |
| 5. | <p>The traffic on Coniston Road is at a standstill from the top to the bottom every pickup and dropoff. Common and Love Lane are also highly congested due to primary and secondary school proximity. As this makes it the time most likely for potential child accidents it it's clear that emergency services would be totally unable to navigate along any of these routes.</p> <p>The destruction of 4 or 5 magnificent poplar trees cannot be justified on the grounds of potential 'risk of damage during construction'. Dacorum have recently committed to preserving existing trees and planting 1,000 each year, surely this proposal conflicts directly with the wishes of The Council. Further, the recent Council commitment to environmental awareness and protection should also have a great impact on this development.</p> <p>Parking is totally inadequate for this number of dwellings, 4 visitor bays will be filled immediately at pickup and dropoff times, making it essential additional 'protected' sources are provided.</p> <p>Roof heights at the top of the hill will be disproportionately high compared to existing Coniston Road houses. They will act as a black silhouette when approaching the top of the Lane. This will have a very negative effect on consultation amenity in green wooded environment.</p> <p>The increase in pollution of more cars on three direct area and sure to the secondary school numbers will have a great impact on air quality and particularly younger children's health.</p> <p>I believe this whole development needs to be considered in the light of the potential secondary development via the extension into the adjacent green belt paddock. This acts directly against Council and Government Green Belt protection policy. I am positive that this does not fall into the EXCEPTIONAL circumstances criteria.</p> <p>As the population of the secondary school increases in line with plans already submitted, all traffic issues will be significantly negatively impacted.</p> <p>We have lived in Barnes Lane since 2005 and were completely unaware of any potential development on this site. With lack of previously notification, we are dismayed with the shortness of time left to comment properly, as well as the changes and revisions that have occurred in the past few weeks.</p> <p>Could you please advise of the previous Local Plan details of when this area was previously designated as development land.</p> |
| 6. | <p>Planning Application: 19/02735/MFA - Construction of 10 new dwellings with associated access road, parking and landscaping Land East of Hardwick Barnes Lane Kings Langley Hertfordshire.</p> |

My name is Gary Ansell and I am Chair of the KINGS LANGLEY & DISTRICT RESIDENTS ASSOCIATION (KL&DRA).

I write to object to this application, on behalf of the Residents Association, for the following reasons:

1. The Development is too high

The houses in the proposed development are too high and too prominent in what is an elevated position at the top of Coniston Road. The design is not in keeping with existing local house design which comprises lower level hipped roofs.

2. It is out of keeping with character of area

As mentioned in 1. Above, the design and layout of the proposed development is out of keeping with the character of the area

3. There is inadequate parking provision

17 spaces (including 4 visitor spaces) is not enough for 10 houses. This will lead to parking on verges and on other parts of the local road network which already suffers significant congestion at school time due to the proximity of the junior and senior schools. This will make it more dangerous for school children and other pedestrians as well as car drivers trying to negotiate parked vehicles on Barnes Lane and Coniston Road which are by nature narrow.

4. The increase in traffic is unacceptable

As mentioned at 2. above, the area is already highly congested at school run time and 10 additional houses in this area will only make matters worse.

5. There are highways issues

The two roads adjacent to the proposed development, Barnes Lane and Coniston Road are too narrow to accommodate additional traffic and parking needs that the proposal will generate. This will significantly increase the risk of accidents and potential injury to persons in the immediate area, particularly at school run time.

6. There is an increased danger of flooding

It would appear that the proposed provision for soakaways is inadequate which could lead to excess surface water and flooding.

7. There are contamination issues that have not properly been addressed

Reports indicate that the land is contaminated, however, detail as to how this problem will be dealt with does not appear to be shown.

8. There is unnecessary removal of mature trees

Existing healthy poplar trees which characterise this area are being removed for no good reason despite the initial consultation stating that they would be retained. Climate change initiatives require that mature trees are retained, not cut down.

9. Foul water drainage issues

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| | <p>Foul water drainage has not been sufficiently dealt with and it is understood that the existing sewer network is at capacity and in a poor state of repair.</p> <p>10. Potential development of the Green Belt It is clear from the proposed road layout on the development that the intention is to make provision for future access to the 'horse field' which is adjacent to the site. This is Green Belt land and the KL&DRA strongly object to this development being used as the catalyst to remove another area of Green Belt around our village - land which helps define its character and rural setting. Should this be the intention, this alone makes this development unsustainable as the potential larger local development will significantly increase the infrastructure and traffic issues already mentioned.</p> <p>I do hope that the comments set out above will be duly considered by Dacorum Borough Council planning when this application is considered.</p> |
| 7. | <p>Concerned re increase in traffic travelling up and down Coniston road which is already heavy. There are not enough parking spaces allocated and parking is already an issue for residents and the nearby school. Air quality assessment should be obtained because of the school in particular. Barnes Lane is a semi rural location which will be irreparably changed and not for the better.</p> |
| 8. | <p>The proposed development appears to have several issues of which the most important is the obvious intention to significantly expand the development. The plans show a road between plot 6 and 7 from which it can be inferred that the intention is to take this road through to the next field and expand the development significantly. As I understand it, this would have impact on the adjacent green belt land. It would also greatly increase the burden on local resources and cause significant traffic issues and so on this reason alone should not be approved as it currently presented. If the intention is to expand the development then this should be included in the plans before approval. If there is no intention then this road should be removed from the plans and the plans re-structured to expand the plots for each house which will provide the missing car parking spaces (see note below).</p> <p>The vehicular access to the development is in close proximity to the Primary school and Senior schools, which will considerably increase the pollution and danger to children at the crucial 'school run' time. If this development goes ahead, the access and road layout should be reviewed as it is already dangerous.</p> <p>On a separate note, the plans indicate that there are 13 car parking spaces for the 10 houses. This is insufficient as there needs to be at least 2 parking spaces per house otherwise more cars will be parked dangerously on Coniston Road. The plans should be re-designed to include more car parking spaces. The obvious solution is to remove one house from the plans and turn it into a car park.</p> <p>It is unclear from the plans what the intended market is. The requirement in Kings Langley is for affordable housing and for small</p> |

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| | scale housing for older residents - which would free up larger properties for new residents. |
| 9. | <p>I live on Coniston Road and my rear windows look out over the piece of land in question. I would be saddened to lose the view of the countryside and as my 10 year old said, 'why would they want to ruin that?'</p> <p>My children attend the primary and at certain times of the day it is already impossible to get home to collect them or leave in any hurry. The congestion, parking issues and dangerous driving is a real concern and of constant comment in the local area. The fumes that are already pumped out as people wait in their cars at drop off and pick up is a problem without adding further to this. Poor planning for parking for new developments has already had an impact on Red Lion Lane which has now become dangerous to navigate. The allocated parking for this development is inadequate.</p> <p>This development sits on the border of green belt and seems to be offering an 'in' for further development which would be at odds with the local plan. The erosion of green belt land is something I would definitely be expecting the local government to be opposed to.</p> <p>Services and infrastructure in the area are already at breaking point and I have concerns for the impact on the health and safety of the children in both schools should they ever require the emergency services.</p> <p>The decision to remove the poplar trees is also at odds with the local government initiative to plant more locally. This would further damage air quality. A further impact would be on the local wildlife, including owls, hedgehogs and deer.</p> <p>The prior use of the site as landfill has shown that pile foundations would be required due to the depth of the waste. Surely this will hugely escalate the build cost to the council considering these are to be low cost council homes?</p> <p>There would be a reduction in light at the end of the day in the summer as the sun sets behind the proposed site. This would affect many of the rows of houses during the summer evenings and would cause overshadowing on many of our homes. Has the right to light been considered in this development? We would lose the sunsets we currently enjoy.</p> <p>It seems the attitude of the local planning and development is to squeeze as much in as possible without due regard to future sustainability or environmental consideration.</p> |
| 10. | <p>Trees</p> <p>I object in the strongest possible terms to the removal of the four mature poplar trees, which are currently growing at the top end of Coniston Road, in a row parallel to the road, to the left of the proposed access road. These beautiful trees are a feature of the road and, due to their height, are visible from considerable distances. For example, our house is set 50 metres back from the road and we can see the trees from our garden.</p> <p>At the meeting held in Kings Langley by the developers, local residents were assured that these poplar trees would not be removed. Kyle Smart's original plans confirm this. However, it now appears, from the</p> |

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| | <p>amended plans, that the developers intend to go back on their promises. The amended plans show that these trees will be removed and replaced by new trees. This is completely unacceptable. There is no good reason for these mature trees to be removed. Indeed, in their original Design and Access Statement, 2.3 Approach and Principles, the developers state: "The fact that the site borders a Green Belt area has informed the overall design. The majority of the existing trees were kept to screen the new development as well as the fact that they were important to the residents". These trees are very important to residents, and even to residents of Kings Langley who do not live adjacent to the site.</p> <p>Proposed Parking Allocation The number of proposed new plots on the site is inadequate. It is already difficult for residents of the top end of Coniston Road to find parking spaces, particularly during school drop off and pickup times, and other school activities . This will be exacerbated by the loss of parking spaces due to the access road. Because there is inadequate parking on site, additional cars will end up being parked on Coniston road, making the parking problem even more acute. This has happened, for example, in Red Lion Lane in Apsley, which now has a huge increase in street parking due to inadequate parking provision in a nearby development.</p> <p>Traffic Volume and Congestion The site is very close to both Kings Langley Primary School and Kings Langley Secondary School. During drop off and pick up times, it is already virtually impossible to navigate the area. It is common for cars to be double parked, resulting in gridlock. The resulting congestion can extend the full length of both Coniston Road, Common Lane and up into Love Lane. Additional traffic from the site and the presence of the access road would make this even worse.</p> <p>Design of new houses The design of the new houses is not in keeping with those of the houses at the upper end of Coniston Road. The proposed roof heights are taller than surrounding roofs and could be decreased by using a hipped roof solution. Tall houses blight the Green Belt views unnecessarily and look out of place.</p> <p>Future development It appear from the plans that the developers have left open the possibility of further development onto adjacent Green Belt land. This would be entirely unacceptable to residents on many grounds and would be resisted.</p> |
| 11. | <p>This is a ridiculous proposal! We have south facing gardens which means a lot of our light will be taken away, not to mention being over looked! How can you take the beautiful trees away?? and the horses that have been there many years!</p> <p>The traffic up this road is an absolute nightmare during school hours with residents not being able to park even near to their own houses during this time, its not just the primary school traffic but the secondary</p> |

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| | <p>school too! We have public transport coming up and down the road also, on a Tuesday and Thursday i.e buses.</p> <p>This is just a preposterous idea to have more properties up this road causing more chaos than there is already!</p> <p>Please feel free to drive up and down Coniston Road at school times, you might then think about the existing residents and what we have to deal with on a daily basis!!</p> <p>Merry Christmas!!</p> |
| 12. | <p>I live at the top of Coniston Road, right where these houses are supposed to be going.</p> <p>During school drop offs and pick ups the road is horrendous! it is not just the Primary school but also the secondary school! nowhere to park, trying to get up the road is a nightmare, these houses will add to the mayhem! it really isn't fair on the residents that already live up there! you need to come up the road at school times just to see how bad this really is!!</p> <p>At the moment it is lovely to see greenery and wildlife, this village is getting too built up, I will loose a lot of light as my garden is south facing, not to mention the loss of privacy being overlooked! It is lovely for my children to play in our garden without being looked at by people!</p> <p>The construction of the proposed properties will not be in look with the original houses, they will be an eyesore!!</p> <p>This is just a complete ridiculous planning application that should seriously re-thought!</p> <p>RIDICULOUS!</p> |
| 13. | <p>Re: Proposed development Coniston Road - Planning Ref: 19 / 02735 / MFA</p> <p>I wish to register my opposition to the above development on the following various grounds.</p> <p>Increased Traffic</p> <p>With the nursery, infant and junior schools adjacent to Coniston Road, the area already suffers greatly from congestion in the mornings and afternoons. Cars double park and park across the verges, making it very dangerous for children and pedestrians to cross the road. During these times, residents also find it almost impossible to leave or return to their properties. Additional housing will only exacerbate this problem.</p> <p>Parking Allocation</p> <p>13 bays for 10 houses is insufficient. With increased car ownership, there should be a minimum of 20 bays available for residents. Red Lion Lane is a prime example of the impact of under provision of parking spaces. Due to the lack of parking, visitor bays will be permanently used by residents, meaning visitors will be forced to park on Coniston Road, which will have lost parking spaces due to the creation of the new access road to the development.</p> <p>Overlooking</p> |

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| | <p>The proposed site backs directly onto my property meaning both a loss of privacy and a view blighted by the new houses.</p> <p>Back door Erosion of Green Belt</p> <p>I am concerned that the proposed plan is just the start of a much larger project. The space left between plots 6 and 7 is a clear indication that the council will next attempt to de-commission the green belt area immediately behind this development to build a much larger number of houses.</p> <p>The proposed development will also remove much of the field and hedgerows which are currently home to, amongst others, woodpeckers, voles and deer.</p> <p>Summary</p> <p>I strongly object to this proposed development. My local council should be supporting the prevention of erosion of the green belt, preventing increased danger to local school children and reducing traffic congestion by rejecting this proposal.</p> |
| 14. | <p>I quite often look out at the horses of a morning, the beautiful trees and wildlife, i will not be able to do that if this goes ahead!</p> <p>The traffic is awful at the best of times with the schools.</p> <p>We seem to be loosing all the greenery we have in the village, seems to be every little bit is being built on, surely this is no good for the environment!! The properties will not be in keeping with the rest.</p> <p>How will schools and doctors surgeries cope if more people reside in the village.</p> <p>This seriously needs to be thought about before the council become to regret their decision if they go ahead with this stupid idea!</p> |
| 15. | <p>On the revised plans more trees (I believe 4) have been removed outside of area of build. I see no reason why these trees should be removed, we should be saving trees NOT removing them, for no good reason. In addition to my comments on the original plans, I would like to strongly opposed the unnecessary removal of these trees.</p> <p>Parking Allocation</p> <p>18 bays for 10 x 4-5 bedroom houses is NOT enough. The visitor bays will be permanently used by residents - forcing visitors to park on Coniston road, which will lose parking spaces due to the creation of the new access road to the development. We do not want the same situation as Red Lion lane, where residents permanently block the road/pavement with overflow parking. You should be looking to make developers exceed the required parking allocations as the rules are out dated. If each house is allocated 2 parking spaces this will potentially prevent any negative impact in the immediate area. It should exceed regulations in order to appease concerns of local residents.</p> <p>Traffic/Highways/Increased Traffic</p> <p>This area of Coniston Road is already hugely congested due the drop off and pick up from the school. Additional housing will only exacerbate</p> |

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| | <p>this problem. Measures should be put in place to stop illegal parking of vehicles at all times of the day - specifically a low wooden barrier to prevent vehicles parking at the top end of Coniston Road and to prevent cars parking illegally in the new access road to the houses and close to the new t-junction the access road will create. The proposed increase in size to the senior school will also create increased traffic using Coniston Road, so this new development will be only add to this.</p> <p>Out of Keeping with Character of the Area/Over development</p> <p>The current council properties are low lying smaller houses with hipped roofs. The proposed height of the roofs is considerably higher thereby creating visual intrusion for all the surrounding houses. The plans should be adjusted to a hipped solution maintaining the same level as the council houses at the top of Coniston Road. Coniston Road is a 'rat-run' which already has a high density of houses - so this new development constitutes over-development.</p> <p>Overlooking</p> <p>As this proposed site backs directly onto green belt land which includes a public footpath, the view from this Green Belt land will now be blighted by the new houses.</p> <p>Other - Back door Erosion of Green Belt - I am concerned that the plan which has been proposed is the start of a much larger project whereby the council will attempt to de-commission the green belt area immediately behind this development to build a much larger number of houses. This is evident by the space left between plots 6 and 7. I expect my local council to be doing everything possible to stop the erosion of the green belt in the area and along with our local residents association we will be keeping a close eye on this to make sure the green belt is protected at all costs.</p> |
| 16. | <ol style="list-style-type: none"> 1. The site borders onto the green belt and the new dwellings, which have a very high pitched roof and are to be constructed on elevated ground, will be quite prominent. The design of the houses are detrimental to the openness of the Greenbelt due to their prominence in design (i.e. too tall appearing incongruous within the existing street scene and therefore harmful to the Greenbelt) which is contrary to part 145 (g) of the NPPF. Suggest lowering the roof which currently appears 'top heavy' and too high given the height of other nearby properties. Introduce a hipped roof to help 'soften' the appearance of the design. 2. The dwellings will obstruct view onto the greenbelt land from my house. 3. Only 17 parking spaces being provided. This will likely result in off street parking which will add to the lack of parking in the surrounding area, particularly during school time - Kings Langley primary school is located next door and Secondary School is round the corner, and the road junction between Barnes Lane and Coniston is heavily used and becomes extremely congested and unsafe, with parents parking on pavements and ruining grass verges, and also reducing safe pedestrian access and visibility. New development will add to the problem - particular as new entrance will take up existing parking spaces. |

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| | <p>4. To the assist with the above parking issue, we would like to see the making improves to the surrounding highways. i.e. better road alignments, road widening to improve traffic flow , barriers/timber knee rails to prevent parking, TRO and double yellow lines.</p> <p>5. Original scheme during the public consultation 30th September showed more of the existing trees front the site being retained. The latest scheme shows more trees being removed which we cannot see why they can be retained.</p> <p>6. The access road into the site appears to be designed to access a future larger plot to the north which I understand is still in greenbelt. Very concerned that if this development is approved then this will pave the way for the next phase 2 to be developed.</p> <p>7. There is no details to how the new social housing will ensure properties will be allocated to local residents linked to Kings Langley.</p> <p>8. There is no proposals to remediate the site</p> <p>9. There is no details of how foul water will be dealt with. Existing Thames Water sewer network is at capacity and is in a poor state of repair.</p> |
| 17. | <p>Dear Sirs, Re: Proposed development Coniston Road - Planning Ref: 19 / 02735 / MFA</p> <p>I write to record my opposition to this development on the following various grounds.</p> <p>Local Plan</p> <p>This site was put into the Local Plan without any direct communication with any of the affected adjacent neighbours / residents. I have exchanged many emails with Francis Whittaker (Strategic Planning & Regeneration) who has not been able to provide any specific times and dates as to where the site was advertised to accord with Dacorum's own protocols. As far as I can ascertain Dacorum BC have not complied with their own protocols to include the site within their own Local Plan. If Dacorum have complied, this specific information should be made available under the "Freedom of Information Act".</p> <p>Development Specific Comments to Information on the DBC Planning Portal</p> <p>Arboriculture - It is very disappointing to note that the latest revision of the Arbo Impact Statement (21st Nov 2019) now proposes to remove the large Poplar trees at the top of Coniston Road. It has not been made clear exactly why BHA Trees have made this revision? These trees are very characteristic of this area and should be retained at all cost.</p> <p>I would also request the tree / hedge line in Barnes Lane is reinforced for the width of the development to provide additional screening / plug the gaps.</p> <p>Contamination and Surface Water Drainage - RSK Reports 1920453 LO1 & LO2 are available on the portal but unfortunately the</p> |

Geotechnical Report (1920453 RO1) has not been uploaded for some reason?

The issue of remediation to the contamination found does not appear to have been addressed (within the above reports) specifically in terms of siting soakaways within the Waste Pit Boundary shown on Dwg No 1920453 3A. From the logs available within the Waste Pit Boundary permeable chalk was not encountered at reasonable depth (to employ soakaways) within TP's 2,3,4,5 & WS3. I would therefore submit that the soakaways proposed on Marks Heeley Dwg No H13732-D1 within the rear gardens of plots 1 to 6 are not viable and could promote migration of contamination if constructed without a proper remediation strategy being put into place. The Environment Agency and Building Control should be made aware of this problem and the shortfall in information within the application.

Design & Access - Kyle Smart - Section 4.5 states that a Remediation Strategy (mentioned above) will be provided at a later date. Given the potential problem of surface water drainage allied to plot 1 to 6, I would respectfully request this matter is addressed urgently pre planning.

Transport Statement - Mayer Brown 10th October 2019

Section 3.6 advises of proposed visibility splays onto Coniston Road (2.4 x 25m). There is currently a short fall in parking in Coniston Road generally which is totally exacerbated during school drop off and pick up times. I have provided 3 short extracts of video footage on DVD which serve to highlight this problem - sometimes it is impossible to traverse the footway network due to cars parked perpendicular to the road right across the footway. The formation of the new site entrance will also exacerbate this problem and yellow lining / TRO's / knee rail fences will be required in order to keep the visibility splay areas clear of parked cars.

Section 3.10 addresses parking - in my opinion the provision of 13 parking bays and 4 visitor bays for 10 houses is wholly inadequate. The units proposed are all two and three bedroom properties and realistically there will be 2 or 3 vehicles in each property - clearly this represents gross over development in terms of parking. I would point out that it is possible to provide at least two on plot parking bays to each unit (at the expense of landscaping) which I am sure would be preferred by all and sundry. The site is directly adjacent to a school and the provision of proper parking on and off site must be highly prioritised not least of all for Health and Safety reasons - this area is an accident waiting to happen.

I would also respectfully remind the planning department of the problems they have caused in recent times in Red Lion Lane, Apsley with the redevelopment of the John Dickinson mill site - overspill parking is permanently present for the whole length of this road. The road width has been dangerously restricted together with the footpath on one side of the road. Please learn from this and do not repeat this problem in Coniston Road.

This document does not analyse or address the wider problems already present within the adjacent road networks (Coniston Road / Barnes Lane / Common Lane / Love Lane / Highfield / Barnsway / Tylers Close Belham Road / Havelock Road / Whitlars Drive / Chipperfield Road / Vicarage Lane). During peak pick up / drop off times for the adjacent schools the whole area is grid locked to which this new development will further contribute. Kings Langley School has also recently applied for a larger intake of pupils (despite this premise being repeatedly refuted) which will also exacerbate traffic problems even further.

Dacorum Borough Council should seriously consider the following highway improvements:

- Widen both S bend on Coniston Road - they are currently too narrow to promote the passing of two cars let alone any larger vehicles
- Install a small / mini roundabout at the junction with Coniston Road & Hempstead Road this is particularly important given the pending development of Wayside Farm)
- Install a small / mini roundabout at the junction with Love Lane / Vicarage Lane / Chipperfield Road
- Prevent parking around the proposed new site access and areas around both schools generally with yellow lining and TRO's to restrict parking - employment of a village traffic warden would be self funding and provide DBC with a further source of revenue.
- Prevent parking on existing grass verges with the installation of knee rail fences which are currently employed around the green area at Barnes Lane / Common Lane junction
- Undertake an air quality assessment of the areas around both schools during peak times - pollution levels should be proven to be safe before any further development is sanctioned in this area

It is interesting to note that the submission documentation does not include any Road Safety Audits by third party traffic consultants either on or off site. I have never worked on a development where this has not been required - can the planning department please explain this omission.

FRA / SUDs - Marks Heely Ref H13732 - This document ignores the known presence of contamination for which RSK have not generated a remediation strategy (as mentioned above). On this basis the drainage of surface water from plots 1 to 6 is not viable not least of all from a contamination perspective. The following also require further review / comment pre planning:

- It should also be noted that percolation testing has only been undertaken at two locations namely S1 & TP6/S2. Ordinarily percolation testing to BRE 365 should be undertaken at the location of every soakaway proposed (particularly when the testing has not been undertaken properly and results are marginal and towards the slower end of the spectrum)
- At S1 the testing has not been undertaken in accord with BRE 365 in that 3 fills of the pit have not been undertaken - the one result generated provides a value of 7.27×10^{-6} m/s, subsequent fills will normally be substantially slower (as the sub strate becomes water logged) and probably render soakaways in this area non viable as the requisite drain down time will not be achievable (see Section 3.4).

- At TP6/S2 three values have been recorded and Marks Heely have utilised the slowest rate of percolation ($4.14 \times 10^{-5} \text{m/s}$) as required under BRE 365.
- There are no designs for private drives constructed as permeable pavements within the document, and indeed, over the majority of the site these will again not be viable as the permeable chalk sub strata is too deep - there is insufficient information currently available. On this basis the current soakaway designs are put further into question as I do not think they do not include all impermeable areas proposed.
- There is no scale on Marks Heely Dwg No H13732-D1 - I am therefore unable to check the impermeable areas cited within their calculations - please ensure the drawing is revised to include the correct scale. Additionally a plan clearly depicting all proposed impermeable catchment areas should be generated to ensure the areas correlate with the calculations.
- The document does not mention foul water drainage and there are no detailed level proposals present on the planning portal. From the Existing Site Plan by Kyle Smart Ref 18058su1.02 I suspect it will not be possible to drain all plots by gravity (particularly plot 7 & 8) and on this basis there is no space available to site a foul water pump station. Please add existing and proposed site levels together with the proposed foul network to Dwg No H13732-D1 for further review.

Herts County Council as Local Lead Flood Authority are unlikely to approve the current proposals and will hopefully agree with my thoughts in this regard - please ensure my comments are sent to them as a consultee to the planning and that this design is finalised and agreed pre planning. Without further testing being undertaken I suspect the design is fundamentally flawed and inadequate in any event.

From a personal perspective I know that the chalk within my own property is towards the silty end of the chalk / clay spectrum and has very low permeability - the soakaway in my rear garden in particular always has standing water within it even during summer months. I do however acknowledge that geology can change markedly within a few metres and hence the need to undertake percolation testing at the site of every soakaway proposed.

Site Plan & General Proposals - As previously mentioned the current proposals do not adequately cater adequately for parking on this site - as such the site is grossly overdeveloped and intrusive visually to all existing adjacent residents. The roof designs proposed are not in keeping with those existing and adjacent to the site. Single storey units with flatter pitch roofs would be more appropriate and also solve the on site parking allocation problem (fewer bedrooms would require fewer car parking spaces). In particular I would like to see Kyle Stewart Dwg No 18058wd2.02 Rev B amended such that proposed levels are appended and the lower site section extended to show the visual impact onto my own property "Merlins".

Additionally there appears to be clear intent to extend the road between plots 6 & 7 down into the adjacent green belt land - why else is the boundary of plot 6 shown at an angle on Kyle Stewart Dwg No 18058wd2.01 Rev I? This premise will be resisted in the strongest terms by all and sundry in the area. I am also aware that RSK have

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| | <p>already undertaken detailed site investigation over the whole paddock area but the documents issued to date only address the current site area proposals - perhaps this is why the Geotechnical Report Ref 1920453 RO1 has not been put onto the planning portal?</p> <p>Conclusion</p> <p>The foregoing text provides a brief review of the information currently available on the planning portal and is neither exhaustive or conclusive. That said, and in my humble opinion, the development proposals are unacceptable for various reasons summated as follows:</p> <ul style="list-style-type: none"> - This site has been put into the Local Plan with inadequate advertisement to accord with Dacorum's own protocols or any direct consultation with directly affected existing properties - Existing mature healthy poplar trees characteristic of this area are now being removed from the site frontage - The site layout proposal clearly represents over development and has a totally inadequate provision of on site parking - off site parking is also wholly inadequate and these problems have also not been addressed for the area surrounding this site - Vehicular pollution in the vicinity of the site has not been addressed - this is particularly relevant for the peak drop off and pick up times for the adjacent schools - Remediation of the contamination known to exist on this site has not been addressed - this is particularly important as this will compromise the current surface water drainage proposals - The surface water drainage proposals by Marks Heeley are incomplete based upon an inadequate level of testing - some of the calculations do not work in their current form - Foul water drainage has not been addressed (or the potential requirement for a foul pump station within the current site layout) - The Transport Statement does not address the global traffic problems currently prevailing in the area of this proposed development. Further more there are no proposals made to improve the current road networks and their capacity to enable additional development - this is of paramount importance given the pending development of Wayside Farm and additional pending intake to Kings Langley School. No Road Safety Audits have been generated either on or off site - It is suspected the current layout has been designed to promote future access to the adjacent Green Belt land which is highly undesirable and will be resisted by all local residents <p>Yours sincerely,</p> <p>Don Bennett - D.M.S., I.Eng., A.M.I.C.E., M.C.I.H.T.</p> |
| 18. | <p>I would like to register my opposition to the proposed scheme on the following grounds.</p> <p>Increase of Traffic/Loss of Parking/Traffic or Highways</p> |

| | |
|-----|---|
| | <p>The congestion and parking problems all along Coniston Road and where it meets Barnes Lane at times of school drop-off and pick-up pose a dangerous and a chaotic hazard to all concerned. The footpaths and grass verges are blocked by parked cars, presenting unnavigable obstacles for pedestrians and denying access to those with mobility issues. The volume of traffic trying to pass through the bottle neck at the junction of Coniston Road and Barnes Lane, and the general congestion all around this area, severely restricts local residents' access, either on foot or by car, at those times. There are two schools, primary and secondary, with young children and teenagers trying to find a way to school and back home safely through the jostling traffic and parked cars. This area is already at gridlock and already unsafe. The addition of this development, adding to the vehicle load and further limiting parking along the top of Coniston Road, presents a threat to the health and safety of residents, school children, pedestrians and all road users.</p> <p>Inadequate Parking Provision</p> <p>The parking allocation for the proposed houses is insufficient and will result in more cars fighting for already limited space, as outlined above, creating more of a threat to safety.</p> <p>Out of Keeping with Character of the Area</p> <p>The proposed houses are out of keeping with other nearby dwellings, which are low lying with hipped roofs.</p> <p>Over Development/Other</p> <p>I am extremely concerned that this development is the precursor to an erosion of the adjacent Green Belt land. There seems to be provision made in the plans to extend the road between plots 6 and 7, which looks very much like encroachment on Green Belt land by the back door. I and others will vigorously oppose any such plans.</p> <p>Arboriculture</p> <p>Regarding the proposal to remove the poplar trees at the top of Coniston Road, these tall trees are visible from far around and a cherished landmark of natural beauty for local residents. On what grounds can their removal be justified?</p> |
| 19. | <p>Site Entrance Location/ Traffic/ Highways:</p> <p>The entrance to the site of the proposed development poses a safety risk to both Traffic and Pedestrians. The location is at the top of Coniston Road where there is a tight S bend where there is already traffic chaos, particularly at school pick and drop times. The location is within 100 yards of the Primary school and ¼ mile from the Senior School. Both schools result in an extremely large amount of traffic & congestion currently. This chaos will only increase with the proposals and pose a significant danger & safety risk to School children who walk through this route & negotiate the congested traffic.</p> |

Parking Allocation

There is insufficient parking for 10 houses and their residents and their visitors, this will spill out into the already congested Coniston Road. The current vehicle movements already cause road blocking, parking on pavements and verges at busy times leading to more safety concerns.

Flooding:

The proposed land adjoins Barnes Lane which regularly floods & the land has poor drainage. I am concerned that the development will only make this flooding worse

Out of Keeping with Character of the Area/Over development:

The proposed development will remove much of the field which is currently home to wildlife, deer and will result in the lost of many habitats such as the hedgerows

The current adjoining council properties are already at a high density - so this new development constitutes over-development and changes the character of the area.

Overlooking/ Environmental Impact:

The proposed site backs directly onto green belt land which includes a public footpath, the view from this Green Belt land will be negatively impacted by the new houses.

The proposed plans have a space between plots 6 & 7 which is clearly deliberate to allow for possible future development of a much larger project & cause erosion of the green belt.

I strongly object to this proposed development & would hope the local council will support the prevention of erosion of the green belt, prevent increased danger to local school children & reduce traffic congestion by objecting to this proposal.

Site Entrance Location/ Traffic/ Highways:

The entrance to the site of the proposed development poses a safety risk to both Traffic and Pedestrians. The location is at the top of Coniston Road where there is a tight S bend where there is already traffic chaos, particularly at school pick and drop times. The location is within 100 yards of the Primary school and ¼ mile from the Senior School. Both schools result in an extremely large amount of traffic & congestion currently. This chaos will only increase with the proposals and pose a significant danger & safety risk to School children who walk through this route & negotiate the congested traffic.

Parking Allocation

There is insufficient parking for 10 houses and their residents and their visitors, this will spill out into the already congested Coniston Road. The current vehicle movements already cause road blocking, parking on pavements and verges at busy times leading to more safety concerns.

| | |
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| | <p>Flooding:</p> <p>The proposed land adjoins Barnes Lane which regularly floods & the land has poor drainage. I am concerned that the development will only make this flooding worse</p> <p>Out of Keeping with Character of the Area/Over development:</p> <p>The proposed development will remove much of the field which is currently home to wildlife, deer and will result in the lost of many habitats such as the hedgerows</p> <p>The current adjoining council properties are already at a high density - so this new development constitutes over-development and changes the character of the area.</p> <p>Overlooking/ Environmental Impact:</p> <p>The proposed site backs directly onto green belt land which includes a public footpath, the view from this Green Belt land will be negatively impacted by the new houses.</p> <p>The proposed plans have a space between plots 6 & 7 which is clearly deliberate to allow for possible future development of a much larger project & cause erosion of the green belt.</p> <p>I strongly object to this proposed development & would hope the local council will support the prevention of erosion of the green belt, prevent increased danger to local school children & reduce traffic congestion by objecting to this proposal.</p> |
| 20. | <p>Dear Mr Lecart,</p> <p>We are writing today to object to the above mentioned development at the top of Coniston Road/corner of Barnes Lane in Kings Langley. We are directly affected, as we live on Coniston Road.</p> <p>The points we want to object on are:</p> <p>1) The increase in traffic on an already very busy road, especially either end of the school day. Scenes of chaos, beeping of car horns and angry set-tos are already a regular occurrence. People often to drive over the verges, right next to where parents and children are walking. We know of someone personally who no longer walks because he felt he and his children are not safe on the pavement.</p> <p>2) The increased traffic will bring increased levels of air pollution, which is a health hazard for the children walking past and the residents. Already the fumes from idling cars waiting to get out of Coniston Road are oppressive.</p> <p>3) The increase in parked cars fills residents with dread and reduces the quality of life that is one of the attractions of living in a village setting. More and more development will alter the character of the village significantly.</p> |

4) The proposed development backs directly onto the Green Belt. Apart from the loss of this part of the field to wildlife, there is a very real concern that the development will turn out to be Phase 1 of a larger development - we refer you to the layout of the road next to Plot 6 on the plans of the proposed development. It is easy to see how this could simply be extended into what is currently Green Belt land.

We hope you will take our comments into account and not allow this development to go ahead.

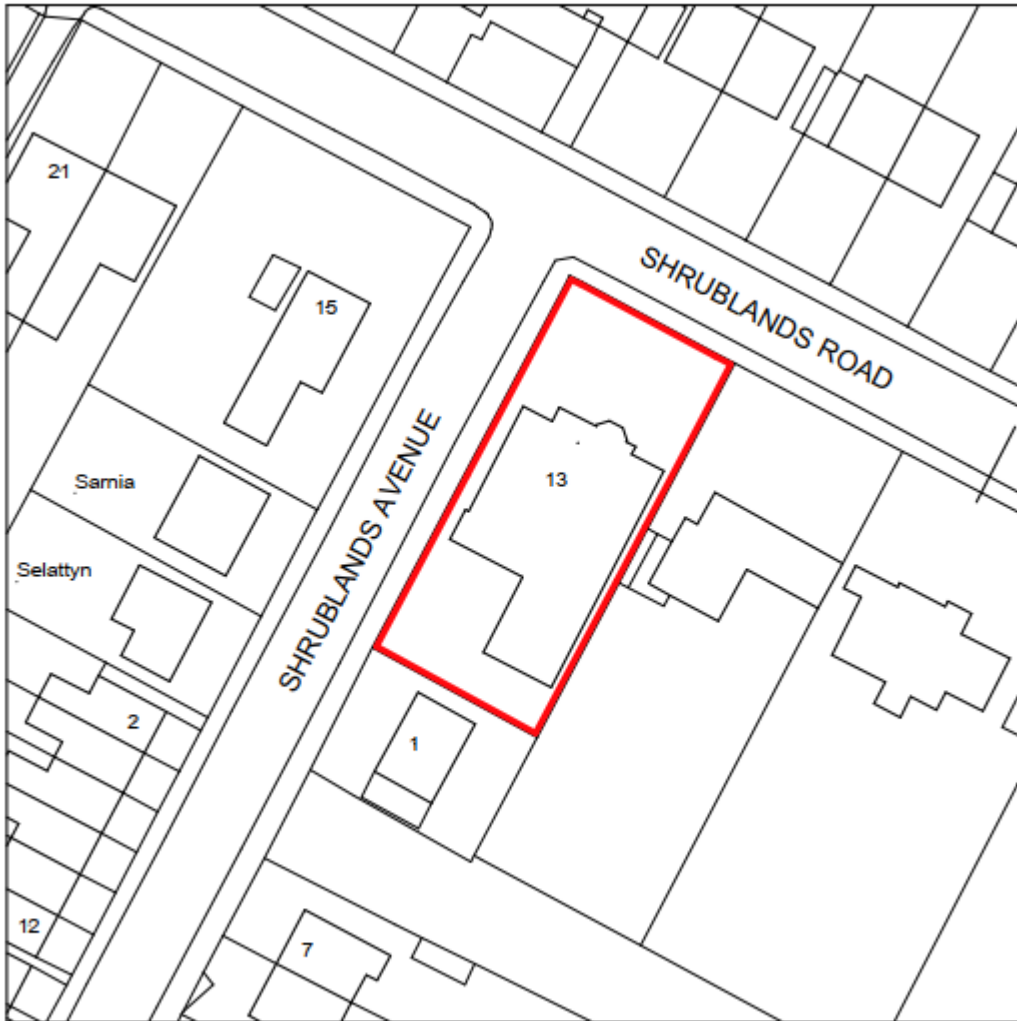
Kind regards,
Erdmute and Alexander Brownlee

Agenda Item 5b

Item 5b 4/00134/19/FUL

CONVERSION OF BUILDING TO SIX FLATS, DEMOLITION OF BUILDINGS TO THE REAR OF THE SITE AND CONSTRUCTION OF THREE DWELLINGS.

13 SHRUBLANDS ROAD, BERKHAMSTED, HP4 3HY



Item 5b 4/00134/19/FUL

CONVERSION OF BUILDING TO SIX FLATS, DEMOLITION OF BUILDINGS TO THE REAR OF THE SITE AND CONSTRUCTION OF THREE DWELLINGS.

13 SHRUBLANDS ROAD, BERKHAMSTED, HP4 3HY



ITEM NUMBER: 5b

| | | |
|-------------------------------|---|-------------------------|
| 4/00134/19/FUL | Conversion of building to six flats, demolition of buildings to rear and construction of three dwellings | |
| Site Address: | 13 Shrublands Road Berkhamsted HP4 3HY | |
| Applicant/Agent: | Update Record | |
| Case Officer: | Jason Seed | |
| Parish/Ward: | Berkhamsted Town Council | Berkhamsted West |
| Referral to Committee: | Due to the contrary views of Berkhamsted Town Council. | |

1. RECOMMENDATION – That planning permission be **GRANTED**.

2. SUMMARY

2.1 Full planning permission is sought for the conversion of the existing property at the site to six flats and the construction of three additional dwellinghouses. The proposals are considered to comply with the relevant policies of the Dacorum Borough Council Core Strategy, the Dacorum Borough Local Plan (DBLP) and the National Planning Policy Framework (NPPF) and are therefore recommended for approval, subject to the conditions and in formatives provided at the end of this report.

2.2 The application has been brought before the Development Management Committee due to the contrary views of Berkhamsted Town Council.

3. SITE DESCRIPTION AND CONSTRAINTS

3.1 The application site comprises a large three-storey detached Edwardian dwellinghouse (plus basement) which is situated on a corner plot on the junction of Shrublands Road / Shrublands Avenue, Berkhamsted. The surrounding area is predominantly residential in terms of both use and character.

3.2 The site is subject to the following relevant constraints: CIL Charging Zone 1, Berkhamsted Conservation Area.

4. PROPOSED DEVELOPMENT AND PLANNING HISTORY

4.1 Full planning permission is sought for the conversion of the existing building to six flats, demolition of buildings to the rear and the construction of three dwellings.

Planning History

4/03031/14/FUL CHANGE OF USE FROM SINGLE DWELLING (C3) TO SEVEN DWELLINGS WITH CAR PARKING, CYCLE STORAGE AND AMENITY SPACE
Granted
21/04/2015

4/01392/13/FUL CHANGE OF USE FROM RESIDENTIAL CARE HOME WITH ANCILLARY LIVING ACCOMMODATION (C2) TO USE AS A SINGLE DWELLING HOUSE (C3)
Granted
23/09/2013

4/01974/07/FUL CHANGE OF USE TO RESIDENTIAL DEVELOPMENT COMPRISING EIGHT ONE AND TWO BEDROOM APARTMENTS (AMENDED SCHEME)

| | |
|----------------|--|
| | Refused 25/10/2007 |
| 4/00871/07/MFA | CHANGE OF USE FROM NURSING HOME TO RESIDENTIAL DEVELOPMENT OF TEN ONE AND TWO BEDROOM APARTMENTS Refused 28/06/2007 |
| 4/01881/02/FUL | CHANGE OF USE FROM RESIDENTIAL CARE HOME TO PRIVATE DWELLING Refused 03/12/2002 |
| 4/01234/02/FUL | CHANGE OF USE FROM NURSING HOME (CLASS C2) TO RESIDENTIAL (CLASS C3) Withdrawn 05/08/2002 |
| 4/00722/94/FUL | TWO STOREY & SINGLE STOREY REAR EXTENSION, FIRST FLOOR & ATTIC EXTENSIONS AND ALTERATIONS TO NURSING HOME. (REVISED SCHEME) Granted 01/09/1994 |
| 4/00355/94/RES | SUBMISSION OF DETAILS OF PARAPET, EXTRACTION SYSTEM AND LANDSCAPING PURSUANT TO CONDITIONS 3,4 & 5 OF P/P 4/0167/93 (EXTENSION & ALTERATIONS TO NURSING HOME) Withdrawn 01/06/1994 |
| 4/00167/93/FUL | TWO STOREY AND SINGLE STOREY REAR EXTENSION FIRST FLOOR SIDE EXTENSIONS AND ALTERATIONS TO NURSING HOME Granted 12/08/1993 |
| 4/01235/92/OUT | TWO STOREY REAR & FIRST FLOOR SIDE EXTENSION, NEW VEHICULAR ACCESS & PARKING AREA (OUTLINE) Refused 18/11/1992 |
| 4/00688/92/4 | FORMATION OF CAR PARK AND VEHICULAR ACCESS (REVISED) Granted 13/08/1992 |
| 4/00371/92/4 | FORMATION OF CAR PARK AND VEHICULAR ACCESSES Refused 14/05/1992 |
| 4/01274/91/4 | CONVERSION TO FORM THREE RESIDENTIAL FLATS CREATION OF NEW ACCESS AND PROVISION OF CAR PARKING Refused 07/01/1992 |

5. REPRESENTATIONS

Consultation responses

5.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

5.2 These are reproduced in full at Appendix B.

6. PLANNING POLICIES

6.1 Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004) (DBLP)

6.2 Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction

Saved Policy 19 – Conversions
Saved Policy 51 – Development and Transport Impacts
Saved Policy 120 – Development in Conservation Areas

6.3 Supplementary Planning Guidance/Documents:

Relevant Saved appendices of the DBLP
Accessibility Zones for the Application of Car Parking Standards (2002)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

7. CONSIDERATIONS

7.1 The main issues to consider are:

Principle of the development;
Impact upon the street scene and Berkhamsted Conservation Area;
Access and highway safety;
Parking;
Impact upon neighbouring properties;
Amenity provision;
Internal environment;
Land contamination.

Principle of the Development

7.2 The general thrust of the NPPF is the support of brownfield development, with Paragraph 117 stating that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.3 At the local level, Policy CS4 of the Core Strategy states that in residential areas appropriate residential development is encouraged. A high density of development, linked to the achievement of sustainability objectives, is generally supported.

7.4 Saved Policy 19 of the DBLP states that the conversion of houses to flats will be permitted in towns subject to various criteria (discussed later).

7.5 It is therefore considered that the principle of the development is acceptable, subject to the satisfactory addressing of other material planning considerations.

7.6 In addition to the above policy considerations, the planning history at the site is an important material planning consideration.

7.7 The current residential use of the property resulted from the approval of planning application: 4/01392/13/FUL (change of use from residential care home with ancillary living accommodation (C2) to use as a single dwellinghouse (C3). This application was granted on 23/09/2013.

7.8 A further application (reference: 4/03031/14/FUL) was approved on 21/04/2015 for the change of use from a single dwelling to seven dwellings with car parking, cycle storage and amenity space. Whilst this permission has never been implemented, it is noted that it was granted within a similar local and national planning policy framework to that which the current application is to be considered.

Impact upon the Street Scene and Berkhamsted Conservation Area

7.9 Policy CS12 of the Core strategy states that on each site, development should integrate with streetscape character.

7.10 Policy CS27 states that all development will favour the conservation of heritage assets.

7.11 Saved Policy 120 of the Dacorum Borough Local Plan states that new developments or alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area.

7.12 Furthermore, Paragraph 194 of the National Planning Policy Framework (NPPF) states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.13 13 Shrublands Road is a detached Edwardian property in a prominent position on the corner of Shrublands Road and Shrublands Avenue. The application site lies within the Berkhamsted Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a general duty in relation to conservation areas and states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

7.14 Whilst 13 Shrublands Road has been extended and altered, particularly to the rear, the property is considered to make a positive contribution towards the significance of the Berkhamsted Conservation Area due to its strong Edwardian character and appearance and as part of the early 20th century development of this part of the town.

7.15 Due to the site being situated directly on a corner plot, the impacts of the development upon the street scene need to be assessed from two areas; Shrublands Road to the north and Shrublands Avenue to the west. Both of these areas immediately abut the site.

7.16 With regards to Shrublands Road, the proposed alterations and resultant visual changes to the street scene are considered to be minimal, comprising of the introduction of a front dormer within the

principle roof slope and a side dormer which is also visible from the street scene. Additionally, a portion of the pitched roof / gable end which fronts Shrublands Avenue will also be visible although due to its sympathetic design and scaling, it is not considered that this element results in any adverse visual impacts when viewed from this vantage point. The proposal remedies the unfortunate alterations to the principal elevation by restoring the original features and therefore there are many positive elements to the street scene for the original built form. This includes the reordering of the rear areas of the house that has extensive aesthetically poor rear alterations.

7.17 In respect of the visual change proposed on the Shrublands Avenue side of the site, the proposed development would remove a number of unattractive flat roof structures which are highly visible from the street scene.

7.18 These would be replaced by 3 x three storey dwellinghouses (plus habitable roof space), the design of which has drawn inspiration from the stylings and proportions of the original dwellinghouse. The proposed dwellings would also be of a scale which respond well to the local context and which do not dwarf neighbouring buildings.

7.19 The proposals have undergone a number of alterations to the exterior design in response to the recommendations provided by the Council's Conservation and Design Officer. Upon receipt of the final proposal plans, the Officer stated that the proposals are considered to preserve the character and appearance of the Berkhamsted Conservation Area and therefore accords with the relevant policies within the NPPF and Policy CS27, subject to the conditions and as detailed within this report. The four dormer windows proposed are contained within the relevant roof slope although these are considered to be modest in scale and are generally in keeping with the scale of the dormer which is present on the front elevation of the residential property to the immediate south.

7.20 It is therefore considered that the proposals are acceptable with regards to their impacts upon the Berkhamsted Conservation Area and are, by extension, acceptable with regards to their impacts upon the street scene.

Access and Highway Safety

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

7.22 Furthermore, Saved Policy 51 of the DBLP states that the acceptability of all development proposals will be assessed in highway and traffic terms. Development should have no significant impact upon the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development and the environmental and safety implications of the traffic generated by the development.

7.23 In providing context, the site lies approximately 200m from the High Street in Berkhamsted and therefore is within close proximity to its main amenities and facilities and within easy walking and cycling distance. Berkhamsted Railway Station is approximately 1.3km from the site and within a reasonable walking and cycling distance.

7.24 With regards to vehicular access to the site, it is proposed, that an existing dropped kerb fronting Shrublands Avenue will be utilised to access six off-street parking spaces, which are proposed to be contained within the front of the site. Three additional crossovers are proposed along Shrublands Avenue, each of which will serve one parking space.

7.25 The Highway Authority (HA) has been consulted on the application and no objection is raised subject to the conditions and informatives as detailed within the relevant section of this report.

7.26 Additionally, the HA has confirmed that the proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway. This adheres to guidelines as recommended in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'.

7.27 It is therefore considered that the proposals comply with the relevant requirements of Policy CS12 of the Core Strategy and Saved Policy 51 of the DBLP.

Parking

7.28 Policy CS12 of the Core Strategy states that on each site, development should provide sufficient parking. The site is situated within Zone 2 as defined by the Council's 'Accessibility Zones' SPG.

7.29 The development comprises the following units sizes / mix:

- ☐ Three x 1 bedroom
- ☐ Four x 2 bedroom
- ☐ Two x 3 bedroom

7.30 Saved Appendix 5 of the Dacorum Borough Local Plan provides the maximum parking standards for Zone 2 as follows:

- ☐ 1 bedroom dwellings = 1 space
- ☐ 2 bedroom dwellings = 1 space
- ☐ 3 bedroom dwellings = 1.5 spaces

7.31 As such, the proposed development would result in a maximum parking space requirement of ten parking spaces.

7.32 Noting that the Council's standards are 'maximum', in addition to the site's proximity to Berkhamsted Train Station and the local amenities of Berkhamsted High Street, it is considered that the proposed quantum of nine parking spaces is acceptable. There are no parking restrictions on the roads directly outside of the site and as such, they are capable of accommodating vehicles associated with occasional visitors to the development.

7.33 As such, the proposals provide sufficient parking and therefore comply with Policy CS12 of the Core Strategy.

Impact upon Neighbouring Properties

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

7.35 The location of the site in relation to surrounding properties, coupled with the limited scale of the proposals is such that the above considerations are limited to those impacts upon No. 11 Shrublands Avenue located to the immediate east of the application site.

7.36 With regards to visual intrusion, the proposals would introduce additional development along the south-eastern boundary of the application site and adjacent to the boundary of the rear amenity area of No. 11 Shrublands Avenue.

7.37 However, it is noted that the rear of the application site already comprises a substantial degree of built development along this boundary which includes two-storey elements. Whilst the proposals

would result in an intensification of built development within this area, the impacts are not considered to result in an unacceptable degree of additional visual intrusion.

7.38 Similarly, given the scale of the existing development at the application site and its orientation in relation to No. 11, no unacceptable loss of sunlight or daylight will result from the proposals.

7.39 With regards to privacy impacts, the south-east elevation contains a number of new dormers. However, these are to be fitted with fixed, non-opening glazing which will ensure that mutual privacy is achieved. It is recommended that this fenestration arrangement is controlled through imposition of a planning condition to that effect.

7.40 Finally, in respect of disturbance, the parking arrangement at the front of the site is of a similar arrangement to that which has previously been found acceptable to the Local Planning Authority. Furthermore, the area is currently used for parking and the level of intensification which could result from the use of this area in relation to the proposed development is not considered to be of such significance that it would result in unacceptable impacts in this respect.

7.41 The three new parking spaces which are proposed to be accessed via Shrublands Avenue are positioned as such that the use of the spaces will not adversely impact upon neighbouring properties.

7.42 In relation to the property to the south, no windows are proposed to overlook this site and the physical separation between this property and the proposed dwellings will ensure that the potential for neighbour disturbance is minimised. The relative orientation of the two sites is such that no adverse sunlight / daylight impacts will be experienced by the occupiers of the property to the south as a result of the proposals.

7.43 Finally, the proposed development will not adversely impact upon the residential amenities of the properties on the opposite side (west) of the application. A combination of the development's set-back from the road side and the resultant separation distance will ensure that the proposals will not conflict with the objectives contained within the relevant sections of Policy CS12. Furthermore, the relationship between the site and the properties opposite would also be representative of the relationship between the existing properties along each side of Shrublands Avenue.

7.44 It should be noted that upon consultation, the Council's Environmental Health Officer raised no objection on noise grounds, which is considered to support the above assessments in respect of disturbance.

7.45 As such, it is considered that the proposals will not result in unacceptable levels of visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties and therefore accord with Policy CS12 of the Core Strategy.

Amenity Provision

7.46 Saved Appendix 3 of the DBLP states that all residential development is required to provide private open space for use by residents.

7.47 Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 m. A reduced rear garden depth may be acceptable for small starter homes, homes for the elderly and development backing onto or in close proximity, to open land, public open space or other amenity land.

7.48 It is acknowledged that the proposals do not provide any on-site amenity space. However, it is noted that there are a number of formal and informal recreational areas within the local area, a location plan of which will be shown to Members during the committee presentation.

7.49 Given this local provision, in addition to the recreational / socialising opportunities provided by the High Street which is located within walking distance of the site, it is considered that, on balance, no objection is raised with regards to the lack of on-site amenity space provision.

Internal Environment

7.50 Saved Policy 19 states that flats should have a reasonable amount of internal space. Furthermore, Saved Appendix 3 of the DBLP states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings.

7.51 The proposals are considered to provide an acceptable internal environment with regards to sizing, light ingress, and circulation space and are considered to provide a satisfactory internal environment overall.

Land Contamination

7.52 Policy CS32 of the Core Strategy states that any development proposals which would cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances, will not be permitted.

7.53 The Council's Scientific Officer has advised that because of the proposal to demolish part of the existing buildings and introduce new dwellings with associated landscaping the possibility of ground contamination should be considered by the applicant / developer in taking any permission forward. As such, planning conditions have been recommended to safeguard the development and these are attached at the end of this report.

8. OTHER MATTERS

Sustainability

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

8.2 No CS29 Checklist has been provided. However, it is considered that given the scale and nature of the proposed development, matters pertaining to sustainability can be adequately assessed through the Building Control process.

Community Infrastructure Levy

8.3 The application site is located within CIL Charging Zone 1. As such, the proposals will be liable to a charge of £250 per square metre.

Affordable Housing

8.4 Due to the quantum of development proposed, it is not liable to affordable housing contributions in accordance with the Council's Affordable Housing SPD - Clarification Note (Version 3: August 2019).

Permitted Development Rights

8.5 Given the physically constrained nature of the site, coupled with the conservation area designation, it is considered necessary to remove a number of permitted development rights from the three proposed dwellings to ensure that the proposals do not adversely impact upon residential

amenities and the conservation area. The scope of this removal is detailed within the relevant condition at the foot of this report.

Refuse Collection

8.6 Saved Policy 129 of the DBLP states that developers will be expected to provide adequate space and facilities for the separation, storage, collection and recycling of waste within certain major developments. Although the proposals are not for major development, the locations of refuse storage associated with each of the individual dwelling and the proposed flat conversion have been provided. Further details in respect of this quantum of receptacles, etc. will be required as part of the aforementioned landscaping condition which is considered to provide sufficiently in this regard.

Response to Comments Received

8.7 It is considered that the majority of the concerns raised by local residents in response to the Council's public consultation have been assessed within this report. However, a response to those matters which have not been addressed will be discussed within the addendum which will be provided to Members prior to the Committee.

9. CONCLUSION

9.1 The proposals are considered to provide an acceptable form of development which does not result in unacceptable impacts upon neighbouring properties, the Berkhamsted Conservation Area or the local highway network. Sufficient parking is provided and it is considered that the application site is located within an area where accessing local recreation sites is easily achievable. As such, the application is considered to comply with the relevant planning policy environment and is therefore recommended for approval subject to the conditions provided at the foot of this report.

10. RECOMMENDATION – That planning permission be **GRANTED** subject to the following conditions:

Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

1329-BA-112 D
1329-BA-111 B
1329-BA-109 A
1329-BA-114 C
1329-BA-113 D
1329-BA-112 B
1329-BA-121 C
1329-BA-118 B
1329-BA-108 C
1329-BA-120 D

1329-BA-119 C
1329-BA-110 A

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

3. No development (excluding demolition/ground investigations) 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.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the conservation area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013), Saved Policy 120 of the Dacorum Borough Local Plan and the National Planning Policy Framework.

4. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - o all external hard surfaces within the site;
 - o other surfacing materials;
 - o means of enclosure;
 - o soft landscape works including a planting scheme with the number, size, species and of trees, plants and shrubs;
 - o minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other units, etc.); and
 - o retained historic landscape features and proposals for restoration, where relevant.

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 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.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

5. Prior to the first occupation of the development hereby permitted the vehicular accesses (as shown on drawing number 1329-BA-108 C) and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interest of highway safety and traffic movement in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 51 of the Dacorum Borough Local Plan.

6. Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan 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 CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 51 of the Dacorum Borough Local Plan.

7. No development (excluding demolition and conversion) 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 Policy CS32 of the Dacorum Borough Council Core Strategy (2013).

8. All remediation or protection measures identified in the Remediation Statement referred to in Condition 7 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 Policy CS32 of the Dacorum Borough Council Core Strategy (2013) the National Planning Policy Framework.

9. Prior to first occupation of the development hereby approved, the dormer windows located within the proposed south-east elevation shall be fitted with obscured, non-opening glazing and shall be retained as such for the lifetime of the development.

Reason: To ensure that privacy of neighbouring properties is not adversely impacted upon in accordance with Policy CS12 of the Core Strategy.

10. 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 to the approved dwellinghouses without the prior written approval of the Local Planning Authority:

Schedule 2, Part 1, Classes A, B and C.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality and conservation area in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

Informatives:

1. 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.

2. Highway Authority

Agreement with Highway Authority: 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.

3. Land Contamination

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.

4. Thames Water

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't 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>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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>

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
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| National Air Traffic Services | <p>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.</p> <p>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.</p> <p>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.</p> |
| Conservation & Design (DBC) | <p>Regarding the conversion of 13 Shrublands Road to flats some of the external alterations put forward are considered to improve the appearance of the property- such as the removal of / alteration of modern windows on the front elevation and removal / reconfiguration of the modern rear extension.</p> <p>The plans have undergone a significant amount of amendment and improvement throughout the application process. There are several recommended amendments the applicants did not agree to make, such as the suggested removal of dormer windows to the front elevations which is regrettable. However, these street facing dormers have been reduced in scale and improved in terms of their design.</p> <p>The elevational appearance and roof pitches of dwellings to the rear have been improved and the eaves heights set down, improving their proportions.</p> <p>A couple of chimney stacks have been added to the new dwellings to the rear, contributing to their Edwardian design.</p> |

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| | <p>Whilst the scheme would benefit from further design improvements, as it stands the proposal is considered to preserve the character and appearance of the Berkhamsted Conservation Area and therefore accords with the relevant policies within the NPPF and policy CS27.</p> <p>If approved it is recommended a number of conditions are applied including:</p> <p>Submission of samples / details of all external construction materials</p> <p>All new windows should be timber, details / examples to be submitted</p> <p>Details of all new boundary treatment and landscaping to be submitted</p> |
| Berkhamsted Town Council | <p>The proposed scheme is a overdevelopment on the edge of the Conservation Area which would adversely affect the amenity of neighbouring properties Highway safety on a busy street was also considered to be a concern, particularly for school children.</p> <p>CS11, CS12, CS27, Appendix 3 (i, ii, iii, iv, vi), Appendix 5</p> |
| Thames Water | <p>Waste Comments</p> <p>As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p> <p>The proposed development is located within 15 metres of our</p> |

underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't 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>.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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| | <p>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</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> |
| Hertfordshire Highways (HCC) | <p>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:</p> <ol style="list-style-type: none"> 1. Access and Highway Works Prior to the first occupation of the development hereby permitted the vehicular accesses (as shown on drawing number 1329-BA-108 C) and other necessary highway works shall be completed in accordance with the Hertfordshire County Council residential access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. Reason: In the interest of highway safety and traffic movement. 2. Provision of Parking & Servicing Areas Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan 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). 3. Cycle Parking - Not shown on plan but achievable Prior to the first occupation of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018) 4. Construction Management No development shall commence until a |

Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction 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; 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).

HIGHWAY INFORMATIVE: HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Agreement with Highway Authority: 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.

COMMENTS / ANALYSIS: The proposal comprises of the creation of nine dwellings through the conversion of the existing dwelling and associated works at 13 Shrublands Road, Berkhamsted. The site is a corner plot at the junction of Shrublands Avenue and Shrublands Road, both of which are designated as unclassified local access roads, subject to a speed limit of 30mph and highways maintainable at public expense.

VEHICLE ACCESS: There is one existing vehicle crossover (VXO)

providing access to a large driveway, which is to be retained to provide access to a car park with six car parking spaces. The proposals also include three new additional VXOs, each providing access to a single driveway/parking space. The proposed layout is shown on submitted plan no. 1329-BA-108C and is considered to be acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets (MfS).

Following consideration of the classification of road and speed of traffic, the levels of available vehicle to vehicle visibility at the VXOs would be acceptable. The applicant would need to enter into an agreement with HCC as Highway Authority in relation to the creation of the three new VXOs. Please see the above highway informative.

CAR PARKING & MANOEUVRABILITY: The proposed layout and design of the parking arrangements / driveways (as shown on the submitted drawing 1329-BA-108 C) is considered to be acceptable and in accordance with design guidance in 'MfS' Sec. 8.3.48 and 'Roads in Hertfordshire'.

The proposals include the provision of 9 on site / off street car parking spaces, which is less the maximum level of 13 as outlined in Dacorum Borough Council's (DBC) parking standards. HCC as Highway Authority's main concern would be any negative effect the proposal would have on the free and safe use of the surrounding highway. However it is unlikely that any effects would be significant enough to recommend refusal from a highway point of view, particularly when taking into consideration that the development is in zone 2 of DBC's accessibility zones and the nature of the surrounding highway. The applicant is reminded that Dacorum Borough Council (DBC) is the parking authority for the district and therefore ultimately should be satisfied with the proposed level of parking.

ACCESSIBILITY & SUSTAINABILITY: The site lies approximately 200m from the High Street in Berkhamsted and therefore in close proximity to its main amenities and facilities and within easy walking and cycling distance. Berkhamsted railway station is approximately 1.3km from the site and within a reasonable walking and cycling distance. The proposals would need to include provision for a suitable level of safe, secure and convenient cycle parking / storage to encourage cycling as a form of sustainable travel.

REFUSE / WASTE COLLECTION: Provision has been made for an on-site refuse/recycling stores within 30m of each dwelling and within 25m of the kerbside/bin collection and not stored on the highway footway, which is acceptable. The collection method must be confirmed as acceptable by DBC waste management.

EMERGENCY VEHICLE ACCESS: The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway on Station Road and Stevenage Road. This adheres to guidelines as recommended in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document

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| | <p>B Vol 1 - Dwellinghouses'. Due to number of dwellings, CONCLUSION: HCC as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the access / highway works required within the existing public highway. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informatives.</p> |
| Noise Pollution & Housing (DBC) | <p>No objections on noise or air quality grounds.</p> <p>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.</p> <p>The application is for the redevelopment for housing on a previously developed site, albeit one with a residential land-use history. Therefore, because of the proposal to demolish part of the existing buildings and introduce new dwellings with associated landscaping the possibility of ground contamination should be considered by the applicant/developer in taking any permission forward.</p> <p>For the above reasons it is recommended that planning conditions are imposed on the permission should it be granted.</p> |

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 44 | 13 | 1 | 44 | 0 |

Neighbour Responses

| Address | Comments |
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| Selattyn Shrublands Avenue Berkhamsted HP4 3JH | <p>1) Substantial negative impact to parking on Shrublands Road which is already double parked and dangerous. This will create even more risk for school children crossing the roads.</p> <p>2) Substantial negative impact on parking in Shrublands Avenue which is already over-parked with insufficient space for residents before this plan. If this goes ahead with the excessive 3 additional houses, it will have the immediate effect of further overspill parking on Shrublands Road and beyond.</p> |

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| | <p>4) Proposed build significantly larger than current building and out of keeping with the area.</p> <p>5) Overlooking/loss of privacy. The proposed (excessive) plans will look directly into our property and block our light.</p> <p>6) Density of buildings not in keeping with the area, with direct impact on the Shrublands Avenue conservation area and the adjoining dwellings.</p> <p>7) Increased noise and light pollution due to the excessive number of proposed dwellings in such a confined area. 6 flats and three houses? It is currently one house!</p> <p>8) It is clear there are insufficient amenities in Berkhamsted to support this unnecessarily high density of housing. I refer to schools, parking, road access, doctors, water and sewage.</p> <p>9) There have been no Orange planning notices displayed in the area for what is a substantial application. I therefore object on the grounds of process that this plan is bypassing due notice to the affected residents in the area.</p> |
| <p>10 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>There will be a huge negative impact on the parking on both Shrublands Road and Shrublands Avenue both of which already exceed capacity. There is not adequate parking provisions made in the plans.</p> <p>The proposed build is out of keeping with the surrounding area which is supposed to be a conservation area. This will significantly change both the look and feel of both Shrublands Road and Shrublands Avenue.</p> <p>There are currently insufficient amenities within the local area to support such a huge change from 1 house to 6 flats and 3 houses. The local school is at capacity and the 2 local doctors surgeries are already a nightmare to try and get appointments in.</p> <p>As a local resident directly affected by this planning application I would have expected to receive some form of communication about it - as it is I have not received anything nor have I seen an orange planning notice.</p> <p>I strongly object to the proposed development.</p> |
| <p>65 Shrublands Avenue Berkhamsted HP4 3JG</p> | <p>Where is the orange planning notice for this planning application? As of 20 March 2019 - no such notice is visible to local residents who will be affected by this development on a daily basis.</p> <p>This is an ill conceived development that places the need to make money (by the developer) over the needs of the local residents. Where are the multiple car parking spaces for these 9 dwellings?</p> <p>The parking situation in Shrublands Avenue and Road is already very</p> |

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| | <p>bad, making parking as well as driving into and out Shrublands Avenue already very stressful (and often dangerous due to cars parked on the corner). Instances of road rage in Shrublands Avenue have already become the norm.</p> <p>Shrublands Avenue has close on 100 Victorian semi's with one space on the road outside each home. Many homes have at least 2 cars (if not more if adult children are at home) making the parking situation stressful for all who live in this road. I often see elderly residents struggle with shopping having parked some distance away. I also often see mothers with babies and small children struggle with baggage as they were not able to park anywhere near their homes. There are people who work in the town who park here because public parking in the town is so inadequate. At present we have 4 skips in the road due to building work on 4 properties in addition to the multiple vehicle of those who are working on these properties not to mention the large delivery vehicles regularly entering and exiting the Road. We're already at the point where residents only parking may well be advisable.</p> |
| <p>65 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p> | <p>I wish to object to this application for the following reasons:</p> <p>1) There is no evidence that the orange planning notices were available. The proper process has not been followed.</p> <p>2) The existing parking situation in Shrublands Road and Avenue is already bad, and this development will make it worse. These 9 dwellings may have as many as 18 vehicles between them, where will they be parking.</p> <p>3) The increase in density is not in keeping with the area.</p> |
| <p>84 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p> | <p>Totally object. This road is already packed with cars and there is no where to park as it is. I have young children and dont want to struggle even more with parking and it will cause more traffic in an already struggling road just so one person can make lots of money and sell a load of flats. This is a conservasion area and the Victorian HOUSES will devalue with flats in the street. Also we have Greenway school right at the top of the road which causes even more dangerous traffic and children need to cross the road to get to school. Strongly object!</p> |
| <p>63 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p> | <p>This came as a real shock, where is the orange planning document. Having lived in the road for nearly twenty years it must be time to leave because, 1. It is extremely difficult to park anywhere near my house unless I am home before 4 pm. 2. There are four skips at present in Shrublands Avenue, many homes having extensions and loft conversions, in addition there are many work vans vying for parking spaces every day, one driver even waits for me to leave !! 3. In the afternoon mother's park in the road while collecting children from greenway school. 4. Delivery vans, both food and commodities constantly block the road. Just these four points make parking extremely difficult. In addition there are 100 homes in the road, most homes have more than one car each, odd numbers have no where else to park. Even numbers just have parking behind two thirds of the way up. There is a builder in the road that has more than five vehicles,</p> |

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| | <p>parking is a nightmare. Some cars are parked for weeks at a time, which I know for a fact having to ring the police to get it moved. With such inadequate parking now in the town we now see many business people parking in our road quite openly.</p> <p>These are just a few comments I can think of in the heat of the moment. This construction is going to make the above issues even more dire along with trying to turn right in a morning out of the avenue, it's so difficult to see as there are no restrictions or yellow lines, so vehicles park right on the edge obscuring vision.</p> <p>I would like to know how planning permission has been granted and so quickly without any warning or planning notices visible. Thank you</p> |
| <p>15 Shrublands Road Berkhamsted HP4 3HY</p> | <p>I have two key objections - privacy and parking.</p> <p>Privacy- The three proposed three storey houses will overlook directly into our kitchen, garden and first floor landing, which will constitute a substantial invasion of privacy.</p> <p>In particular, the top dormer windows would have clear and unobstructed views into our house and garden.</p> <p>Parking Shrublands Road and Shrublands Avenue are already overloaded with parked cars. It is dangerous and difficult to traverse along Shrublands Road and Shrublands Avenue because of the density of parked cars parked on both sides. I have witnessed many road rage incidents concerning obstructions along this road.</p> <p>The high volume of parked cars in this area also detracts from the conservation area, an area which is meant to be preserved.</p> |
| <p>81 Shrublands Avenue Berkhamsted HP4 3JG</p> | <p>Insufficient parking on an already busy road. Difficult as it is to cross with children/pushchairs.</p> <p>Not in keeping with conservation area- concerns over cramming in accommodation which would look unsightly.</p> |
| <p>21 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>In considering this proposal, I do understand the pressure across the country to build new homes and I think it is much better to try and accommodate this within built areas than putting potential pressure on green belts.</p> <p>However, I object to this proposal on the basis of parking.</p> <p>While the proposal includes 9 parking spaces, 6 of the proposed 9 dwellings are two/three bedrooms and it's highly likely there will demand for more than 9 parking spaces meaning extra pressure for on street parking.</p> <p>There will also be a loss of existing on street parking on Shrublands Avenue as a result of the three new houses fronting Shrublands Avenue.</p> <p>There is already insufficient parking meaning residents sometimes have to park on Shrublands Road. I don't think we can afford to both</p> |

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| | <p>lose existing parking as well as having increased demand.</p> <p>I also object to what seems to be a lack of consultation by the Council as no information seems to have been provided to residents in the area about the proposal.</p> |
| <p>14 Shrublands Avenue</p> <p>Berkhamsted HP4 3JH</p> | <p>No orange notice provided/prior warning</p> <p>Impact on conservation area</p> <p>Impact on traffic and parking</p> |
| <p>22 Bridgewater Road</p> <p>Berkhamsted HP4 1HN</p> | <p>I write on behalf of the BCA Townscape group of which I am a member. We would like to express concern regarding:- a) The Lack of amenity space. b) Only 9 parking spaces for 9 dwellings seems insufficient especially in this congested area.</p> |
| <p>73 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p> | <p>I strongly object to the planning app for 9 dwellings to be constructed on the site of 13 Shrublands Rd. This property is located on an already busy road where parking is difficult. It is also adjacent to Shrublands Ave. Parking on this road is heavily congested. Both roads are on the walking routes for many children making their way to Greenway Primary school & St Thomas Moore school & extra traffic will heavily compromise the safety of those routes. This is a conservation area & needs to be treated as such. An extra 9 dwellings will generate extra cars (maybe upto an extra 18 cars) in an area where parking is difficult & pedestrian safety is already compromised. I do not understand why local residents have not been made aware of this development & have not been consulted more publicly. This has been treated in a very underhand manner & there has been no concern for residents opinions, safety & ability to park</p> |
| <p>49 Shrublands Avenue</p> <p>Berkhamsted HP4 3JQ</p> | <p>The parking situation on Shrublands Avenue and Shrublands Road is already unacceptable with residents (some of which are elderly or have young children) having to park up to half a mile away to get a space.</p> <p>Adding nine residences will exacerbate this situation further. I do not have any objection to the actual conversion of the property, but I strongly advise that a consultation is made on either painting marked bays onto the road or bringing in permit only parking.</p> <p>Alternatively, the new properties should be made to have drives or garages to avoid extra cars on the already congested roads.</p> |
| <p>49 Shrublands Avenue</p> <p>Berkhamsted HP4 3JQ</p> | <p>I strongly object to the proposal of turning this property into 9 dwellings. Parking on Shrublands road and Shrublands Avenue is virtually impossible at present and this is without 9 additional vehicles - presuming that each residence would only have 1 car each. Something needs to be done to address the parking situation if this is to go ahead as it is becoming increasingly frustrating!</p> |
| <p>12 Shrublands Road</p> <p>Berkhamsted HP4 3HY</p> | <p>I have concerns that traffic, parking and road safety would be negatively impacted by the increase in the occupancy of this space. I feel nine dwellings is too many for the size of the property considering the access.</p> |

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| <p>Sarnia Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>Object due to over development of the site and specifically:</p> <ul style="list-style-type: none"> - Density of housing not in keeping with the area - The impact on parking in the area. The allocated parking spaces in front of each proposed new house will take the same space away from the road therefore not providing any additional parking for the 3 new dwellings. <p>Object due to loss of privacy in our home with the proposed new windows and dormers looking directly into our property.</p> <p>If planning should be granted, we would request that working times should be limited to sociable hours (8am-6pm) due to the work taking place in an area densely populated with family homes, many with young children.</p> |
| <p>Stonycroft 9 Shrublands Road Berkhamsted HP4 3HY</p> | <p>Whilst welcoming some action on developing this site, I have some concerns about the application itself. My main concerns are the lack of amenity space for the three additional houses fronting Shrublands Avenue; the additional roof light overlooking the gardens of nos. 11 and 9 Shrublands Road; and the inadequate number of parking spaces proposed in an area already full of parking displaced from adjoining roads.</p> <p>However I welcome the demolition of the old, unsightly extensions at the rear of the property, a left-over from the days when it was a residential home. I also find the design and materials of the new-build acceptable, especially as this house is prominent in the Conservation Area and has an A4 Direction on it.</p> |
| <p>15 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>I object to the above application on the following grounds:</p> <p>Overdevelopment of the site leaving no amenity space whatsoever;</p> <p>The development would therefore impact on the Conservation area;</p> <p>Landscaping. The development would have an impact on trees. The extension would involve the felling of the tree on land belonging to 1 Shrublands Avenue (The Colt House). This tree is not shown on the plans and is the only tree in the Avenue;</p> <p>Parking; the development would result in the loss of perhaps 5 on street parking spaces in an already congested road. This would be exasperated by the increase of the additional dwellings The development would have an adverse impact on 11 Shrublands Road (The Rowans) an Undesignated Heritage Asset;</p> <p>The development would result in overlooking onto 15 Shrublands Road;</p> <p>13 Shrublands is covered by an Article 4 (2) direction which requires permission to demolish a wall, to provide off street parking;</p> |
| <p>13 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>We object to this development at the already crowded area at the bottom of Shrublands Avenue:</p> <p>1)It will make road crossing on the routes to the schools and town centre more dangerous.</p> |

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| | <p>2)It will negatively impact the already crowded parking on Shrublands Avenue and Shrublands Road. With provision of only 9 spaces for the development, parking will become even more unsafe and crowded for the current residents and visitors.</p> <p>3)The new development is just cramming as many flats and houses into a small site without sufficient consideration for the local community.</p> <p>4)Density of properties proposed is not in keeping with the conservation area.</p> |
| <p>2 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>Planning objections -13 Shrublands Avenue. 4/00134/19/FUL</p> <ol style="list-style-type: none"> 1. The whole development will increase the parking difficulties already experienced by Shrublands Avenue residents. 2. There will be no graduation between the properties deemed worthy of preservation and the proposed houses, making the uninvented and enforced preservation an irritation to those subject to it. 3. The evidently edited photograph does not reflect the nature of congestion in Shrublands Avenue. 4. The same photograph does not show the reality of the abutment with 1 Shrublands Avenue, the abutment will in reality be an eyesore if the existing site boundary wall on Shrublands Avenue is removed. 5. There appears to be no amenity provision (garden, courtyard etc.) for what appear to be family accommodations. <p>In principle, the conversion of the existing structures would be acceptable WITHOUT the inclusion of the proposed three new houses.</p> |
| <p>51 Shrublands Avenue Berkhamsted HP4 3JQ</p> | <p>I object to this planning application for these reasons</p> <p>It is overcrowded and not in keeping with the conservation status of our road.</p> <p>It will negatively impact the parking situation an already crowded street and cause congestion. It will also impact on the safety of the many pedestrians including children walking to and from school every day.</p> <p>We as local residents have not been made aware of this development & have not been consulted publicly. There has been no concern for residents opinions, safety & ability to park.</p> |
| <p>86 Shrublands Avenue Berkhamsted HP4 3JG</p> | <p>I object due to concerns over parking in an already very crammed road. More often than not I can't park on my own street which is frustrating, especially with a loaded car. Our baby is due in June and I am really worried about the impact even more traffic will have when loading and unloading him into the car and how far away I will have to park. If residents are unable to park in their own street, this will have knock on effects on nearby streets. Parking shouldn't be the end of day stressor when all you want to do is come home and relax!</p> |

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| <p>67 Shrublands Avenue</p> <p>Berkhamsted HP4 3JG</p> | <p>I strongly object based on the below comments.</p> <p>1) There will be a large impact to parking on road and surrounding areas. Parking is already very congested and insufficient to meet demand for current houses and facilities, such as the nearby Church.</p> <p>2) The additional volume of cars will increase the dangers of people walking in the area. In particular for the safety of the many children walking to and from the nearby schools.</p> <p>3) The additional volume of cars from the location will increase the problems of driving on the Shrublands Road and Shrublands Avenue junction. This junction is already very busy due to poor visibility and congestion.</p> <p>4) The proposal is not in keeping with the conservation area. There are simply too many dwellings planned for a small space. It is very frustrating to see such a proposal when other people in the area are very considerate to observing the conservation planning rules.</p> |
| <p>1 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>The Colt House, 1 Shrublands Avenue, Berkhamsted, HP43JH (Object)</p> <p>1. Inaccurate drawings and images (layout, scale, height and bulk) 2. Density of proposed housing not in keeping with the area, Proposed build significantly larger than current building. Not suitable to go from a one dwelling property to nine! This proposal is out of proportion to other properties on Shrublands Avenue/Shrublands Road</p> <p>3. The building looks like it would be erected very close to the boundary of my property and I would question if it is too close to be approved</p> <p>4. Noise pollution will increase due to number of proposed dwellings on the plot. 5. The three proposed three storey houses will overlook our property and compromise our privacy 6. The local residents have not been made aware of this development & have not been consulted publicly. We have not seen any orange notices on the street</p> <p>7. Concern over the excavation to allow basement areas and condition of underlying soil/ground on such a severe hill which forms the road (landslip etc) 8. Concern of proximity of proposed excavation to nearby property. How many meters should it be away from the other property please confirm that this will meet all the necessary building regs? It is very close to my boundary and property 9. Potential structural damage to immediate properties subsidence, movement etc. 10. Increase to water table based on proposed excavation 11. Lack of amenity space and notion to remove or compromise mature trees, insufficient outdoor space which is detrimental to the health and well-being of the occupants 12. Concern over the excavation and building process and disruption of</p> |

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| | <p>the development to highways</p> <p>13. Underground services water, gas, sewage, telecoms will be effected</p> <p>14. Health of immediate neighbours, my daughter has a respiratory illness and I don't want her health to be compromised by excessive building works, on a personal note both my children will be sitting exams and the noise and works will affect their revision</p> <p>15. The proposed change of sky line not suitable</p> <p>16. I question the roof line conformability</p> <p>17. Does not harmonise the character of the surrounding areas</p> <p>18. Insufficient landscaping</p> <p>19. Loss of sunlight and daylight to our property. Our garden will be overlooked and shadowed by such a huge building</p> <p>20.</p> <p>21. The plan doesn't respect the adjoining property</p> <p>22. Highway and traffic will be significantly impacted, there will be a higher capacity of use on local routes</p> <p>23. Parking is very limited as it is and this proposal will cause a major problem on Shrublands Avenue and Shrublands road, 9 parking spaces is ridiculous, there is likely to be at least 20 more cars around the property based on the proposed plan. Parking on the 3 storey house driveways will be near on impossible to use and turning out onto Shrublands Avenue with tightly parked vehicles either side will not be manageable</p> <p>24. The glazing on the proposed plan (south west elevation) will compromise our privacy and we will be overlooked</p> <p>25. Major impact on the safety of the many pedestrians including children walking to and from school every day. These walking routes are used every day for many children making their way to Greenway Primary school & St Thomas Moore school, residents who use the local church or make their way into the Town centre regularly will also be at risk. Local schools, doctors surgeries and other services are at full capacity already and this development would add a further burden to these vital services.</p> <p>26. The junction at the bottom of Shrublands Avenue is already very busy due to poor visibility and this plan would produce further danger to motorists and pedestrians</p> <p>27. It is clear that the proposed new development is just cramming in as many flats and houses into a small site without sufficient consideration of the interests of the local community. It is simply an opportunity for the developer to make money without any care of the residents.</p> |
| <p>7 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>The development is too big and over-bearing for the size of the site and not in keeping with the conservation area.</p> <p>The parking in Shrublands Avenue and Shrublands Road is already stretched to its limits with cars parked right up to the corners of both roads making it difficult and dangerous to pull out of or in to Shrublands Avenue - oncoming vehicles and pedestrians who are crossing can not be seen until the last minute. The addition of these 9 flats/houses and associated increased traffic will make the situation even worse.</p> <p>The inclusion of driveways for the three houses will mean that 4 existing</p> |

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| | <p>parking spaces on Shrublands Avenue will be lost causing even more difficulty for existing homeowners to park.</p> <p>There has been no orange planning notice displayed alerting residence to this application.</p> |
| <p>61 Shrublands Avenue Berkhamsted HP4 3JQ</p> | <p>Along with the other comments, it should be noted that approx 8 car park spaces will be lost at the bottom of Shrublands Ave / Shrublands Road junction when double yellow lines are added. The breakdown is 4 on Shrublands Road, each side of Shrublands Ave and 2 on each side of Shrublands Ave. A similar number will be lost at the junction of Greenway and Shrublands Ave.</p> |
| <p>20 Shrublands Avenue Berkhamsted HP4 3JH</p> | <p>I strongly object to this planning application for the following reasons:</p> <p>It will put increased pressure on parking in Shrublands Avenue where it is already often difficult for residents to find a parking space close to home.</p> <p>The increased number of cars in the area will have a negative impact on the safety of pedestrians, especially children walking to and from school.</p> <p>It is not in keeping with the conservation area.</p> <p>There have been no planning notices that I have seen alerting residents to this application.</p> |
| <p>11 Shrublands Road Berkhamsted HP4 3HY</p> | <p>Please note that the below referenced document is available, including all illustrations, upon request. We have copied in the text from the document as no ability to upload the file. Many thanks</p> <p>1. INTRODUCTION</p> <p>1.1 My name is Hayden Todd and I am an Associate Director with Aitchison Raffety, Chartered Town Planning Consultants. I have a Bachelor's Degree in Environmental and Resource Planning (Hons) and am a Member of the Royal Town Planning Institute.</p> <p>1.2 I am appointed on behalf of Mr and Mrs Di Cello of the Rowans, 11 Shrublands Road, Berkhamsted, who adjoin the application site and strongly OBJECT to the planning application.</p> <p>1.3 The planning application is for the conversion of the building into six flats and construction of three dwellings at 13 Shrublands Road, Berkhamsted HP4 3HY.</p> <p>2. REASONS FOR OBJECTION</p> <p>2.1 The main concerns with the proposed development relate to the impact on the amenity of the neighbouring occupiers, standard of environment, character and appearance and parking provision.</p> |

Neighbouring amenity

2.2 The National Planning Policy Framework seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

2.3 Policy CS12 of the Core Strategy aims to protect the amenity of adjoining occupiers and states that development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

2.4 Appendix 3 (iv) of the Local Plan makes clear that "Residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings. Significant overshadowing should be avoided (see the Building Research Establishment's report 'Site Layout Planning for Daylight and Sunlight' 1991)."

2.5 The proposed dwellings would abut the side common boundary of 11 Shrublands Road and extend almost the full depth of the rear garden. This is clearly an unacceptable relationship and would result in a loss of light and serious level of overshadowing.

2.6 The proposed development would intrude into the 45 degree line of visibility taken from the nearest neighbouring rear ground floor window. This is an established and accepted test for understanding the impact of new development on light to adjoining windows as outlined in the Building Research Establishment's (BRE) Guide "Site Layout Planning" and referenced in the above policy. The proposal would fail this key test and have a significant adverse impact on natural light and outlook. In addition to this, the dwellings would cause a serious level of overshadowing. This is unacceptable and the development cannot be approved.

Proposed scheme would intrude into the 45 degree line of visibility

2.7 The proposed dwellings, which abut the common boundary and extends almost the entire depth of the garden, would have a visually obtrusive and overbearing impact on the occupiers of 11 Shrublands Road. The dwellings would completely dominate the outlook from the adjoining dwelling and garden. The proposal would enclose the garden, creating an oppressive environment that would adversely affect the living conditions and amenity of the occupiers. Furthermore, the proposed dwellings appear to be constructed above the natural ground level, particularly when compared to the key amenity space directly to the rear of number 11, which would exacerbate the overbearing and domineering impact of the proposed development.

2.8 It is acknowledged that the existing building has a rear projection located in close proximity to the adjoining garden. However, the proposed development is higher, closer to the boundary and has a greater rearward projection than the existing flat roofed part single, part two storey extension. The proposed development would therefore have a significantly greater impact on the living conditions of the adjoining

occupiers than the existing extension.

2.9 It is important to note that an application for a rear extension to the application dwelling, which was smaller in scale and further from the boundary than the proposed development, was refused permission (4/01974/07/FUL) and subsequently dismissed at appeal. The Inspector raised serious concerns about the impact of this smaller extension on the living conditions of the adjoining occupiers and stated the following:

2.10 The Inspector's comments are relevant to this proposal and are a material planning consideration that must be taken into account. The Inspector concludes that the proposed development would harm the amenity of the adjoining occupiers and character of the Conservation Area. This provides clear and conclusive evidence that this extension, which is larger than the dismissed scheme, must also be considered unacceptable.

Proposed flank elevation that would abut and extend the full depth of the adjoining garden

The considerably smaller extension, which an Inspector considered to adversely affect the amenity of the adjoining occupiers and the character of the Conservation Area

2.11 The proposed development would introduce a large first floor clear glazed double window in the side elevation of the existing dwelling. The only views from this bedroom window would be directed towards number 11 and into their key amenity space. It is noted that this window would only be located 1.5m from the common boundary, which is significantly less than the 11.5m minimum distance required by Appendix 3 of the Local Plan to avoid overlooking. In addition to this, the only windows in the rear section of the proposed dwellings would be located adjacent to the common boundary and directed towards the opposing outrigger. This unusual and contrived arrangement would direct all views from these bedrooms towards the adjoining garden, which would not protect the privacy of the adjoining occupiers as required by local policy. This unusual window arrangement is an indication of overdevelopment. The proposal would therefore result in an unacceptable loss of privacy, which would add to the intrusive nature of the proposed development.

2.12 The Planning Statement submitted in support of the application does not make a single reference to neighbouring amenity. Had this key material planning consideration been considered in the design process, it is unlikely the proposal would have been submitted in its current form.

2.13 The proposed development would therefore, by reason of its excessive scale, bulk, rearward projection and proximity to the common boundary, result in an unacceptable loss of light, overshadowing, overlooking and overbearing impact, to the detriment

of the visual and residential amenity of the occupiers of 11 Shrublands Road, contrary to the provisions of Policy CS12 of the Core Strategy, Appendix 3 of the Local Plan and the National Planning Policy Framework.

Standard of Environment

2.14 A core planning principle as set out in the National Planning Policy Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policies C12 and C19 of the Core Strategy and Appendix 3 of the Local Plan.

2.15 The drawings submitted in support of application only illustrate the proposed dwellings having three levels of accommodation. However, the loft space is served by large and prominent flat roof front dormers. This large useable floor space within the loft is clearly intended for habitable accommodation. As the lofts are already served by large flat roof dormers, planning permission would not be required for the conversion of this space into habitable accommodation. The proposal is therefore providing three, four storey family dwellings and needs to be assessed against the appropriate relevant standards.

2.16 The key living areas within the proposed dwellings would be located at basement level. The main source of outlook and light to this entire subterranean floor would be from the north-west facing basement bay windows that would be located less than 1m from the retaining wall at their closest point. The recessed windows would be covered by the ground floor entrance 'bridge' and located less than 2m from the wall. The completely enclosed rooflights would provide minimal natural light and no outlook. The proposed development would not achieve an acceptable standard of environment in this key habitable part of the dwellings where the occupiers are likely to spend a considerable amount of time.

2.17 The first floor rear bedrooms in the proposed dwellings are only served by a single side facing window in the rear section of the room that are directed towards the opposing outrigger on the adjoining property. A single window in the rear section of the bedroom would not provide an acceptable level of outlook or allow for sufficient natural light.

2.18 The proposed development includes entire flats located at basement level which would have poor levels of outlook and natural light.

2.19 The proposed dwellings and flats have no private or communal amenity space, contrary to Appendix 3 of the Local Plan, which states "all residential development is required to provide private open space for use by residents whether the development be houses or flats." It would also fail to achieve the required 11.5m rear garden depths or "a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height."

2.20 The proposed development would not therefore achieve an acceptable standard of environment for the future occupiers, contrary to the provisions of Policies C12 and C19 of the Core Strategy, Appendix 3 of the Local Plan and the National Planning Policy Framework.

Character and Appearance

2.21 The National Planning Policy Framework seeks a high quality of design and that new development is sympathetic to local character, while not preventing appropriate innovation or change. It specifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. With reference to the historic environment, it states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Development should conserve or enhance the character and appearance of Conservation Areas.

2.22 Policies CS11 and CS12 of the Core Strategy seek to achieve a high standard of design and for new development to respond appropriately to adjoining properties in terms of layout, scale, bulk and materials. Policy CS27 of the Core Strategy requires all development to favour the conservation of heritage assets. It specifies that the integrity, setting and distinctiveness of designated heritage assets will be protected, conserved and, if appropriate, enhanced.

2.23 The site is located within the Charles Street Area of the Berkhamsted Conservation Area, which is characterised by large early 20th Century two storey dwellings. The dwellings are typically set on generously sized and well landscaped plots creating an attractive and verdant character.

2.24 The proposed development would introduce a substantial rear extension to create three, four storey dwellings. The proposed extension would completely dominate the existing building and could not be considered to represent a subservient addition. Whilst not immediately obvious from the computer generated image of the development, the proposal would have large lightwells that extend to the highway edge. The lightwells would reveal the true four storey height of the building, which would not respect the domestic scale of the surrounding development. The large lightwells would also need to be protected by high metal railings that would contribute towards the harsh and visually obtrusive appearance of the proposed development.

2.25 The proposed development, in complete contrast to the character of the surrounding area, would result in a building that extends almost the entire width and depth of the plot. The proposed development would not include any gardens and the only areas of open space would relate to the cluttered car parking areas and hard standing surfaces that surround the substantial building. The proposed building would appear overly cramped in the context of this area and fail to respond appropriately to the surrounding pattern of development.

2.26 As identified above, the proposed development would occupy almost the entire plot with no opportunity for any meaningful landscaping. The enlarged parking layout on the site frontage, which is not illustrated on any of the proposed drawings, would dominate the site frontage and have a cluttered appearance. It would also likely require the removal of all the existing landscaping/hedgerow, which would detract from the attractive and verdant vistas along this part of the road, which contribute to the significance of the area as a heritage asset. The proposed development is an overdevelopment of this plot and would detract from the visual amenity of the area. It would not achieve an appropriate balance between landscaping and built form.

2.27 The proposed development would, by reason of its excessive size, scale and plot coverage, appear visually obtrusive and cramped, failing to relate acceptably to the surrounding pattern of development and balance between landscape and built form. The proposal would not preserve the character or appearance of the existing building, street scene and surrounding Conservation Area, contrary to the provisions of Policies CS11, CS12 and CS27 of the Core Strategy and the National Planning Policy Framework.

Highway Consideration

2.28 The site is located in an affluent part of Berkhamsted where there are high levels of car ownership. There is also a high demand for on-street parking in the surrounding area. Although not demonstrated on the proposed drawings, the application form specifies that 9 parking spaces would be provided to serve the three 1-bed units, one 2 bedroom unit and five 3 bedroom units (includes the habitable loft space as a bedroom). This would amount to a 5.5 car parking shortage where assessed against the local parking standards. Residents have raised serious concerns that this would be insufficient to serve the proposed development and would increase the demand for on-street parking, which is already at saturation point. Furthermore, in order to provide the three on-site parking spaces to serve the three family dwellings, it would be necessary to remove four on-street parking spaces that the surrounding residents currently use, exacerbating the existing parking problem and potentially compromising highway safety.

High demand for on-street parking

3. CONCLUSION

3.1 The proposed dwellings would abut the common boundary and extend the full depth of the garden. This is clearly unacceptable and would dominate the outlook from the adjacent dwelling and result in a harmful loss of light and overshadowing. The dwellings would also have a visually obtrusive and overbearing impact. These points were recognised by an Inspector for a previously proposed rear extension that was dismissed at appeal. The proposed development would therefore harm the visual and residential amenity of the occupiers of 11

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| | <p>Shrublands Road and cannot be approved.</p> <p>3.2 The proposed development would introduce habitable windows directly adjacent to the adjoining property, 11 Shrublands Road, resulting in a harmful loss of privacy and overlooking.</p> <p>3.3 The restricted outlook, low levels of natural light to key habitable rooms, combined with the fact that there is no amenity space, would not provide a satisfactory living environment for the future occupiers.</p> <p>3.4 The proposal would not comply with local parking standards. The proposed scheme would result in the loss of 4 on-street parking spaces to provide 3 on-site parking spaces. The proposal will exacerbate an existing parking problem in this part of Berkhamsted.</p> <p>3.5 For the above reasons, the proposal is contrary to adopted planning policies and guidance and we respectfully recommend that planning permission be refused.</p> |
| <p>43 Shrublands Avenue</p> <p>Berkhamsted HP4 3JQ</p> | <p>We object to the planning application for 13 Shrublands Rd.</p> <p>Given that most families have two cars, and the application is for 9 dwellings overall, even though there is parking included in the planning design it is more than likely that this will not accommodate 18 cars. There is already not enough parking on Shrublands Avenue and current residents often have to park on the surrounding roads (which are also crowded). This is inconvenient especially with young children. The addition of 9 homes to this road would undoubtedly compound the problem of not enough parking on our road.</p> <p>The addition of 9 homes on the corner of Shrublands Road and Shrublands Avenue and the amount of cars and extra traffic that this would bring poses a problem in terms of safety for both pedestrians and motorists. This is a busy juncture, especially in the mornings and afternoons, with commuters driving to work and school and families walking to and from school (many primary age children who are unaccompanied by adults cross Shrublands Rd at this corner to walk up the hill to Greenway School). There will be more traffic for pedestrians to navigate, which means that this already busy corner will be more dangerous. Cars already park all along this corner and it is difficult to see when turning from Shrublands Ave into Shrublands Rd - again, 9 families and their vehicles can only compound this problem.</p> |
| <p>29 Shrublands Avenue</p> <p>Berkhamsted HP4 3JH</p> | <p>I have a number of reasons why I believe that this development isn't acceptable in this location, these are:</p> <ol style="list-style-type: none"> 1. The development is far too dense for the size of plot: The infill development of three houses in the small garden area of No 13 is excessive. 2. The proposed three houses have one off street parking space: The allocation of one space per house is unrealistic. Parking space guidelines for new build are generally as follows: Single bedroom or studio unit |

- 1 per dwelling unit

Two bedroom unit

- 2 per dwelling unit, to be located within 200 feet of the building

Three or more bedrooms -

2.5 per dwelling unit, to be located within 200 feet of the building

Visitor parking

- 1 for each 5 dwelling units

The planning statement mentions that additional parking will be available on street - this is not possible. The road currently cannot cope with demand from existing residents and the development accesses will reduce the existing number of spaces by approximately 5 cars. There is also a plan in place to insert double yellow lines on both corners of Shrublands Avenue, which will reduce the number of spaces further.

The new parking restrictions are omitted from the planning statement.

(See 5.24 It should also be noted that there are not any parking restrictions to the front of the property which accommodates parking on both sides of the road, equally the parking is unrestricted to the flank of 13 Shrublands Road ascending Shrublands Avenue which also has parking on both sides of the road.)

3. Impact on road safety:

Shrublands Avenue is used twice a day by many Primary aged children to access Greenway School and Thomas More School. Many of the Year 5 & 6 children walk unaccompanied by an adult in preparation for their secondary transfer. The insertion of three extra driveways in close succession together with the increased traffic using the parking area for the flats will increase the risk for these children as well as younger children walking with adults.

4. Conservation area and article 4:

Shrublands Avenue is in the conservation area and currently the majority of the road has an Article 4 order which prohibits existing residents from altering the fronts of their properties. The proposed development includes a dormer in the front aspect of each of the 3 houses. This is completely out of character with the street and many current residents have been refused even escape roof lights to the front of their properties.

(See 5.33 additional comments from pre -planning meeting: The dormers would need to be omitted, as they would appear at odds with the street scene, the use of a limited number of conservation style roof lights may be acceptable. If dormers are required for height, these

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| | <p>should be located to the rear roof slope but would need to be obscure glazed to ensure no overlooking to the properties of Shrublands Road).</p> <p>5. Poor architectural design: Looking at the floorplans of the proposed three houses, it is evident that the light levels inside the properties will be very low and in some areas non-existent. This is worse than back-to-back housing.</p> <p>The proposed three houses will have no rear outside space and very limited front outside space. The comments in the planning statements mitigating this are laughable.</p> <p>(See 5.33: The proposal is 20m away from a bus stop and also the playing fields on Shrublands Road. The site is in walking distance to the sports centre, the shops at Gossoms End and to Berkhamsted town centre).</p> <p>6. The very close proximity to neighbouring properties will negatively affect those existing residents - this is unacceptable.</p> <p>7. Planning Statement: It is noted that the MD of the company that has written the planning statement on behalf of the developer was previously Head of Conservation Team at Dacorum Borough Council.</p> <p>To sum up the proposed development of this site is excessive and smacks of property developer greed. I would welcome a sympathetic development of the existing building at 13 Shrublands Road - this building has been empty for far too long, but the infill development will have a serious negative impact on the residents of Shrublands Avenue.</p> <p>I would also like to ask why the official orange notice for this planning permission was not displayed until 28th March 2019.</p> |
| <p>31 Shrublands Avenue</p> <p>Berkhamsted HP4 3JH</p> | <p>We object to the proposed development of the site.</p> <p>Whilst some form of development of the property is welcome, this plan appears to give little regard to residents of Shrublands Avenue and Shrublands Road or indeed to future residents of the development in question, where there is very little outside space and a number of dwellings that is excessively disproportionate to the size of the plot.</p> <p>The number of parking spaces allocated will in all likelihood be insufficient and will mean more cars trying to park on street. Parking is already an issue on Shrublands Avenue; it is rare that we get a parking space in front of our house and not unusual to have to park on a neighbouring road. There is a busy church on Shrublands Road, used for a number of activities as well as services, and this too places demand for parking in the immediate area.</p> <p>The density of dwellings is not in keeping with the conservation area.</p> |

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| | <p>Shrublands Avenue and Shrublands Rd are used by a number of children walking to and from school, and we worry this development would compromise their safety.</p> |
| <p>15 Shrublands Road Berkhamsted HP4 3HY</p> | <ol style="list-style-type: none"> 1. Loss of light or overshadowing. Proposed build significantly larger than current building. There will be a loss of light to my property. 2. Overlooking/loss of privacy. All upper floor and dormer windows will look directly into our property. 3. Density of buildings not in keeping. 4. Increased noise due to number of proposed dwellings in such a confined area. |
| <p>2 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p> | <ol style="list-style-type: none"> 1. The whole development will increase the parking difficulties already experienced by Shrublands Avenue residents. 2. There will be no graduation, in this conservation area, between the properties deemed worthy of preservation and the proposed houses, making the uninvented and enforced preservation an irritation to those subject to it 3. The abutment with 1 Shrublands Avenue will in reality be an eyesore if the existing site boundary wall on Shrublands Avenue is removed. 4. There appears to be no amenity provision (garden, courtyard etc.) for what appear to be family accommodations. <p>In principle, the conversion of the existing structures would be acceptable WITHOUT the inclusion of the proposed three new houses.</p> |
| <p>34 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JQ</p> | <p>We are concerned that this is too much development on one small residential site, in particular the construction of 3 additional dwellings.</p> <p>Conversion of the current building into flats with the current car park / drive seems reasonable, however there appears to be no additional parking for these new premises. This will have a large detrimental impact on the road parking which is already at capacity.</p> <p>We are also concerned that these new constructions will affect the character of the conservation area.</p> |
| <p>Stonycroft 9 Shrublands Road Berkhamsted Hertfordshire HP4 3HY</p> | <p>I write in response to the Amended plans for this application. My views have not changed from those in my comments on the original designs made on 22 March 2019; in fact, if anything they have hardened in my opposition to the plans. The proposals are a gross overdevelopment on the edge of the conservation area, and would adversely affect the amenity of immediately adjacent properties, as well as mine. There is still inadequate parking provision (only 9 spaces for 9 properties) in an area already accommodating displacement from adjoining roads; and the use of all of the site's open space for building cannot be acceptable in an already highly developed area.</p> |

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| <p>35 Shrublands Avenue</p> <p>Berkhamsted Hertfordshire HP4 3JQ</p> | <p>I'd like to strongly oppose the plans to build 6 flats on Shrublands Avenue.</p> <p>This initiative clearly demonstrates a lack of research into the parking availability on the street. As house owner on Shrublands Avenue, there's already an issue whereby I'm regularly forced to park a considerable distance from my house.</p> <p>This is going to create real issues. My car has suffered multiple signs of damage due to fellow neighbors attempting to occupy spaces that are simply just too tight. This is, of course, is a result of having too many car owners for the size of the street.</p> <p>There's a universal opinion on the street that this construction work is bad for the neighborhood.</p> <p>I await your response on this subject.</p> |
| <p>The Rowans 11 Shrublands Road Berkhamsted Hertfordshire HP4 3HY</p> | <p>I am writing in response of the amended plans. Our views have not changed from those in my comments on the original designs and I shall send a follow up email with the previous Chartered Town Planning consultants opinion on this matter that we sought which clearly outlines the various significant reasons for objecting to this proposal. Our opinion on this matter has not changed and has in fact strengthened in our belief this proposal is gross overdevelopment on the edge of the conservation area, and would adversely affect our property. There is still inadequate parking provision in an area that already suffers congestion - in fact there are times we are unable to get our vehicle out of our driveway because of the severe parking congestion not allowing our vehicle to turn safely on to Shrublands Rd. The proposed new townhouses and flats are unacceptably close to the perimeter of our property causing overlooking and significantly impacting the natural light onto our property and the use of all of the site's open space for building cannot be acceptable in an already highly developed area. All of these matters were the reason why this proposal was rejected historically and the circumstances have not changed and see no reason why it should be upheld. Many thanks David & Charlotte</p> |
| <p>Selattyn Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p> | <p>Once again this appalling application has bounced back with little notice and no changes or improvements. AND NO ORANGE NOTICE.</p> <p>For all the reasons stated before in my previous objection I object, I object, I object.</p> <p>This is a blatant attempt at profiteering without any regard for the character, impact, or the safety of children, passers by and the elderly. Parking is already under severe pressure and what right does this application have to take away six much needed parking spaces?</p> <p>The impact on adjoining properties is unacceptable. In terms of light, character, noise, pollution, strain and all the above tick boxes.</p> |

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| | <p>Shrublands Avenue is a conservation area and this must be upheld. It is not acceptable to constrain the rest of the street while considering repeat overdevelopment applications from this applicant.</p> <p>The removal of parking, light, access safety, facilities, the risk of subsidence this will bring and the impact on all local properties would be severaly adverse, is completely unacceptable and must not be allowed to go ahead.</p> <p>I do not pay Council Tax to have property developers collude in appalling overdevelopment for the benefit of one person while overlooking the needs of Berkhamsted. Schools are overloaded, roads become grid locked, there are already huge developments in the Berkhamsted area, there is no shortage of property. These houses will never be affordable to low income families so let's not pretend this is a solution for anything.</p> <p>Further, this property was converted to a care home. In my view, it should be returned to its original floorplan as no more than six flats with self-contained parking via the current frontage. That is a clear and obvious option which is being avoided due to pure greed.</p> <p>As stated before by several objectors, the technicalities of this application are excessive. It is clearly designed to push the planning regulations to the limit in excavation on a clay hill and excessive height. The frontage is simply not there on Shrublands Avenue. Nor should it be allowed to be.</p> <p>In addition, this Dacorum planning portal has blocked my previous login Id and the consultation period for this application is very short. Again, there is no orange planning notice being displayed.</p> |
| <p>7 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p> | <p>These plans have, apparently, been amended although the amendments aren't clear - I can't see the changes. I am concerned that the 30+ objections to the original proposal are no longer visible on the portal and that these will not now be taken into account. My objections remain the same.</p> |
| <p>42 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JQ</p> | <p>With three dwellings and six flats it could mean an increase of over 12 cars potentially parking on shrublands Avenue. I arrive home from work after 5.30pm and I already find it impossible to park on our road.</p> |
| <p>39 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JQ</p> | <p>Me and my family live in Shrublands Avenue and I would like to strongly object to this application.</p> <p>It is a large development that is not in keeping with the surrounding area. Given we live in a conservation area, I am incredibly surprised at the scope of this planning application and the fact it is being considered. The buildings themselves will look at odds with the surrounding houses and if we continue to grant planning applications that are not in keeping with the look and feel of the conservation area, there is no point us being considered a conservation area.</p> |

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| | <p>We have personally been through the planning process and, like many of our neighbours, have had to adhere to quite specific conditions because of our conservation area status (this includes changes to items that are not visible from the street). Should this application be granted, this would certainly undermine and raise questions about the planning process.</p> <p>Parking is also a concern. Parking on Shrublands Avenue is already a problem and, at certain times of the day / evening, it is not always possible to park in Shrublands Avenue with cars spilling into Greenway and Shrublands Road. Although this planning comes with 9 parking spaces, this does not solve the problem of tenants with multiple cars and visitors.</p> <p>I hope that these points will be given due consideration.</p> |
| <p>4 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p> | <p>This proposal will have a detrimental effect on this conservation area. The strain in traffic and especially parking in this area is already high and this will put increased pressure on the local residents. The disruption to residents will be considerable and the number of new residents is large although as I understand it no new provision is being made for local amenities such as doctor's surgeries or schools. In short this proposal is ill thought out and is designed primarily as a source of profit for developers rather than a plan that will lead to the improvement of the local community. I strongly object to this proposal.</p> |
| <p>22 Bridgewater Road Berkhamsted Hertfordshire HP4 1HN</p> | <p>I write on behalf of the Berkhamsted Citizens Association Townscape group of which I am a member. We would like to object to this application on the basis of a) Lack of amenity space. b) Lack of adequate parking with only 9 spaces for 9 dwellings. c) Overdevelopment.</p> |
| <p>84 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JG</p> | <p>Shrublands Avenue is a skinny Victorian Street where parking is already a nightmare and only one car can travel up and down the street. Meaning cars are always reversing up and down and queueing to get up and down the street, which is already risky and not ideal. I have seen many accidents where cars are hitting wing mirrors and scraping the sides of other cars.</p> <p>Bring on some ice and snow and cars are hit and it's even more super dangerous.</p> <p>There is already inadequate parking and the residents are having to park on other streets, causing people to park on curbs and having to walk a long way to get home after using their cars.</p> <p>Building flats does not fit with the Victorian style houses but most importantly is the extra parking and traffic is a danger to the children walking to the local schools in the area - Greenway and St Thomas Moore. Parents who drive their children to the schools already cause chaos each morning and extra traffic and parking needs would create even more danger and pollution on an already packed and over populated street. As a parent my concerns and worry about extra cars, visitors and people are real. Young children on bikes, scooters and crossing roads do not need any more traffic as they make their already quite dangerous journeys to school.</p> |

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| | <p>This street and the area is already struggling and we can never park near our house as it is. I object strongly to flats being built on Shrublands Avenue and am shocked it's even being considered based on the traffic and problems on this round and surrounding streets. The weekends are a complete nightmare too. A few visitors to the houses round here and the street is blocked and tempers soar. Environmentally adding six more properties in too will be adding more pollution and the need for resources in an already struggling Victorian Street. No thanks.</p> |
| <p>The Colt House 1 Shrublands Avenue Berkhamsted Hertfordshire HP4 3JH</p> | <p>I object to the plan base on my previous comments, the plan doesn't seemed to have changed radically , There are more windows from what I can see which furthers a privacy issue to the other Neighbours properties, the scheme is trying to overdevelop on the land, there is no garden space, parking is directly effected on both Shrublands Road and Shrublands Avenue and the immediate road junction will become even more dangerous for pedestrians and people in vehicles, two gardens will be significantly overlooked and will reduce daylight in those spaces. We have a large conifer tree in our front garden which hasn't been considered in the scheme and will be affected, the depth and height seem to have been increased on the plan. Locals schools, sports facilities , doctors surgeries and other amenities are stretched as it is and this plan will add more pressure on the local area. I have serious concerns about them building underground on a road with a significant slope/gradient, I am concerned about potential subsidence to my property and their existing building.</p> <p>I object to the plan based on my previous comments which are The Colt House, 1 Shrublands Avenue, Berkhamsted, HP43JH (Object)</p> <ol style="list-style-type: none"> 1. Inaccurate drawings and images (layout, scale, height and bulk) 2. Density of proposed housing not in keeping with the area, Proposed build significantly larger than current building. Not suitable to go from a one dwelling property to nine! This proposal is out of proportion to other properties on Shrublands Avenue/Shrublands Road 3. The building looks like it would be erected very close to the boundary of my property and I would question if it is too close to be approved 4. Noise pollution will increase due to number of proposed dwellings on the plot. 5. The three proposed three storey houses will overlook our property and compromise our privacy 6. The local residents have not been made aware of this development & have not been consulted publicly. We have not seen any orange notices on the street 7. Concern over the excavation to allow basement areas and condition of underlying soil/ground on such a severe hill which forms the road (landslip etc) 8. Concern of proximity of proposed excavation to nearby property. How many meters should it be away from the other property please confirm that this will meet all the necessary building regs? It is very close to my boundary and property 9. Potential structural damage to immediate properties subsidence, |

movement etc.

10. Increase to water table based on proposed excavation
11. Lack of amenity space and notion to remove or compromise mature trees, insufficient outdoor space which is detrimental to the health and well-being of the occupants
12. Concern over the excavation and building process and disruption of the development to highways
13. Underground services water, gas, sewage, telecoms will be effected
14. Health of immediate neighbours, my daughter has a respiratory illness and I don't want her health to be compromised by excessive building works, on a personal note both my children will be sitting exams and the noise and works will affect their revision
15. The proposed change of sky line not suitable
16. I question the roof line conformability
17. Does not harmonise the character of the surrounding areas
18. Insufficient landscaping
19. Loss of sunlight and daylight to our property. Our garden will be overlooked and shadowed by such a huge building
- 20.
21. The plan doesn't respect the adjoining property
22. Highway and traffic will be significantly impacted, there will be a higher capacity of use on local routes
23. Parking is very limited as it is and this proposal will cause a major problem on Shrublands Avenue and Shrublands road, 9 parking spaces is ridiculous, there is likely to be at least 20 more cars around the property based on the proposed plan. Parking on the 3 storey house driveways will be near on impossible to use and turning out onto Shrublands Avenue with tightly parked vehicles either side will not be manageable
24. The glazing on the proposed plan (south west elevation) will compromise our privacy and we will be overlooked
25. Major impact on the safety of the many pedestrians including children walking to and from school every day. These walking routes are used every day for many children making their way to Greenway Primary school & St Thomas Moore school, residents who use the local church or make their way into the Town centre regularly will also be at risk. Local schools, doctors surgeries and other services are at full capacity already and this development would add a further burden to these vital services.
26. The junction at the bottom of Shrublands Avenue is already very busy due to poor visibility and this plan would produce further danger to motorists and pedestrians
27. It is clear that the proposed new development is just cramming in as many flats and houses into a small site without sufficient consideration of the interests of the local community. It is simply an opportunity for the developer to make money without any care of the residents.

The plan doesn't seemed to have changed radically , There are more windows from what I can see which furthers a privacy issue to the other Neighbours properties, the scheme is trying to overdevelop on the land, there is no garden space, parking is directly effected on both Shrublands Road and Shrublands Avenue and the immediate road

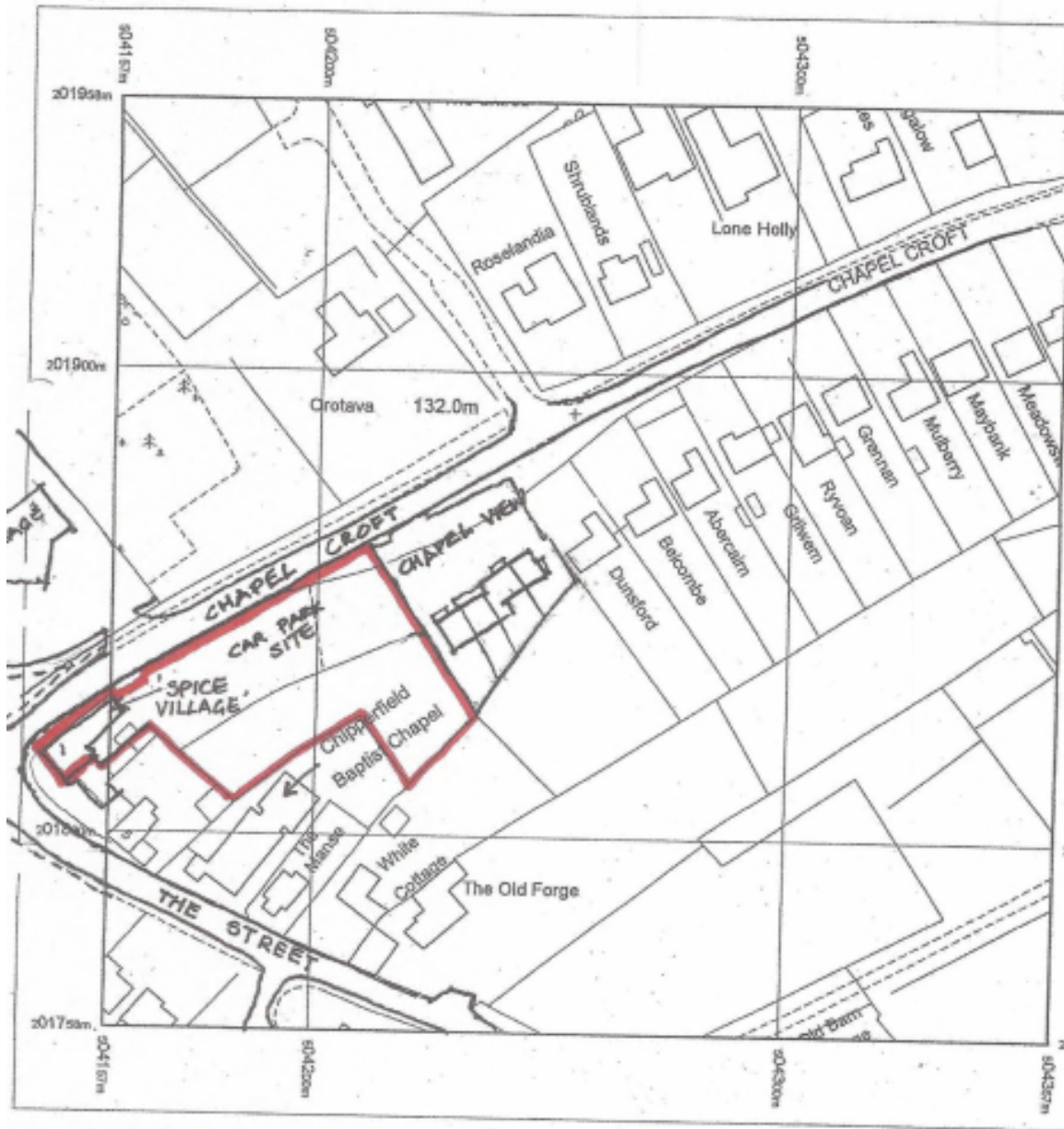
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| | <p>junction will become even more dangerous for pedestrians and people in vehicles, two gardens will be significantly overlooked and will reduce daylight in those spaces. We have a large conifer tree in our front garden which hasn't been considered in the scheme and will be affected, the depth and height seem to have been increased on the plan. Locals schools, sports facilities , doctors surgeries and other amenities are stretched as it is and this plan will add more pressure on the local area. I have serious concerns about them building underground on a road with a significant slope/gradient, I am concerned about potential subsidence to my property and their existing building.</p> |
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Agenda Item 5c

Item 5c 19/02712/FUL

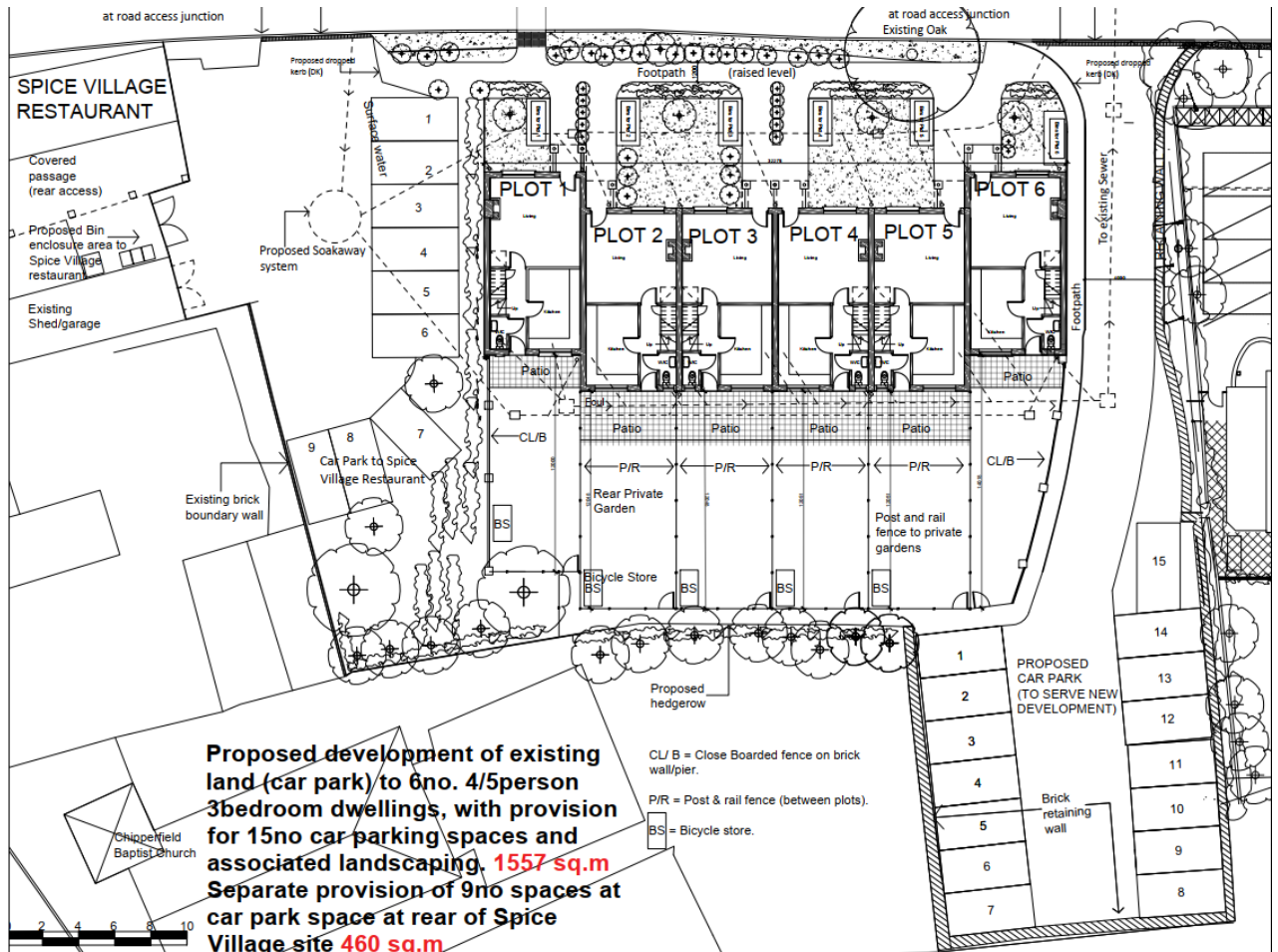
SIX X THREE BEDROOM TERRACED DWELLINGS WITH ASSOCIATE PARKING AND LANDSCAPING

THE SPICE VILLAGE, THE STREET, CHIPPERFIELD, WD4



SIX X THREE BEDROOM TERRACED DWELLINGS WITH ASSOCIATE PARKING AND LANDSCAPING

THE SPICE VILLAGE, THE STREET, CHIPPERFIELD, WD4



ITEM NUMBER: 5c

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| 19/02712/FUL | Six 3-bedroom terraced dwellings with associated car parking provision of 15 spaces and landscaping. Separate parking provision of 9 spaces for restaurant and general public use. | |
| Site Address: | The Spice Village The Street Chipperfield Kings Langley Hertfordshire WD4 9BH | |
| Applicant/Agent: | Mr John McGowan/ Mr Gregory Basmadjian | |
| Case Officer: | Robert Freeman | |
| Parish/Ward: | Chipperfield Parish Council | Bovingdon/ Flaunden/ Chipperfield |
| Referral to Committee: | Called in by Councillor Riddick. Cllr Riddick is concerned that the proposals may constitute the over development of the site. | |

1. RECOMMENDATION – That planning permission be GRANTED.

2. SUMMARY

2.1 The proposed development would constitute limited infilling within the village of Chipperfield and would be acceptable in accordance with Policies NP1, CS1 and CS6 of the Core Strategy.

2.2 The proposed scheme is considered appropriate in terms of its scale and design both in the context of the site and its surroundings. It would not result in significant harm to the character and appearance of the village or the wider Chipperfield Conservation Area in accordance with Policies CS11, CS12 and CS27 of the Core Strategy

2.3 The proposed access and parking arrangements for the site are sufficient. They will not result in any significant adverse harm to highways safety. As such, the proposals are considered to be in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Policies 51, 54, 58 and Saved Appendix 5 of the Local Plan 1991-2011.

3. SITE DESCRIPTION

3.1 The site comprises an irregular plot of land located to the rear of the former Royal Oak public house and comprising its car park and an amenity area. The Royal Oak fronts 'The Street' although a large rear wing to the property extends to form a boundary to Chapel Croft.

3.2 The site extends to the rear of Chipperfield Baptist Chapel and The Manse and backs onto the garden of the listed White Cottage, The Street, Chipperfield. The Royal Oak itself is locally listed with several references to its importance, and that of The Street, within the Chipperfield Village Design Statement.

3.3 Chantry View, a new development of four terraced units, is located to the west of the site.

4. PROPOSAL

4.1 The proposals involves the construction of a staggered terrace of six x three bedroom dwellings together with an associated parking area and the formalisation of the car park for Spice Village restaurant.

5. PLANNING HISTORY

5.1 The application site has been subject to numerous planning applications including most recently those planning applications for four x three bedroom properties (4/01520/18/FUL) and five x three bedroom units (4/02423/18/FUL)

5.2 Planning permission was granted on the 4th September 2018 for application 4/01520/18/FUL.

5.3 Planning permission was refused on the 20th December 2018 for application 4/02423/18/FUL. This application was subsequently granted on appeal on the 7th October 2019.

5.4 In refusing planning application 4/02423/18/FUL, officers expressed concern that an argument for very special circumstances; namely that the proposals would provide more affordable three bed homes and addressed an identified housing need had been repeated several times for schemes within the village and that there was no recent evidence of housing needs for Chipperfield. This could not, in your officers' opinion, be repeated ad-infinitum.

5.5 The Inspectorate allowed the planning appeal for five units arguing that despite a conflict with Policy CS6 of the Core Strategy that there was no limit on infilling prescribed in national planning policy nor any need for the units to be affordable. The Inspector also concluded that the changes to the layout and design of the scheme were not so significant as to lead to a poor quality scheme contrary to Policies CS8, CS12 and CS13 of the Core Strategy.

5.6 A concurrent application for 7 residential units is also under consideration (19/03270/FUL)

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4

Special Control for Advertisements: Advert Spec Contr

CIL Zone: CIL2

Conservation Area: CHIPPERFIELD

Former Land Use (Risk Zone): Infilled Pond, The Common, Chipperfield

Former Land Use (Risk Zone): Former Garage, The Common, Chipperfield

Former Land Use (Risk Zone): Former Smithy, The Street, Chipperfield

Former Land Use (Risk Zone): Ponds, The Street, Chipperfield

Former Land Use (Risk Zone): Graveyard, The Common, Chipperfield

Green Belt: Policy: CS5

LHR Wind Turbine

Grade: Local,

Grade: Local,

Parish: Chipperfield CP

RAF Halton and Chenies Zone: Green (15.2m)

Small Village: 3

EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 – Green Belt
CS6 – Small Village in the Green Belt
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 – Quality of Public Realm
CS17 – New Housing
CS18 – Mix of Housing
CS19 – Affordable Housing
CS26 – Green Infrastructure
CS27 – Quality of Historic Environment
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Local Plan

Policy 10 – Optimising the Use of Urban Land
Policy 13 – Planning Conditions and Planning Obligations
Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 58 – Private Parking Provision
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 119 – Development affecting Listed Buildings
Policy 120 – Development in Conservation Areas

Appendix 3 – Layout of Residential Development
Appendix 5 – Car Parking Standards

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards
Chipperfield Village Design Statement
Energy Efficiency and Conservation
Planning Obligations
Water Conservation

9. CONSIDERATIONS

Policy and Principle

9.1 The site is located within a small village of Chipperfield and within the Green Belt. Within the village, a limited level of development will be permitted to support the existing role of the village within the wider settlement hierarchy in accordance with Policies NP1 and CS1 of the Core Strategy.

9.2 Policy CS6 criterion (b), permits limited infilling with affordable housing for local people providing each development is sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact.

9.3 The National Planning Policy Framework (NPPF) is less restrictive indicating that limited infill development within villages in the Green Belt is appropriate development.

9.4 The Planning Inspectorate have also indicated through their decision on application 4/02423/18/FUL (APP/A1910/W/19/3231097) that there is no need to limit the number of dwellings which may constitute infilling nor require these to be affordable housing units to be in accordance with the NPPF. It is clear from the decision that a consideration of 'limited infilling' would not be a purely quantitative assessment requiring a consideration of other factors such as site coverage, development typology and context.

9.5 The site is located in the geographical heart of the village of Chipperfield between a series of terrace properties to the Street, the former public house (now Spice Village) and the new residential development of Chantry View and detached properties to Chapel Croft. Residential development and local facilities extend onto three boundaries of the application site, with a large commercial garage located opposite the site. The development would constitute infilling providing new residential development within an otherwise built up frontage.

9.6 The road frontage of the application site is in approximately 60m. The terraced block would extend to some 32.3m in length and provide a number of smaller residential units within the village. The residential proposals and built form of the development cover a relatively modest proportion of the overall site. The development of the site is not considered to constitute over development of the site and performs well when judged against the amenity space and parking standards within Saved Appendices 3 and 5 in the Local Plan 1991-2011. For these reasons, the proposals are considered to constitute limited infilling within the village.

Layout, Scale and Design

9.7 High quality design is required in the context of the site and neighbouring properties and in accordance with Policies CS11, CS12 and CS13 of the Core Strategy and Saved Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011. The previous planning approvals and appeal decision are a material planning consideration.

9.8 The proposed development involves the construction of a terrace block of six x 3 bedroom units central to the application site and fronting Chapel Croft. A car parking area is located to the rear of the site and to the south east of the new properties. A car parking area is retained to the west of the properties and to the rear of the Spice Village restaurant for its use together with a new access off Chapel Croft. The layout utilises existing and historic access points onto Chapel Croft to provide safe access to the site.

9.9 The proposed dwellings would be constructed from a similar palette of materials to Chantry View and extant residential schemes with a knapped flint finish to the front and flank elevations and slate roof. They would be two storeys with the third bedroom being provided within the roof structure. Conservation roof lights would be provided in the rear elevation to provide natural light and ventilation to the third bedroom. The proposed dwellings are considered to be appropriate in terms

of their design, bulk, scale, height and use of materials and would be a positive addition to the Conservation Area in accordance with Policy CS12 and CS27 of the Core Strategy.

9.10 The proposed dwellings would be provided with rear gardens which would exceed the minimum garden depths in Saved Appendix 3 of the Local Plan 1991-2011. These gardens can be accessed from a path at the rear of the units. Separate bin and cycle stores are also provided. A good level of usable private outside amenity space would be provided for future occupants in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

Effect on the Street Scene and the Chipperfield Conservation Area

9.11 The site is located in the middle of the Chipperfield Conservation Area and thus is a sensitive location in which to provide new residential development. In addition to those policies mentioned above the proposals will need to be considered in relation to Policy CS27 of the Core Strategy and against saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

9.12 The Chipperfield Conservation Area Appraisal and Chipperfield Village Design Statement (VDS) are important material planning considerations and provide advice on an appropriate design approach.

9.13 The site is considered to have a negative impact upon the character and appearance of the Conservation Area comprising a car park and overgrown grassland area. The proposed dwellings would sit comfortably in the street scene and would enhance the wider character and appearance of the Conservation Area in accordance with Policy CS13 and CS27 of the Core Strategy and Saved Policy 120 of the Local Plan 1991-2011.

Effects on listed building

9.14 The site lies adjacent to the curtilage of the listed property, The White Cottage. Policy CS27 of the Core Strategy states that "the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced" The proposed works would not have any adverse impact upon the listed building or its setting in accordance with Policy CS27 of the Core Strategy and Saved Policy 119 of the Local Plan 1991-2011.

Impact on trees and landscaping

9.15 There is an Oak tree on the boundary of the site and adjacent to the existing access point to the car parking area. This Oak tree makes a positive contribution to the appearance of the Conservation Area, particularly when approaching the village from Tower Hill. Protecting the tree for the duration of the development is expected in accordance with Policies CS12 and CS26 of the Core Strategy and Saved Policy 99 of the Local Plan.

9.16 As per previous decisions on this site, it will be important to establish the position of services and site levels in order to ensure that there is no damage to the health and amenity value of the tree. A protective fence should be erected to ensure that its root protection area is protected for the duration of construction activities. These details and landscaping measures will be secured by a planning condition.

9.17 The site is considered to have a low ecological value as set out within the accompanying ecology report. Survey works have identified no protected species utilising the site and its immediate environs and as such no further ecological works are recommended.

Access, Parking and Highway Safety

9.18 The proposals involve the reinstatement of a historical access point to the rear of Spice Village and the use of the existing access onto Chapel Croft. The principle of using these access points for the site has been accepted through the previous grant of planning permissions.

9.19 Although circulation space for vehicles has been reduced to accommodate an extra residential unit to the extant planning permission (4/02342/18/FUL) this is not in itself sufficiently harmful to matters of highways in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Policies 51, 54 and 58 and Appendix 5 of the Local Plan 1991-2011. There is still adequate space within the parking areas in which to manoeuvre vehicles, enter and exit the site within a forward gear.

9.20 A total of 15 parking spaces will be provided for the 6 x 3 bedroom homes within a parking courtyard towards the rear of the site. This would equate to the provision of 2.5 spaces per dwelling and a small over provision of one parking space in total against the adopted parking standards as set out in Saved Appendix 5 of the Local Plan.

9.21 A total of 9 spaces would be provided to the rear of the adjacent restaurant and shops and served by a new/reinstated access off Chapel Croft. This would result in a net loss of three parking spaces against the extant planning permission. These parking arrangements are considered to be sufficient to meet the operational needs of the restaurant premises given the limited size of the dining area and having regard to Saved Appendix 5 of the Local Plan 1991-2011.

9.22 It is noted that it is possible to park either on street or within the church car park and within a reasonable walk of the site should the need arise and without prejudice to highways safety.

Impact upon Residential Amenity

9.23 The proposed development will not result in any significant harm to the residential amenities of any of the neighbouring properties. There would be no loss in either daylight or sunlight to these properties, nor would the proposals overlook neighbouring dwellings. The proposals are therefore considered to be satisfactory in accordance with Policy CS12 from the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

Affordable Housing

9.24 It is not appropriate to request the provision of or a contribution towards affordable housing given the decision of the Planning Inspectorate and the prevailing policy context notwithstanding the requirements in Policies CS6 and CS19 of the Core Strategy. The government has made it clear that smaller residential schemes should not contribute towards affordable housing needs in the interests of housing delivery.

Infrastructure & Developer Contributions

9.25 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards on-site, local and strategic infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable.

9.26 The Council adopted its Community Infrastructure Levy (CIL) in February 2015. This application is CIL Liable.

9.27 The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre (as increased by indexation) is applicable to this development.

10 CONCLUSION

10.1 The proposals provide an efficient use of this land within the village for residential purposes. The provision of residential development on the site is supported under the NPPF and Policies NP1, CS1 and CS6 of the Core Strategy and through the grant of multiple extant planning permissions for residential development.

10.2 The development would not have a detrimental impact upon the appearance of the Conservation Area, amenity of neighbouring properties and matters of highways safety in accordance with Policies CS8, CS11, CS12 and CS27 of the Core Strategy and Saved Policies 10, 51, 58, 119 and 120 and Appendices 3 and 5 of the Local Plan 1991-2011

11. RECOMMENDATION

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

Conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

Drawing Nos 201-211

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

3. No development (excluding demolition/ground investigations) 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.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

4. All new external rainwater and soil pipes shall be formed in metal and painted black.

Reason: To ensure that the character or appearance of the designated heritage asset is preserved or enhanced as required per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Section 16 of the National Planning Policy Framework (2019).

5. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- all external hard surfaces within the site;

- other surfacing materials;
- means of enclosure;
- elevational and sectional details of any retaining structures;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- trees to be retained and measures for their protection;
- full elevations for bin storage areas, bicycle stores and any other minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.);
- existing and proposed levels and contours and
- existing and proposed over ground and under ground services

In the case of tree protection measures these should be erected prior to the commencement of works and thereafter retained for the duration of construction activities.

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 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.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by Policies CS11, CS12 and CS27 of the Core Strategy and Saved Policy 99 of the Dacorum Borough Local Plan (2004)

6. The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on Drawing No.201 shall have been provided and shall not be used thereafter otherwise than for the purposes approved.

Reason: In the interests of highways safety and in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Policies 51 and 58 and Appendix 5 of the Local Plan.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
|-----------|----------|
| | |

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 14 | 1 | 0 | 1 | 0 |

Neighbour Responses

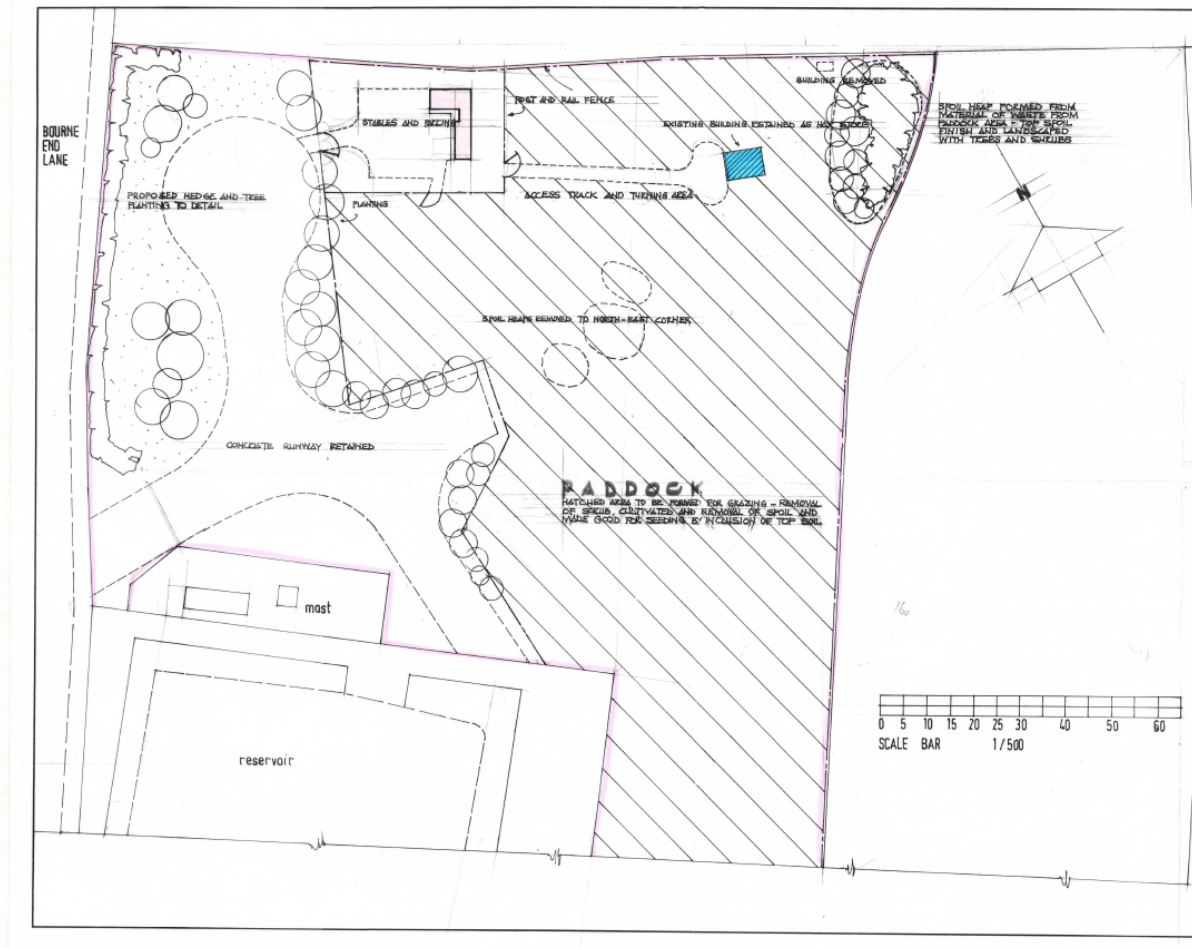
| Address | Comments |
|---------|--|
| 1. | Our objections to the proposed development are as follows: |

1. The access to the site is extremely close to a traffic black spot at the crossroads of The Street and Chapel Croft. There are multiple accidents here every year, and the development will increase pressure on this dangerous junction.
 2. The development is a further example of speculative build. According to the Village Design Statement, Chipperfield needs more low-cost housing: "Chipperfield has a real need for further affordable housing." It states further: "it is extremely difficult for first-time buyers to acquire property in the village, thus increasing the trend toward an ageing population. It will also render it more difficult for the children of families with long- established roots in the village to stay here, thus depriving the village of some of its traditional knowledge and connections."
 3. The Design Statement is in favour of a "mix of building sizes" and not the proposed suburban-looking uniformity. Moreover six identikit houses looks like a real squeeze on a tiny plot.
 4. Whilst the Ecology Report is welcome, the definition of Local Wildlife Site does not extend to private gardens - here at The Old Forge, only a few metres from the site, we have reinstated a wildflower meadow, scrub, mixed native hedging and tree planting which has led to a spectacular boom in species diversity. Not only that but our traditional hazel coppicing regime provides the conditions necessary for the endangered hazel dormice. All the species which now make their home here will be threatened by the new development.
 5. We would argue that the proposed site is far from no-value 'wasteland'. Research has shown that these overlooked, overgrown corners on the margins are "bastions for species on the verge of extinction ... 15 per cent of all national scarce insects are recorded from brownfield sites ... Brown is the new green." (Isabella Tree: Wilding).
 6. There is far too much fenestration to the rear of the development, which will overlook neighbouring properties. Furthermore, on the previous development "Chantry View", 'photovoltaic roof panels' proved to be code for 'more windows'.
- I hope that the planners will scrutinise these plans very carefully. Once these breathing spaces in this ancient village are filled in, both its character and the natural diversity it supports are gone for good.

ITEM 5d 4/00670/19/FUL

CONSTRUCTION OF STABLES, REFURBISHMENT OF EXISTING BUILDING TO USE AS STORE AND USE OF LAND AS Paddock

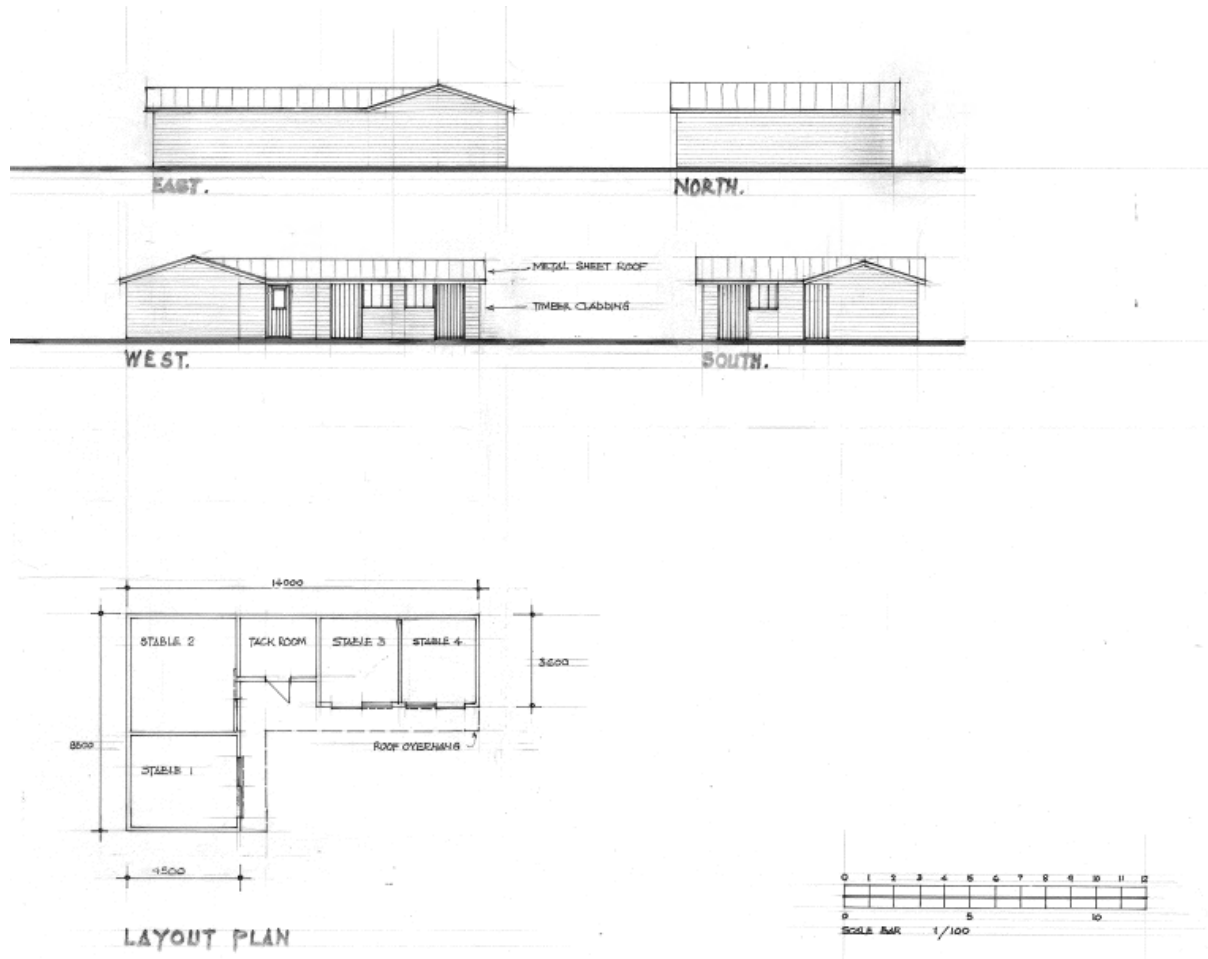
LAND ADJOINING RESERVOIR, UPPER BOURNE END LAND, BOURNE END, HEMEL HEMPSTEAD. HP1 2RR



ITEM 5d 4/00670/19/FUL

CONSTRUCTION OF STABLES, REFURBISHMENT OF EXISTING BUILDING TO USE AS STORE AND USE OF LAND AS Paddock

LAND ADJOINING RESERVOIR, UPPER BOURNE END LAND, BOURNE END, HEMEL HEMPSTEAD. HP1 2RR



ITEM NUMBER: 5d

| | | |
|-------------------------------|--|--|
| 4/00670/19/FUL | Construction of stables. Refurbishment of existing building for use as store. Upgrading of land for use as Paddock. | |
| Site Address: | Land Adjoining Reservoir Upper Bourne End Lane Bourne End Hemel Hempstead HP1 2RR | |
| Agent: | Mr B Bilbey | |
| Case Officer: | Elspeth Palmer | |
| Parish/Ward: | Bovingdon Parish Council | Bovingdon/ Flaunden/ Chipperfield |
| Referral to Committee: | Called in by Councillor Riddick | |

1. **RECOMMENDATION** - That the planning permission be **GRANTED**.

2. **SUMMARY**

- 2.1 The site is located within the Green Belt wherein the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, are not inappropriate in the Green Belt (Para 145 of the NPPF).
- 2.2 The facilities and change of use would preserve the openness of the Green Belt by nature of the siting, scale and design of the building, the modest area of hard stand around the stables and the access to the hay store.
- 2.3 The contaminated land issues have been assessed by the preparation of a Contaminated Land Assessment report and the Contaminated Land Officer is satisfied that the proposal can be granted subject to relevant conditions.

3. **SITE DESCRIPTION**

3.1 The site is located on the south-eastern side of Upper Bourne End Lane, Bourne End and comprises part of the Bovingdon Airfield. The site is generally flat and situated next to a covered reservoir. The area is rural in character with a mixture of residential and commercial uses located nearby. The site is located within the Green Belt.

4. **PROPOSAL**

4.1 The proposal includes:

- Construction of 4 stables within an L shaped building;
- Hedge and tree planting;
- Access and parking for the stables;
- Access track and turning area to the existing building which is to be retained as a Hay store.

5. **PLANNING HISTORY**

4/00357/18/FUL CONVERSION AND EXTENSION TO EXISTING BUILDING FOR
USE AS STABLES
Withdrawn
29/10/2018

4/01275/04/ENA APPEAL AGAINST ENFORCEMENT NOTICE - OPERATIONAL DEVELOPMENT
Delegated

4/01276/04/ENA APPEAL AGAINST ENFORCEMENT NOTICE - MATERIAL CHANGE OF USE
Delegated

6. CONSTRAINTS

Air Dir Limit 10.7
Area of Special Control for Adverts
CIL2
Green Belt
LHR Wind Turbine

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 – Green Belt
CS12 - Quality of Site Design
CS32 – Air, Soil and Water Quality

Supplementary Planning Guidance/Documents:

Planning Obligations (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The impact on the openness of the Green Belt;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on air, soil and water quality

Principle of Development

9.2 Para 145 of the NPPF states that “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.”

9.3 Core Strategy Policy 5 states that “within the Green Belt, small scale development will be permitted: (a) building for the uses defined as appropriate in national policy ... provided that (i) it has no significant impact on the character and appearance of the countryside; and (ii) it supports the rural economy and maintenance of the wider countryside.”

9.4 The land is currently vacant and has been so for many years.

9.5 The construction of a stable building which is a facility for outdoor sport/recreation on this site is considered to not be inappropriate development in the Green Belt so therefore the primary concern is whether the development preserves the openness of the Green Belt.

Impact on the openness of the Green Belt

9.6 The stables are modest in scale being approximately 2.3 metres in height to the eaves and approximately 3 metres to the ridge. The length of the longest part of the stables is 14 metres and the depth 3.6 metres. The design and materials are considered to be appropriate for this kind of building in an area of rural character. The stables will be set back from the frontage of the site and screened by hedge and tree planting.

9.7 The hard stand area for the stables is modest in size to allow for transfer of horses from trailers to the stables etc and the access track to the hay store is also considered of a modest scale for this kind of stabling use.

9.8 Based on this information it is not considered that the proposal will have a detrimental impact on the openness of the green belt.

Impact on visual amenity

9.9 Due to the siting, scale and design of the proposal it is not considered that there will be a detrimental impact on the visual amenity of the area.

Impact on residential amenity

9.10 The nearest dwelling is some distance away on the opposite side of Bourne End Lane so will not suffer from any loss of residential amenity.

Impact on air, soil and water quality

9.11 The possibility of the site being contaminated by a previous land use was raised by a number of objectors and the Parish Council.

9.12 The Contaminated Land Officer stated:

“It is apparent that the historical land use of the site as part of a former airfield (during and since World War 2) and the current land use which is vacant but has been subject to dumping and stockpiling of various materials is such that land contamination might be expected. There is, however, no objection to the proposed development because it is considered that the proposed end use, stables and paddock (amenity land open to the public), would not be highly vulnerable to the presence of land contamination.”

9.13 A Due to the level of objection a Contamination Investigation Report was requested and submitted by the applicant.

9.14 The Contaminated Land Officer considered the report and recommended that permission be granted subject to the inclusion of certain conditions and informatives.

9.15 As a result of the above the Parish Council removed their objection to the proposal.

9.16 This application has been brought to the Development Management Committee due to a call in by Councillor Riddick.

Impact on Trees and Landscaping

9.17 No significant trees are affected by the proposal. The applicant has offered to provide hedge and tree planting along the site boundary and within the site.

Response to Neighbour Comments

9.18 These points have been addressed above.

10. CONCLUSION

10.1 The impacts of the proposal have been taken into consideration, along with representations received from consultees and the neighbouring properties. The proposal is considered acceptable in terms of impact on openness of the Green Belt, neighbours and air, soil and water quality.

11. RECOMMENDATION

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

Conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. No development, or works associated to the development that are likely to disturb the ground, approved by this permission shall be commenced until a Remediation Method Statement report, including a remedial options appraisal, has been submitted to and approved 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.

3. This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition 1 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.

(ii) 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.

4. Any contamination, other than that reported by the ST Consult Contamination Investigation Report (September 2019 - ref: JT0264) 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.

INFORMATIVES

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

(I) 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.

(II) for the attention of the developer's environmental consultant in relation to the preparation of the Remediation Method Statement:

- To date there has been no consideration of a maximum permissible or advisable concentration for the presence of asbestos in relation to the proposed end use. This is something that will need to be directly addressed within the Remediation Method Statement.
- The Remediation Method Statement must demonstrate due regard to the health and safety of site workers and the prevention of the migration of contamination within the site and off-site during its implementation.
- The Remediation Method Statement must specify how it will comply with waste management duty of care and if necessary waste management license requirements. Additionally if the CL:AIRE Code of Practice is to be utilised the Remediation Method Statement must be explicit about its applicability in the circumstances specific to this site. It is recognised that these issues are mentioned in the submitted Contamination Investigation Report, but they are not applied directly to the outline remediation that has been provisionally proposed.

5. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- o all external hard surfaces within the site;
 - o other surfacing materials;
 - o means of enclosure;
 - o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 3 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.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

6. The development hereby permitted shall be constructed in accordance with the materials specified on the approved plans.

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS5, CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

7. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

Elevations and Floor Plans 1759/4/5909 Rev A
 layout plan - proposed site plan 1759/2/5874 Rev B

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 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.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
|--------------------------|---|
| Bovingdon Parish Council | <p>We understand that there is a High Court ruling in place concerning the previous contamination of the site. Soil investigation has been inadequate. Concerns over toxic material still on the site.</p> <p>We believe that as the land is contaminated, unless fully remediated the land should remain undisturbed.</p> |
| Further comments | <p>Our Planning Committee met on 25 November and reviewed their decision based on the additional information you have provided.</p> <p>The Committee have amended their comments to 'No comment and will defer to the specialist advice provided.'</p> |
| Contaminated Land (DBC) | <p>Having reviewed the documentation submitted with the above planning application and having considered the information held the by Environmental Health Department I have the following advice and recommendations in relation to land contamination.</p> <p>It is apparent that the historical land use of the site as part of a former airfield (during and since World War 2) and the current land use which is vacant but has been subject to dumping and stockpiling of various materials is such that land contamination might be expected. There is, however, no objection to the proposed development because it is considered that the proposed end use, stables and paddock (amenity land open to the public), would not be highly vulnerable to the presence of land contamination. Nonetheless public exposure to any contamination under the proposed land use cannot be ruled out at this stage so it is necessary to request that the following planning condition is placed on the permission should it be granted. The condition is necessary for the applicant to the demonstrate that, relevant to the proposed end use, any contaminated land problems with the application site can be remediated in such as a way as to protect the end users of the development.</p> <p>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</p> |

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.

(b) 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:

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

(c) 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.

(d) This site shall not be occupied, or brought into use, until:

(i) 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.

(ii) 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.

| | |
|------------------|---|
| | <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2018.</p> <p>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.</p> |
| Further Comments | <p>Having reviewed the recently submitted documentation in support of the above planning application, in particular the ST Consult Combined Phase I & II (Contamination Investigation) Report (September 2019) and having considered the information held by the Environmental Health Department it is considered that permission can be granted subject to the inclusion of the following conditions in the event that permission is granted.</p> <p>This recommendation reflects the fact that a land contamination investigation has been undertaken, which has identified the presence of contamination and identified the need for a remediation work in order to ensure that the site is made suitable for its proposed use.</p> <p>Contaminated Land Conditions: Condition 1:</p> <p>(a) No development, or works associated to the development that are likely to disturb the ground, approved by this permission shall be commenced until a Remediation Method Statement report, including a remedial options appraisal, has been submitted to and approved by the Local Planning Authority.</p> <p>(b) This site shall not be occupied, or brought into use, until:</p> <p>(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (a) 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.</p> |

(ii) 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 the ST Consult Contamination Investigation Report (September 2019 - ref: JT0264) 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.

Informatives:

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.

I would also be grateful if the following issues could be forwarded for the attention of the developer's environmental consultant in relation to the preparation of the Remediation Method Statement.

- To date there has been no consideration of a maximum permissible or advisable concentration for the presence of asbestos in relation to the proposed end use. This is something that will need to be directly addressed within the Remediation Method Statement.

- The Remediation Method Statement must demonstrate due regard to the health and safety of site workers and the prevention of the

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| | <p>migration of contamination within the site and off-site during its implementation.</p> <p>- The Remediation Method Statement must specify how it will comply with waste management duty of care and if necessary waste management license requirements. Additionally if the CL:AIRE Code of Practice is to be utilised the Remediation Method Statement must be explicit about its applicability in the circumstances specific to this site. It is recognised that these issues are mentioned in the submitted Contamination Investigation Report, but they are not applied directly to the outline remediation that has been provisionally proposed.</p> |
| Environmental And Community Protection (DBC) | No objections on noise or air quality grounds. |

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 5 | 2 | 0 | 2 | 0 |

Neighbour Responses

| Address | Comments |
|---------|--|
| 1. | <p>We wish to object to this planning application. We have lived close to this site for 20 years and for some years the applicant operated an unlawful waste recycling and transfer facility on this site. The council issued him with various stop notices and court injunctions culminating in a High Court case where he was fined a large sum of money and was told that the land was not to be used for any purpose in the future as it was contaminated as asbestos and other toxic materials were probably buried on the site. It would appear that the applicant has obeyed this order up until now when he wishes to landscape the site and use it for grazing and to build stables and upgrade an existing building as a store.</p> <p>We note that the applicant has recently engaged a Soil and Landscape consultancy to evaluate the soil on the site. However, in their report they state that "our investigation was carried out using hand tools (no mechanical excavator was available at the time of our visit), inspection of the soils was limited to the surface soils only (max 1m bgl). Therefore examination of the stockpile core was not possible."</p> <p>In light of this, their report is patently inadequate as they have not managed to examine a representative sample of the imported materials and it therefore cannot be used as a basis to challenge the original contamination instructions from the High Court. If the land is to be used by humans or animals, any investigation must prove beyond doubt that there is no contamination of asbestos or other toxic materials on the</p> |

| | |
|----|---|
| | <p>site. The applicant should therefore not be allowed to clear or extensively rotivate the land as this could be severely injurious to local residents.</p> <p>The land is contaminated as some years ago Mr Badcock ran an unlicensed landfill/waste transfer station on this site for which he taken to court by Herts County Council. He was subsequently given a large fine and was told that the land was not to be used for any purpose in future due to the unknown contaminants in the soil.</p> |
| 2. | <p>On behalf of the village of Bourne End, I write to object to the plan above on the following grounds.</p> <p>While horse stabling and paddocks in a green belt area would seem a laudable aim for restoration of damaged landscape, there are other issues to be taken into account here.</p> <p>May we respectfully draw to your attention the poor land use history of the site which resulted in a high court case in respect of dumping. In light of this a soil survey dating from 2012 which only involves hand dug samples would seem to be woefully inadequate on grounds of safety and sustainability as an environmental assessment. We would expect a proper environmental assessment of soil and other materials to sufficient depth for the safety of residents (people and horses), for the absence of doubt and to avoid pollution.</p> <p>The proposal to mound the dumped materials (and presumably the broken concrete clearance materials from the former runway sections) does not explain sourcing sufficient topsoil for establishing planting and we note there is no traffic plan for accessing the site with heavy machinery for the purpose of ground works. Visibility is poor, passing places few and hedgerows fragile. The carriageway is eroded at the edges by field run off that is poorly managed with loose stones causing a hazard for pedestrians and horses.</p> <p>Please note Upper Bourne End Lane is a rural lane with serious traffic issues because planning has not in the past paid sufficient attention to access for other users eg the fleet of dog day care vans, the high performance, high adrenaline inducing drifting vehicles and paint ballers. Temporary permissions have been granted for film set construction and their vehicles and there are other plans being considered by the planning department. It has always seemed that each plan is taken in isolation from its context which for the few residents of Upper Bourne End Lane renders their quiet lane a hive of activity. At the very least a complete traffic survey of the carrying capacity of the lane should be undertaken before any additional vehicles are allowed on the grounds of safety.</p> <p>We note in the list of details for construction that lighting will be installed and "other materials" which are not specified. Applications for lighting elsewhere on the former airfield are subject to restrictions and we would expect the same to apply on the grounds of environmental conservation.</p> <p>It would also be relevant to know why the previous development plan was regarded as unsuitable at the pre application stage. Non resident land owners tend not to have the benefit of good neighbourly relations</p> |

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| | to provide for local consultation and are therefore subject to a certain amount of suspicion when it comes to development. |
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Item 5e 19/02790/FUL

OPEN FRONTED POLE BARN AND STABLE BUILDING

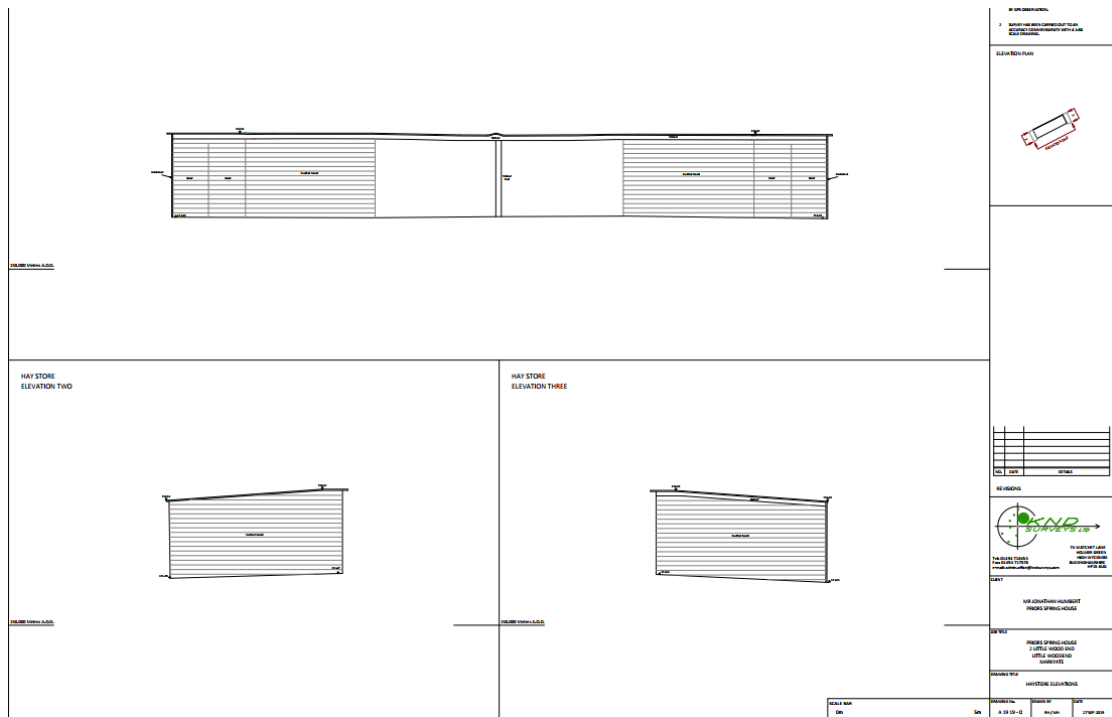
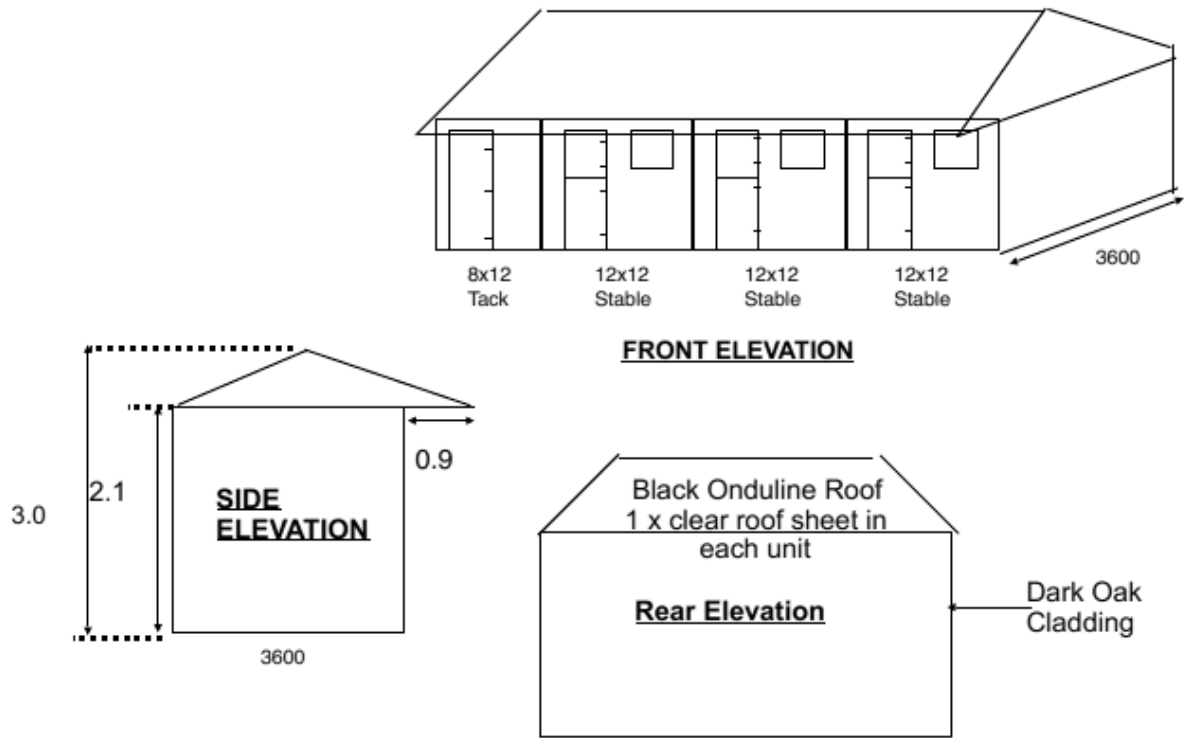
**2 WOODEND COTTAGES, LITTLE WOODEND, MARKYATE. ST.ALBANS
HERTFORDSHIRE AL3 8AX**



Item 5e 19/02790/FUL

OPEN FRONTED POLE BARN AND STABLE BUILDING

2 WOODEND COTTAGES, LITTLE WOODEND, MARKYATE. ST.ALBANS
HERTFORDSHIRE AL3 8AX



ITEM NUMBER: 5e

| | | |
|-------------------------------|---|----------------|
| 19/02790/FUL | Open fronted pole barn and stable building | |
| Site Address: | 2 Woodend Cottages Little Woodend Markyate St Albans Hertfordshire AL3 8AX | |
| Applicant/Agent: | Mr & Mrs Humbert | |
| Case Officer: | Colin Lecart | |
| Parish/Ward: | Flamstead Parish Council | Watling |
| Referral to Committee: | Objection from Parish Council | |

1. **RECOMMENDATION** – That planning permission be **GRANTED**.

2. **SUMMARY**

2.1 The scale of the buildings are considered proportionate to the agricultural uses taking place on the land. They are not considered to have a detrimental impact on the character and appearance of the Rural Area or the Chilterns AONB. The buildings are positioned along the boundary with adjacent agricultural land and this, combined with their modest scale means there are no significant impacts on residential amenity.

3. **SITE DESCRIPTION**

3.1 The application site comprises land to the rear of number 2 Woodend Cottages. The dwelling itself is a two storey semi-detached dwelling that is a Grade II Listed Building. The land in question lies outside of the residential curtilage of this property and is surrounded by agricultural fields. The site is located within the Green Belt and Chilterns AONB. A right of way runs through the site.

4. **PROPOSAL**

4.1 The application seeks permission for an open fronted pole barn and stable building. The buildings have already been constructed.

5. **PLANNING HISTORY**

Planning Applications:

19/02804/LDE - Barn used for the storage of hay and straw in conjunction with our registered pedigree flock of Black Welsh Mountain sheep and our other animals (donkeys, alpacas, pigs, goats) together with the secure storage of tools and implements.

4/00541/18/FHA - Single storey rear extension
WDN - 23rd May 2018

4/00539/18/LBC - Single storey rear extension to replace an existing single storey rear extension built around 1975. Construct rockwool firestop wall within roofspace between 1 and 2 little woodend cottages.
WDN - 23rd May 2018

6. **CONSTRAINTS**

Parking Accessibility Zone (DBLP): 4

Special Control for Advertisements: Advert Spec Contr
Area of Outstanding Natural Beauty: CAONB outside Dacorum
CIL Zone: CIL2
Grade: II,
Grade: II,
Parish: Flamstead CP
RAF Halton and Chenies Zone: Green (15.2m)
RAF Halton and Chenies Zone: Red (10.7m)
Rural Area: Policy: CS7
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

CS7 – Rural Area
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS25 – Landscape Character
CS27 – Quality of the Historic Environment

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The site is located within a Rural Area where Policy CS7 of the Core Strategy (2013) where the principle of agricultural uses is acceptable. Small-scale development will be permitted for this use provided it has no significant impact on the character and appearance of the countryside and supports the rural economy.

9.3 The site is also located with the Chilterns Area of Outstanding Natural Beauty (AONB) where Policy CS25 states all development should help conserve Dacorum's natural and historic landscape.

9.4 The applicant owns a collection of animals as listed below:

- 15 breeding ewes
- 1 ram
- 1 wether (castrated ram)
- 2 Pygmy goats
- 2 breeding alpaca
- 3 breeding donkeys
- 2 Kune pigs

9.5 The sheep are lambed and ewe lambs sold as breeding stock while ram lambs go to slaughter at 9 months. Hay Bales are also made from the land.

9.6 From the above it is considered the land in question accommodates an agricultural use which is acceptable under Policy CS7. It should be noted that even if the livestock were kept on the land simply for grazing purposes, this would be considered an agricultural use under Section 336 of the Town and Country Planning Act (1990). The buildings in question are considered proportionate to the scale of agricultural activities taking place on the land; they are used for shelter for the livestock and for storage of materials and machinery associated with the use of the land.

Impact on Surrounding Area, Chilterns AONB, Listed Building

9.7 Policies CS11 and CS12 of the Core Strategy (2013) generally state that development should respect the character and appearance of the surrounding area. Policy CS27 states that the integrity, setting and distinctiveness of designated and undesignated Heritage assets should be protected. The site is also located within the Chilterns AONB. Policy CS25 seeks to conserve the Borough's natural and historic landscape.

9.8 The open ended pole barn measures 2.45m in height and the stable building measures 2.1m height, both timber clad. From a height perspective the buildings are not considered to be visually intrusive and generally respect the lie of the land.

9.9 The conservation officer had concerns over the metal storage containers from a visual perspective. Due to this, amended plans have been received which conceal the containers within the overall structure of the building. This is considered acceptable by the conservation officer, while also providing a level of secure storage within the building, which is largely open in design. The proposal would not harm the significance of the designated heritage asset.

9.10 Paragraph 4.17 of the Chilterns Building Design Guide (2010) states it is preferable to align new buildings within the dominant axis of existing buildings. The buildings are considered well related to the existing dwelling rather than being splayed across the fields to the north east and south.

9.11 Furthermore, it should be noted that a barn did exist on the site which was located along the boundary with the rights of way. This has been demolished and it is considered the new buildings are positioned in a more sympathetic location. It is also considered the appearance of the barns are not detrimental to the rural character of the area and the Chiltern Hills. Metal clad barn structures, larger in scale are located to the South on Wood End Lane. The site as a whole is perceived within a rural landscape where the appearance of agricultural buildings would not appear out of context.

9.12 It is considered the application complies with Policies CS7, CS11, CS12, CS25 and CS27 of the Core Strategy (2013).

Impact on Residential Amenity

9.13 Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004) provide guidance stating that development should not have adverse impacts on the residential amenity of neighbouring properties in terms light, outlook and privacy.

9.14 The buildings are located along land belonging to the neighbouring property, 1 Woodend Cottages. However, this land lies outside the residential curtilage of this property and thus does not form part of its rear garden. In terms of the rear boundary of the residential curtilage, the buildings are located behind an existing structure granted under a Lawful Development Certificate (19/02804/LDE). This building is located approximately 25m from the rear elevation of the adjacent property.

9.15 Due to the above and the scale of the buildings, it is considered the structures do not have an adverse impact on residential amenity in terms of light, outlook or privacy.

10. CONCLUSION

10.1 With regards to the above assessment, the application is recommended for approval. The scale of the buildings are considered proportionate to the agricultural uses taking place on the land. They are not considered to have a detrimental impact on the character and appearance of the Rural Area or the Chilterns AONB. The buildings are positioned along the boundary with adjacent agricultural land and this, combined with their modest scale means there are no significant impacts on residential amenity.

11. RECOMMENDATION

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

Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

A 19 19 - O
Stable Sketch (Stables Direct 28/08/2019)

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

Informatives:

1. 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.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
|-----------------------------|---|
| Flamstead Parish Council | The application was voted in the majority to object because it is yet another retrospective application which in itself is not a reason to object. However, it is a contributing factor, given the lack of consideration given to the impact on the neighbours and members of the public who use the Chilterns Way which passes along the side of the property by erecting such buildings without permission in the AONB. There appears to be a general "building creep" on this land and rubble has also been spread on the ground to effect a road, again without due consideration to the surroundings. Object |
| Conservation & Design (DBC) | Following a review of the amended proposals we would not object to the scheme. The materials and form now better preserve the character of the area. The weatherboard cladding is more appropriate and in keeping with the character of the area when compared to the shipping containers. As such we believe that the proposals are now acceptable and would have a limited harm within the landscape and would not harm the significance of the heritage asset. However it would be recommended that the boarding be painted black to better reflect the local vernacular. |

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 1 | 1 | 0 | 1 | 0 |

Neighbour Responses

| Address | Comments |
|---------|---|
| 1 | We live at No.1 Woodend Cottages and these buildings are located directly behind our garden. Over the past 4 and a half years we have |

| | |
|--|--|
| | <p>seen these grow in size each year. Currently Mr Humbert seems to be further extending the yard with more metal framed buildings.</p> <p>We live in an Area of Outstanding Natural Beauty and the Chiltern Way footpath is adjacent to these buildings.</p> <p>Mr Humbert needs storage for his job. He previously assured us he didn't need planning for these buildings and suggested he needed all of them for his animals.</p> <p>We recently applied for Planning Permission which was granted in September. Having seen what Mr Humbert has done since we've lived here, in this beautiful place, we were very keen to do things differently. We approached Dacorum for a pre-planning meeting and they put us in contact with their Conservation and Heritage expert. It was explained to us that they employ an expert for sensitive planning applications like ours (development next to a Listed Building and in an AONB).</p> <p>We don't think these buildings look very nice and we question whether you should be allowed to do that on Greenbelt land but we are not the experts. We feel that the Mr and Mrs Humbert should have to listen to the experts as we did. We feel they should not gain any advantage by putting up these buildings illegally.</p> <p>All we ask is that Dacorum Planning consider whether the location, design, size and materials used by Mr Humbert would have been reflected in the Heritage experts recommendations and on a further note whether they would have even been allowed at all.</p> |
|--|--|

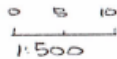
Item 5f. 19/02908//FHA

GARDEN OFFICE AND STORAGE BUILDING

9 QUEENS ROAD, BERKHAMSTED. HERTFORDSHIRE. HP4 3HU



BLOCK PLAN AS PROPOSED
9 QUEENS ROAD
BERKHAMSTED HEATHS
HP4 3HU.

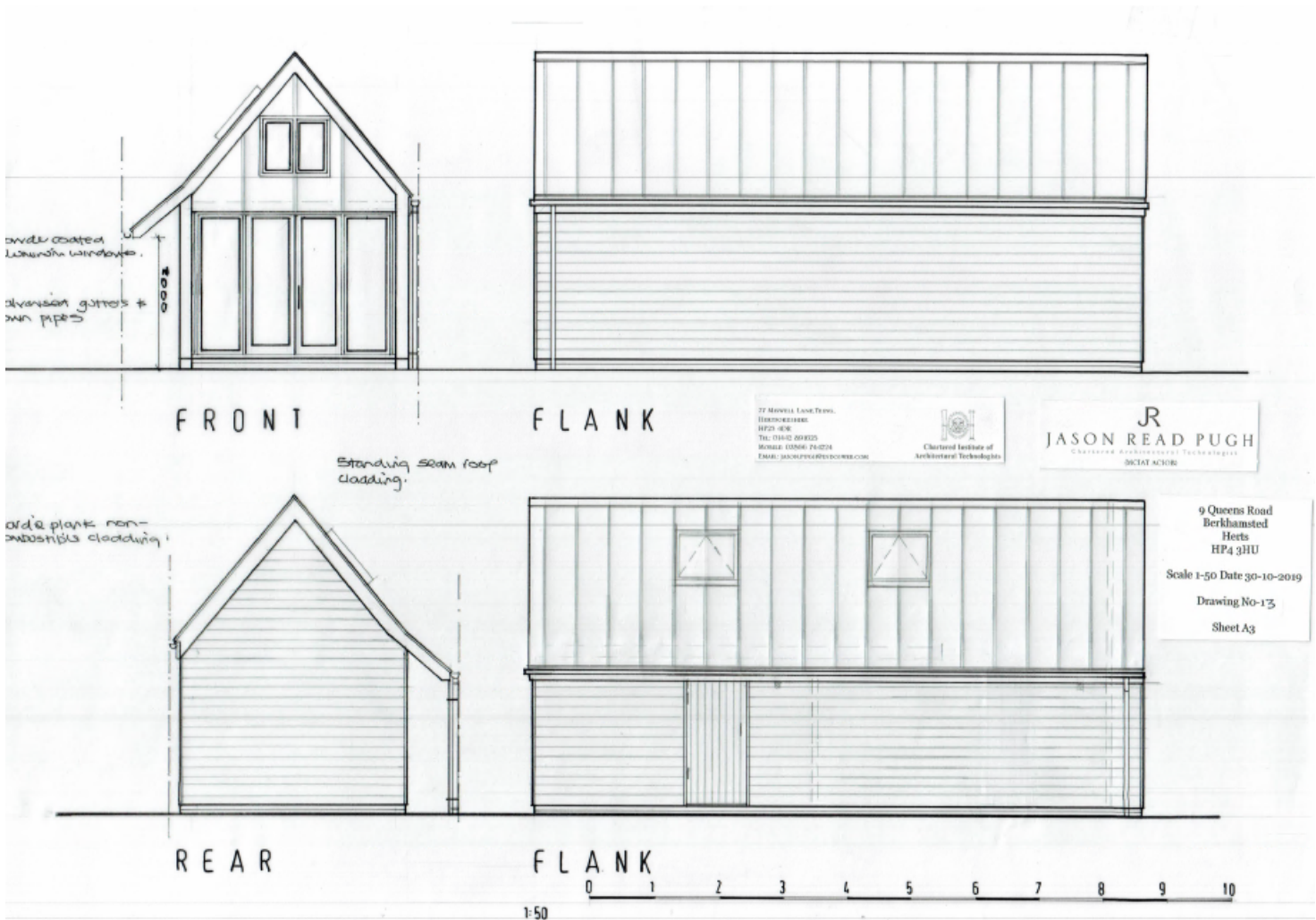


DRAWING NO 17A.

Item 5f. 19/02908//FHA

GARDEN OFFICE AND STORAGE BUILDING

9 QUEENS ROAD, BERKHAMSTED. HERTFORDSHIRE. HP4 3HU



ITEM NUMBER: 5f

| | | |
|-------------------------------|---|-------------------------|
| 19/02908/FHA | Garden Office and Store Room | |
| Site Address: | 9 Queens Road Berkhamsted Hertfordshire HP4 3HU | |
| Applicant/Agent: | Mr Pugh | |
| Case Officer: | Colin Lecart | |
| Parish/Ward: | Berkhamsted Town Council | Berkhamsted West |
| Referral to Committee: | Objection received from Berkhamsted Town Council | |

1. RECOMMENDATION – That planning permission be GRANTED

2. SUMMARY

2.1 The proposal would not have an impact on the character of the surrounding area. Due to the depth of the rear gardens of the adjacent properties, it is considered the proposal would not have an adverse impact on residential amenity in terms of outlook, privacy and light. The property adjacent the rear boundary is orientated at 90 degrees to the site with no side facing windows that would look onto the development. As a result, the application is recommended for approval.

3. SITE DESCRIPTION

3.1 The application site comprises a two storey terraced dwelling located along Queens Road Berkhamsted.

4. PROPOSAL

4.1 The application seeks permission for the construction of an outbuilding in the rear garden comprising a garden office and store room.

5. PLANNING HISTORY

Planning Applications (If Any):

19/02958/FHA - Single Storey and Part two storey rear extensions

4/02708/18/LDP - Proposed double dormer loft conversion and associated Alterations.
REF - 18th February 2019

4/02837/14/FHA - Construction of orangery
GRA - 2nd December 2014

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 2

Area of Archaeological Significance: 21

CIL Zone: CIL1

Former Land Use (Risk Zone): Garage, High Street, Berkhamsted

Former Land Use (Risk Zone): Former Smithy, Queens Road, Berkhamsted

Former Land Use (Risk Zone): Former Warehouse, Belton Road, Berkhamsted

Former Land Use (Risk Zone): Former Diesel Tank, Queens Road, Berkhamsted

Former Land Use (Risk Zone): Former Saw Mill/Timber Yard, Stag Lane, Berkhamsted

Parish: Berkhamsted CP
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
RAF Halton and Chenies Zone: Yellow (45.7m)
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)
EA Source Protection Zone: 2
EA Source Protection Zone: 3
Town: Berkhamsted

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Relevant Policies:

CS4 - The Towns and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Saved Appendix 3
Saved Appendix 5
Saved Appendix 7

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The Principle of Development
The Impact on the character of the surrounding area
The impact on residential amenity
The impact on highway safety and car parking.

Principle of Development

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 Surrounding Area

9.3 Policies CS11 and CS12 of the Core Strategy (2013) are overarching design based principles that state development should integrate with the streetscape character of the area and adjoining properties.

9.4 The proposed outbuilding would not be visible from the street scene of Queens Road. The building would be visible from the rear from Gossoms Ryde, but it should be noted that this would

only be from the end of the pathway serving numbers 34 and 36. From the main street view of Gossoms Ryde, numbers 28-32 screen the rear gardens of the properties on Queens Road. Therefore, the building would only be visible from a relatively small segregated area on this road.

9.5 Furthermore, the building would largely be located behind the flank wall of number 36 and the ground level of the site's rear garden is approximately 1m below that of 36 Gossoms Ryde.

9.6 Character Appraisal BCA6 (Queens Road) states that curtilage buildings should not be positioned forward of the principle elevation in this area. There are no other requirements relating to curtilage buildings for this area within this guidance.

9.7 Due to the above, it is considered that the proposal would not have a detrimental impact on the character of the surrounding area; the development would not be visible from the public realm with the exception of the pathway serving 34 and 36 Gossoms Ryde.

Impact on Residential Amenity

9.8 Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004) stated that development should respect residential amenity in terms of its impact on outlook, privacy and sunlight/daylight.

9.9 With respect to number 36 Gossom Ryde, this property is orientated at 90 degrees to the site and has no side facing windows that would look onto the development. The development would be set only marginally in front of this property's build line and not impact upon the habitable windows in terms of outlook or light (the front fenestrations are north facing). The building would also be positioned approximately 2.45m from the boundary and the site is based on a lower ground level (approximately 1m lower).

9.10 The building would not be located directly behind the rear of number 30 Gossoms Ryde and be located approximately 10 metres away from the rear fenestrations. Separation would be provided between the outbuilding and the property of number 36 Gossoms Ryde and outlook would be retained to the east and north. Thus, it is considered the development would not result in significant enclosure of number 30's rear garden.

9.11 With respect to numbers 11 and 7 Queens Road, the rear garden depth measures approximately 47m from the rear extension of number 11 (approximately 61m from the original rear elevation excluding outrigger) and 52m from the rear of number 9. As a result, it is considered the proposal would not have an adverse impact on the residential amenity of these properties in terms of light or outlook.

9.12 The building would be visible from the rear of the adjacent properties but due to the relatively long depth of the rear gardens, it would not overtly dominate the outlook from the rear fenestrations nor interrupt light levels. The building would measure 9.4m in depth and be positioned adjacent to the existing outbuildings of these properties. As such, the rear gardens of these properties would not suffer from significant enclosure.

9.13 A window would be located on the upper level of the proposed outbuilding. However, this would not serve a functional purpose other than storage. The submitted section plan shows a head height of 1.8m to the ridge with decreasing to 1.1m and less with the pitched roof. Therefore, the proposal would not result in overlooking though it should be noted the rear gardens of these properties are already overlooked from the first and second floors of the main properties.

Impact on Highway Safety and Parking

9.13 The application site does not benefit from off street parking provision. However, the outbuilding would not introduce a new bedroom onto the site and thus there is no requirement to provide further parking provision as a result of this application.

Contaminated Land

9.14 The scientific officer was consulted and there was no objection on the grounds of land contamination. No further information or conditions relating to contaminated land were requested.

Archaeology

9.15 The Historic Environment team at HCC were consulted on the proposal and no further information relating to underground heritage assets were required. The proposed development was considered small in size and would be positioned partly on ground that has already been disrupted by the construction of the existing building.

10. CONCLUSION

10.1 The application is recommended for approval. The outbuilding would largely not be visible from the surrounding except from the pathway leading to numbers 34 and 36 Gossoms Ryde. Number 36 Gossoms Ryde is orientated at 90 degrees from the site with no side facing windows. Due to the garden depths of numbers 9 and 11 Queens Road, the proposal would not have a significant impact in terms of loss of outlook, privacy or light.

11. RECOMMENDATION

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

Conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

12

13

17A

20

Application form (section 5 - materials)

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

Informatives:

1. 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.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
|--|--|
| Archaeology Unit (HCC) | <p>The proposed development is small in size and will be partly on ground that has already been disturbed by the construction of the existing building.</p> <p>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.</p> |
| Local Parish | <p>Objection</p> <p>At almost five metres high, this proposed building's scale, height, mass and proximity would result in loss of amenity to the adjacent number 36 Gossoms Ryde.</p> <p>CS12</p> |
| Environmental And Community Protection (DBC) | <p>Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p> |

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 6 | 1 | 0 | 1 | 0 |

Neighbour Responses

| Address | Comments |
|---------|---|
| 1. | Objections regarding planning applications 19/02958/FHA and 19/02908/FHA in relation to 9 Queens Road. We believe all live applications should be considered together due to their scale both |

individually and impact in aggregate along with the recently completed double dormer.

We object to the plans submitted on the basis that any new development should avoid loss of sunlight and daylight and respect adjoining properties in terms of layout, site coverage, scale, height, bulk and amenity space.

Bringing the side elevation of the extension so close to the boundary and filling the side return will have an overbearing impact on our amenity with the kitchen and dining room windows/doors being most effected in terms of light, outlook and dominating impact. In addition a blank wall over this distance this close to the boundary is overly oppressive.

The extension is wider, higher and longer than others which are single storey. The first floor rear extension extends beyond the existing rear elevation and would reduce the outlook from our first floor window. The overall impact would be overbearing and it would reduce natural daylight and sunlight.

The garden building is unprecedented in scale, mass, height and design and is intrusive. A wall of this length and height will have a dominating impact on our garden whilst the windows on the upper level impact our privacy. It is understood the building will be used to run a business including storing stock.

We don't object to the principle of a garden office or extension, but the scale and close proximity of these plans to #11 would have a material and detrimental impact on our property. As well as the impact on our property they could set a precedent permanently changing the character of this row of period terraces and gardens built early 1900s.

6. APPEALS UPDATE

Appeals received by Dacorum Borough Council between 01-12-2019 and 21-01-2020

| | |
|---|---|
| Our Reference: 19/00035/REFU | PINS Reference: APP/A1910/D/19/3239583 |
| Arewa Shootersway Lane Berkhamsted HP4 3NP | |
| Raise the roof height and create a new bedroom with ensuite Bathroom. | |

| | |
|---|---|
| Our Reference: 19/00031/REFU | PINS Reference: APP/A1910/W/19/3241643 |
| Pouchen End Hall Pouchen End Lane Hemel Hempstead HP1 2SA | |
| Demolition of existing derelict portacabin and construction of two relocated single storey art Studios. | |

| | |
|---|---|
| Our Reference: 19/00032/REFU | PINS Reference: APP/A1910/W/19/3235231 |
| 18 Bridge Street Hemel Hempstead Hertfordshire HP1 1EF | |
| Change of use a1 shop to a3 Restaurant. | |

| | |
|---|---|
| Our Reference: 19/00033/REFU | PINS Reference: APP/A1910/W/19/3235655 |
| 20 Bridge Street Hemel Hempstead Hertfordshire HP1 1EF | |
| Change of use of a1 to a3 restaurant | |

| | |
|--|---|
| Our Reference: 19/00034/REFU | PINS Reference: APP/A1910/W/19/3236531 |
| 22 Bridge Street Hemel Hempstead HP1 1EF | |
| Change of use from a1 to a3 restaurant | |

| | |
|--|---|
| Our Reference: 20/00002/REFU | PINS Reference: APP/A1910/W/19/3243740 |
| Tates Coaches Water End Road Potten End | |
| Construction of two detached car ports and ancillary works | |

Appeals determined by PINS between 01-12-2019 and 21-01-2020

| | |
|--|---|
| Our Reference: 4/00974/19/ENA | PINS Reference: APP/A1910/C/19/3227062 |
| Honeybrook St Margarets Great Gaddesden Hemel Hempstead | |

| |
|--|
| HP1 3BZ |
| Appeal against enforcement notice - rear terracing- WITHDRAWN |

| | |
|---|---|
| Our Reference: 4/00976/19/ENA | PINS Reference: APP/A1910/C/19/3227060 |
| Honeybrook St Margarets Great Gaddesden Hemel Hempstead HP1 3BZ | |
| Appeal against enforcement notice - breach of condition- WITHDRAWN | |

| | |
|--|---|
| Our Reference: 19/00001/T | PINS Reference: APP/A1910/Y/19/3233150 |
| Granary Cottage 89 Flaunden Hemel Hempstead HP3 0PP | |
| Single storey side extension- DISMISSED | |

| | |
|--|---|
| Our Reference: 4/00493/19/FHA | PINS Reference: APP/A1910/W/19/3233151 |
| Granary Cottage 89 Flaunden Hemel Hempstead HP3 0PP | |
| Single storey side extension- DISMISSED | |

[See Decision](#)

| | |
|--|--|
| Our Reference: 4/00095/18/FUL | PINS Reference: APP/A1910/W/3234508 |
| The Grange 8 High Street Markyate AL3 8PD | |
| Erection of a detached dwelling- ALLOWED | |

[See Decision](#)



Appeal Decisions

Site visit made on 12 November 2019

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9th December 2019

Appeal A

Appeal Ref: APP/A1910/W/19/3233151

Granary Cottage, Flaunden, Hemel Hempstead HP3 0PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs MacGregor against the decision of Dacorum Borough Council.
 - The application Ref 4/00493/19/FHA, dated 4 March 2019, was refused by notice dated 13 May 2019.
 - The development proposed is a single storey rear extension.
-

Appeal B

Appeal Ref: APP/A1910/Y/19/3233150

Granary Cottage, Flaunden, Hemel Hempstead, HP3 0PP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs MacGregor against the decision of Dacorum Borough Council.
 - The application Ref 4/00494/19/LBC, dated 4 March 2019, was refused by notice dated 13 May 2019.
 - The works proposed are a single storey rear extension.
-

Decisions

1. The Appeals are dismissed.

Procedural Matter

2. The Council described the development at a single storey side extension. As the appellant's description is more accurate, I have used this in my decision.

Main Issues

3. The main issues are:
 - Whether the proposal is inappropriate development for the purposes of the *National Planning Policy Framework* (the Framework) and development plan policy;
 - The effect of the proposal on the openness of the Green Belt and the character and appearance of the area; and
 - Whether the works and development proposed would preserve the Grade II listed building known as Granary Cottage, or any features of special architectural or historic interest that it possesses, and whether the proposal

would preserve or enhance the character or appearance of the Flaunden Conservation Area.

- If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Is the proposal a disproportionate addition in the Green Belt?

4. The Framework sets out that new buildings in the Green Belt are inappropriate unless, amongst other things, they relate to the extension of an existing building and that this does not result in a disproportionate addition to the original building. The original building is clearly defined in Annex 2 of the glossary to the Framework as "A building as it existed on 1 July 1948, or, if constructed after 1 July 1948, as it was built originally." Saved Policy 22 of the of the Dacorum Borough Local Plan (Local Plan) also seeks to resist disproportionate additions in the Green Belt by requiring that extensions are limited in size. Policy CS5 of the Dacorum Core Strategy (Core Strategy) allows for small-scale development within the Green Belt including limited extensions to existing buildings.
5. Granary Cottage is a detached cottage, which has been extended following the grant of permission for a two-storey side and rear extension in 1992. The floorplans show that this extension more than doubled the original floor area of the cottage. The appellant does not dispute the Council's contention that the appeal proposal would increase the total floor area of the property by 10m² and that cumulatively, the extensions would add 82 m² to an original floor area of 64m². Regardless of the relatively limited size of the addition, as the original extension more than doubled the original floor area, any further additions would result in a disproportionate addition to the original building. Furthermore, the cumulative amount of development would far exceed the parameter set out in policy 22, which defines a limited extension as resulting in an extended dwelling which is less than 130% of the floor area of the original dwelling.
6. Accordingly I find that the proposal does not fall within any of the stated exceptions in paragraph 89 of the Framework and so I must conclude that the proposal would comprise inappropriate development. The Framework is clear that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. This harm must carry substantial weight against the proposal.

Effect on the openness and character of the Green Belt

7. The proposal would be visible in some limited views from adjoining properties and from Flaunden Hill, where despite the position of the boundary hedge, open views of the south and west facades of the building are readily available. However, the extension would be seen against the background of the host dwelling within the setting of an relatively spacious garden. Due to its limited size and domestic context it would have a commensurately limited effect on the openness of the Green Belt and the established character of the Green Belt in

this location. I therefore find no conflict with guidance in the Framework in this respect.

The effect on heritage assets

8. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. S72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character and appearance of that area. Policy CS27 of the Core Strategy seeks to protect and where appropriate enhance the integrity of the setting and distinctiveness of heritage assets and this reflects the statutory duties defined in the Act.
9. Granary Cottage is a Grade II Listed building, first listed in 1986 and located in the heart of the village. The original structure dates from the late 17th Century, with later additions in the 18th Century and most recently in the 1990's. The original structure is a very small timber framed cottage, with red brick infilling. In views into the site this older part of the building is clearly discernible, the newer addition appearing much larger than the original cottage, entirely altering the context in which the original asset would have been perceived. The south facing elevation which comprises the former front façade of the original cottage has a pleasingly symmetrical appearance and the older exposed timber frame and prominent external chimney are notable features. Nevertheless, the significance of the asset is derived from the antiquity of part of its fabric, as an attractive example of a building of its type and in the contribution the building makes to the wider street scene.
10. The proposal comprises the addition of a small single storey extension, on the western façade of the building. The parties dispute whether this is best described as the side, or rear elevation of the building as the main entrance to the property has now been moved to the east facing façade on Birch Lane. As the back door now sits on the west, it would, to my mind, be logically referred to as the rear. Nevertheless, as the property sits on an intersection at the centre of the village both the south and east facing facades are prominently visible and contribute to the character of this part of the Flauden Conservation Area.
11. The extension would be predominantly glazed, with oak posts and a small section of brick walling. The extension would not involve the loss of any of the building's original fabric and when viewed from the west the scale and position of the addition would sit comfortably within the recess formed by the projecting gable. However, in views from the south, from Flauden Hill, the contemporary form of the predominantly glazed side profile would appear incongruous when viewed alongside the historic core of the building. Although it would be relatively low it would project beyond the existing western building line and would be prominently visible from Flauden Hill. In these views the erosive effect on the quality of the southern facing façade would be clearly evident. As this is an attribute which contributes to the significance of the listed building, the proposal would harm that significance. It would also have a small but nonetheless harmful effect on the appearance of the Conservation Area in this location.
12. The harm that would arise would be "less than substantial". The *National Planning Policy Framework* (the Framework) directs that when considering the

impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. I therefore attribute considerable importance and weight to this harm, which the Framework also indicates should be weighed against the public benefits of the scheme.

13. The proposal would provide the property with a dining kitchen. The existing kitchen is relatively modest but not so small as to be unusable. The floorplan also indicates that the property has a separate dining room in addition to other living accommodation on the ground floor. The requirement for a dining kitchen is therefore a personal preference for the home owner and is not essential to secure adequate living conditions. I therefore give no weight to the matter as a public benefit. It follows that there are no public benefits identified which would outweigh the harm to the significance of the Listed Building, and to a lesser extent, the Conservation Area. It follows that the proposal would fail to comply with national policy outlined in the Framework and with policy CS27 of the Core Strategy.

Very Special Circumstances

14. The appellant has advised that the materials of the addition could be altered if necessary. Such a major change to the scheme would not, to my mind be appropriately dealt with by a planning condition and in any case would not overcome concerns regarding the size of the addition. I therefore give this matter no weight.
15. It follows that the very special circumstances necessary to outweigh the identified harm to the Green Belt, and any other harm, do not exist in this case. Accordingly the proposal is contrary to Green Belt policy contained within the Framework. It also conflicts with Policy 22 of the Local Plan and CS5 of the Core Strategy. It would also fail to comply with national policy in the Framework which seeks to preserve the significance of heritage assets and would conflict with Policy CS27 of the Core Strategy as it would harm the significance of the grade II Listed Building known as Granary Cottage, and also to a lesser extent the Flaunden Conservation Area.
16. Therefore, for the reasons given above, and having regard to all other matters before me, I dismiss the appeal.

A Jordan

INSPECTOR



Appeal Decision

Site visit made on 15 October 2019 by Darren Ellis MPlan

Decision by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th January 2020

Appeal Ref: APP/A1910/W/19/3234508

The Grange, 8 High Street, Markyate, AL3 8PD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs CJ Holderness against the decision of Dacorum Borough Council.
 - The application Ref 4/00095/18/FUL, dated 11 January 2018, was refused by notice dated 5 June 2019.
 - The development proposed the erection of a single detached dwelling.
-

Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single detached dwelling at The Grange, 8 High Street, Markyate AL3 8PD, in accordance with the application ref 4/00095/18/FUL, dated 11 January 2018, subject to the conditions in the attached schedule.

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.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the Markyate Conservation Area and on the setting of the Grade II listed building 'The Grange', and consequently whether or not the proposal would preserve or enhance the character or appearance of the Conservation Area and the setting of the listed building.

Reasons for the Recommendation

4. The appeal site comprises part of the rear garden of The Grange, a Grade II listed building situated on the High Street within the Conservation Area. I have therefore had special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. I have also paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The proposal is to erect a two-storey detached dwelling in the rear-most part of the garden, with access from Grange Close. This area of garden straddles the boundary of the Conservation Area, with part of the appeal site falling outside of it.

5. Paragraph 132 of the National Planning Policy Framework (the Framework) says that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to that asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. In this case, the character of the Conservation Area is predominantly derived from the distinctive High Street which retains much of its 19th century features. Its linear form, narrow streets and traditional buildings, many of which are listed, are significant contributory factors to its character and appearance. The Grange is one of these distinctive buildings and its setting is drawn principally from its location in High Street. The open space provided by the rear garden has been eroded by more recent development that has taken place in Grange Close. The contribution of the rear garden to the setting of The Grange has therefore become less important.
6. The proposed dwelling would be sited to the rear of The Grange and adjacent to the more modern dwellings in Grange Close. Whilst the proposal would encroach into the rear curtilage, a reasonably large garden area would remain. From what I saw, this space would distinguish The Grange from the proposal, and would allow its features and setting to continue to be read. As such, the proposal would have a greater visual correlation with the more modern development in Grange Close. Moreover, the plot / build ratio and the separation from The Grange would ensure that the density of the development remains consistent with its surroundings. The proposal would also include the removal of an unkempt garage that does not contribute positively to the appearance of the area. Fundamentally, the proposal would have no effect on the setting of The Grange insofar as its contribution to the High Street is concerned, and the loss of space to the rear would not adversely affect the setting of The Grange or its contribution to the character or appearance of the area.
7. For these reasons, I find that the proposal would preserve the character and appearance of the Conservation Area and the setting of the listed building causing no harm to the significance of the heritage assets. As such I find no conflict with Policy CS27 of the Dacorum Core Strategy (2013), Saved Policies 119 and 120 of the Dacorum Borough Local Plan (2004), or the provisions of the Framework.

Other Matters

8. I have had regard to all other matters raised, including the effect of the development on residents' living conditions and highway safety. However, the proposal would not result in any significant increase in traffic, and there are no objections from the Highway Authority. From what I saw and having regard to the separation distances from other dwellings and the orientation of the development, I am satisfied that there would be no material impacts on residential amenity.

Conditions

9. The Council has suggested several conditions, which I have considered in the light of the advice in the Framework and Planning Practice Guidance. In some cases I have edited the suggested condition for clarity and enforceability.

10. Conditions 1 and 2 in the schedule below would ensure the compliance 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 and specify the plans that are approved and that the development shall be undertaken in accordance with these unless further modified by any condition set out below.
11. Suggested conditions 3, 4 and 5 relate to enabling development and the associated restoration works to The Grange. However, as the proposal would have no adverse effects on the Conservation Area or the setting of the listed building, enabling development is not necessary and consequently these suggested conditions are also not necessary.
12. An assessment of any potential ground contamination, and any subsequent remediation measures, would be required by suggested conditions 7 and 8. However, no evidence has been provided that suggests any ground contamination exists, and therefore these suggested conditions are not necessary.
13. Suggested condition 13 would remove permitted development rights. However, there should be clear justification for restricting permitted development rights and such conditions should only be imposed in exceptional circumstances. The Council have not provided such justification and I have no reason to believe that any permitted development would cause any detrimental impact to the Conservation Area or listed building. As such suggested condition 13 is not necessary.
14. The proposal would be in the vicinity of trees that contribute positively towards the character and appearance of the area, and as such it is necessary to ensure that damage does not occur to the trees during building operations.
15. To ensure the proposal continues to have no adverse effect on the listed building and the surrounding area, it is necessary for details of the retaining walls and finished levels, exterior materials and landscaping details to be agreed with the Council.

Conclusion

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed, and planning permission granted subject to the conditions in the attached schedule.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed subject to the conditions in the attached schedule.

P J Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan drawing no.2217 L1; Proposed Site Layout drawing no.2217 L3C; Proposed Floor Plan drawing no.2217 P1K; Proposed Elevations drawing no.2217 P2M; Site Section drawing no.2217 P3G; Tree Survey & Protection Plan drawing no.TPP TG 01.
- 3) The trees shown for retention on the approved Tree Protection Plan (prepared by C.A.T Landscape Consultancy drawing number TPP TG 01) shall be protected during the whole period of site clearance, excavation and construction by the erection and retention of protective fencing positioned beneath the outermost part of the branch canopy of the trees. In areas where tree protection fencing does not sufficiently cover Root Protection Areas, the use of 'No-Dig' construction methods shall be incorporated to minimise the impact to trees proposed for retention.
- 4) The development hereby permitted shall not commence until metrically scaled details of the retaining walls and finished levels of the site and building have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) Prior to their installation details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) The dwelling shall not be occupied until hard and soft landscape works have been implemented in accordance with details to be submitted to and approved in writing by the local planning authority. These details shall include:
 - hard surfacing materials;
 - location, height and materials of boundary treatments;
 - soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
 - details and plans showing the position of bird nesting boxes and bat boxes.
- 7) 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.

PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (January 2020)

HEADLINES

1. Since the last update (October 2019) a total of 2 notices have been served – both of which were in respect of breaches at Bovingdon Market. Further information on these cases can be found towards the bottom of this report (Items 45 and 46). A total of 9 cases have been removed from this list since the last update.
2. Items 26, 40, 43 and 44 have all now been complied with and will be removed from the next report.
3. Since the last update (October 2019) the Planning Inspectorate has issued Start Letter for a number of appeals against the serving of Enforcement Notices (Items 28, 30, 31, 35, 36 and 37).

| Page | CASE REF. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES / FURTHER ACTION |
|------|------------|--|--|-------------|----------------|-----------------|---------------------------------|---------------------|--------------|--|
| 165 | E/06/00470 | Land at Hatches Croft, Bradden Lane, Gaddesden Row | Stationing of a mobile home for residential purposes on the land. | 12 Sep 08 | 20 Oct 09 | 20 Apr 10 | No | N/A | Not complied | Successful prosecution, however mobile home remains on site and no land reinstatement has taken place. p/p granted for new dwelling with compliance of EN to follow. |
| 2 | E/07/00257 | Gable End, Threefields, Sheethanger Lane, Felden | Construction of new dwelling and hardstanding; construction of boundary wall more than 2m high; MCU of land from agriculture to garden | 26 Feb 10 | 09 Apr 10 | 09 Apr 11 | Yes, appeal dismissed 01 Oct 10 | 01 Oct 11 | Not complied | Crown Court appeal partly successful. Mr Pitblado convicted on one count, Mrs Pitblado discharged. Need to consider next steps in conjunction with Legal. |

| | CASE REF. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES / FURTHER ACTION |
|---|------------|---|---|-------------|----------------|-----------------|------------------------------------|---------------------|-------------------|--|
| 3 | E/07/00257 | Birch Cottage, Threefields, Sheethanger Lane, Felden | Construction of new dwelling and hardstanding; MCU of land from agriculture to garden | 26 Feb 10 | 09 Apr 10 | 09 Apr 11 | Yes, appeal dismissed 01 Oct 10 | 01 Oct 11 | Partly complied | The dwelling has been demolished and the garden use ceased. However, the hardstanding remains. Action dependent on the result of that at Gable End. |
| 4 | E/09/00128 | The Granary, 49 New Road, Wilstone | The installation of uPVC windows and doors | 11 Jan 11 | 18 Feb 11 | 18 Feb 13 | Yes, appeal dismissed 17 Jun 11 | 17 Jun 13 | Not complied | Further action has not yet been taken due to health of occupiers. *Owner advised he would comply before end of Sep 19 and sought comments from Conservation on the type of window to be used – however, he then sold the property and the new owner has now been in contact with us regarding compliance* |
| 5 | E/08/00390 | Land at Pouchen End Hall, Pouchen End Lane, Hemel Hempstead | Construction of wooden external staircase | 04 Apr 11 | 13 May 11 | 10 Jun 11 | Yes, appeal dismissed 28 Oct 11 | 28 Jan 12 | *Partly complied* | Case reviewed. Staircase was removed, but platform remains – *planning application granted 4/02218/19 for external alterations and conversion into dwellings, as such this file has been closed and will be removed from this list* |

| | CASE REF. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES / FURTHER ACTION |
|----|------------|---|--|-------------|----------------|---------------------------|-----------------------|---------------------|-----------------|--|
| 6 | E/11/00228 | 342a High Street, Berkhamsted | Construction of rear dormer | 19 Mar 12 | 26 Apr 12 | 26 Oct 12 | No | N/A | Not complied | Latest application to regularise matters (646/17) refused 09 May 17. No appeal submitted. *Inspection to take place to understand current position* |
| 7 | E/12/00354 | Meadow View, Threefields, Sheethanger Lane, FelDEN | Construction of first floor extension, dormer windows and hardstanding. MCOU of agricultural land to residential garden. | 30 Jan 13 | 11 Mar 13 | 11 Mar 14 | Yes, appeal dismissed | 20 Jan 15 | Not complied | Enforcing the works required to the building are dependent on action at Gable End. Review of other breaches needs to take place. |
| 8 | E/12/00354 | April Cottage, Threefields, Sheethanger Lane, FelDEN | Construction of first floor extension, dormer windows and hardstanding. MCOU of agricultural land to residential garden. | 30 Jan 13 | 11 Mar 13 | 11 Mar 14 | Yes, appeal dismissed | 20 Jan 15 | Partly complied | Enforcing the works required to the building dependant on action at Gable End. Review of other breaches needs to take place. |
| 9 | E/12/00354 | Woodside, Threefields, Sheethanger Lane, FelDEN | Construction of first floor extension, dormer windows and hardstanding. MCOU of agricultural land to residential garden. | 30 Jan 13 | 11 Mar 13 | 11 Mar 14 | Yes, appeal dismissed | 20 Jan 15 | Not complied | Enforcing the works required to the building are dependent on action at Gable End. Review of other breaches needs to take place. |
| 10 | E/14/00494 | Land at Hamberlins Farm, Hamberlins Lane, Northchurch | MCOU of land from agriculture to construction / vehicle / storage yard. | 11 May15 | 11 Jun 15 | 11 Dec 15 (for all steps) | Yes, appeal dismissed | 17 Dec 16 | Partly complied | All vehicles, materials, machinery have been removed. Works now taken place to remove bund. Need to consider Offence. |

| | CASE REF. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES / FURTHER ACTION |
|----|------------|---|---|-------------|----------------|---------------------------|--|---------------------------|------------------------|--|
| 11 | E/15/00301 | Land at Piggery Farm, Two Ponds Lane, Northchurch | MCOU of land from agriculture to non-agricultural storage yard; MCOU of building to private motor vehicle storage; construction of raised hardsurface | 15 Jul 16 | 15 Aug 16 | 15 Feb 17 (for all steps) | Yes, appeal dismissed (other than use of building) | 25 Nov 17 | Partly <u>complied</u> | Compliance period has passed. Most vehicles removed from the land. Compliance visit undertaken and confirmed that hard surfaced area has been removed, bund of material arising still on site awaiting removal. Planning application submitted: 4/01937/19. Further site visit needed to check material removed. |
| 12 | E/14/00453 | Land at Barnes Croft, Barnes Lane, Kings Langley | Construction of brick garage, brick link extension, and rear sun room. | 17 Nov 16 | 19 Dec 16 | 19 Dec 17 (for all steps) | Yes, appeal dismissed | 19 Jan 19 (for all steps) | N/A | Rear sun room has been demolished. P/P refused for alterations to and retention of detached garage block (3177/18/FHA). *Appeal also dismissed. Need to consider how to secure compliance* |
| 13 | E/16/00449 | Farfield House, Chesham Road, Wigginton | Construction of side and rear extension and detached double garage. | 23 Jan 17 | 22 Feb 17 | 22 Aug 17 | No | N/A | Not complied | Planning permission for amended scheme (844/17/FHA) granted. Need to ensure implementation. |

| | CASE REF. | LOCATION | BREACH | DATE ISSUED | EFFECTIVE DATE | COMPLIANCE DATE | APPEAL | NEW COMPLIANCE DATE | RESULT | NOTES / FURTHER ACTION |
|-----------|------------|---|--|-------------|----------------|---------------------------|-----------------------|----------------------------|--------------------|--|
| | E/16/00052 | Land at Hill & Coles Farm, London Road, Flamstead | MCOU of land to commercial compound/storage of materials and plant, & creation of earth bund. | 08 Mar 17 | 07 Apr 17 | 07 Oct 17 | No | N/A | Partially Complied | EN has been broadly complied with. Land has now been restored, but some elements of material storage have returned. |
| 15 | E/17/00103 | 55 St.John's Road, Hemel Hempstead | The insertion of uPVC windows and doors in a Listed Building. | 05 July 17 | 05 Aug 17 | 05 Nov 17 | No | N/A | Not complied | DBC owned property. *Contractors are in discussion with the Conservation Officer to confirm final details of replacement fenestration*. |
| 16 | E/17/00104 | 59 St.John's Road, Hemel Hempstead | The insertion of uPVC windows and doors in a Listed Building. | 05 July 17 | 05 Aug 17 | 05 Nov 17 | No | N/A | Not complied | DBC owned property. *Contractors are in discussion with the Conservation Officer to confirm final details of replacement fenestration*. |
| 17 | E/16/00161 | Lila's Wood, Wick Lane, Tring | MCOU – use of woodland for wedding ceremonies; creation of tracks; erection of various structures. | 27 July 17 | 25 Aug 17 | 25 Nov 17 (for all steps) | Yes, appeal dismissed | 12 July 18 (for all steps) | Not complied | Requirements not met in full. Following the re-introduction of weddings at the site (summer months) the issue of items not being removed between weddings arose again. *Planning application 19/02588/MFA received 06 Oct 2019* |

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|----|------------|--|--|-------------|----------------|---------------------------|-----------------------|---------------------------|-----------------|---|
| 18 | E/17/00296 | 68 Oak Street, Hemel Hempstead | Construction of raised concrete parking platform. | 28 July 17 | 29 Aug 17 | 29 Nov 17 | Yes, appeal dismissed | 28 Nov 18 | Not complied | Appeal dismissed. Planning application seeking smaller raised platform expected. *No application received, correspondence sent to owner 20.01.20 to request application/compliance* |
| 19 | E/17/00382 | Markyate Cell Park, Dunstable Road, Markyate | Excavation / landscaping works at Historic Park. Storage of tyres and cement mixers. | 21 Sep 17 | 21 Sep 17 | N/A | N/A | N/A | N/A | Temporary Stop Notice period expired. Final bund clearance and filling in of holes expected by end of March 2019. |
| 20 | E/17/00266 | Land at Red Lion Lane (Sappi), Nash Mills, Hemel Hempstead | Untidy land, left over from building works. | 24 Nov 17 | 24 Dec 17 | 24 Jan 18 | N/A | N/A | Partly complied | Site cleared. Some grass seeding work required. Also need to seek removal of Heras fencing. |
| 21 | E/17/00407 | Land at The Hoo, Ledgemore Lane, Great Gaddesden | Construction of new road, turning area and bund. | 29 Nov 17 | 29 Dec 17 | 29 Jun 18 (for all steps) | Yes, appeal dismissed | 29 Apr 19 (for all steps) | Partly complied | Bund removed. Period of compliance for track has passed, but no compliance. p/p sought for retention of smaller track (373/19/FUL) – Refused. *Planning appeal submitted* |
| 22 | E/17/00290 | Land adj. Two Bays, Long Lane, Bovingdon | MCOU to a commercial yard, siting of shipping container and portacabin, and construction of open-fronted building. | 14 Dec 17 | 12 Jan 18 | 12 May 18 | Yes, but withdrawn | 28 Feb 19 (for all steps) | Partly complied | Buildings, vehicles and materials nearly all removed from EN site. Law Dev't Certificate for land to the rear refused. Issues remain in respect of land restoration |

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|----|------------|------------------------------------|---|-------------|----------------|---------------------------|--|---------------------|--------|---|
| 23 | E/17/00220 | 17 Langley Avenue, Hemel Hempstead | Construction of raised decking, timber steps and associated fencing and supports. | 17 Jan 18 | 17 Feb 18 | 17 Apr 18 | Yes Appeal allowed (ground g) notice upheld subject to variations | 03 July 19 | N/A | Appeal against Enforcement Notice submitted on 15 Feb 18. Appeal allowed in respect of ground (g) (time limits) Notice upheld subject to the variations. Planning application 01117/19 Granted for re-configuration. Site visit required to check compliance with permission. |
| 24 | E/16/00104 | 40 Tower Hill Chipperfield | MCOU of land from residential garden to commercial car parking/storage and associated laying of hardstanding. | 06 Mar 18 | 05 Apr 18 | 05 Apr 18 (for all steps) | No | N/A | N/A | Enforcement Notice compliance period has passed. Cars have been removed from the site. Hardstanding not removed. In discussions with executor of estate. |
| 25 | E/18/00151 | 14 The Coppins, Markyate | Construction of raised parking pad. | 26 Apr 18 | 26 May 18 | 26 Aug 18 | Yes Appeal dismissed | <u>06 Nov 19</u> | N/A | Appeal against EN submitted on 17 May 18. *Appeal dismissed, application 19/02822/FHA received and granted for different scheme. Will check compliance post 18.03.20 (three months post permission)* |

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|-----------|------------|--|---|-------------|----------------|-----------------|-------------------------|---------------------|-----------------------|---|
| <u>26</u> | E/18/00031 | 26 Park Street, Tring | Construction of conservatory and other works to this Listed Building. | 27 Apr 18 | 27 May 18 | 27 Sep 18 | Yes Appeal dismissed | 23 Oct 19 | Fully <u>complied</u> | Appeal against Listed Building Enforcement Notice submitted on 18 May 18. Appeal dismissed. *Site inspection confirmed that notice has been fully complied with. To be removed from this list* |
| 27 | E/11/00153 | Field adj. New Lodge, London Road, Berkhamsted | Untidy condition of land. | 14 Sep18 | 14.10.18 | 14.12.18 | Yes | N/A | N/A | S.215 Notice served requiring various elements to be removed from the land. Notice was challenged at Magistrates Court. Court outcome was that the 215 notice was quashed, but a court order was handed down to the defendant for them to comply with. Some items could remain on the site, but needed to be re-positioned. This has not been complied with. Further action to be considered. |
| <u>28</u> | E/18/00297 | The Old Oak, Hoggpits Bottom, Flaunden | Construction of raised terraces at front of site. | 05 Oct 18 | 05.11.18 | 05.01.19 | Yes | N/A | *Partly complied* | Enforcement Notice, requiring restoration of land, has been appealed. *Appeal now commenced, but also the breaking up of the concrete bases has taken place*. |

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| | E/18/00341 | 55 High Street, Markyate, AL3 8PJ | Installation of an external ACU (air conditioning unit) to the rear. | 12 Feb 19 | 14 Mar 19 | 14 Sep 19 | Yes | <u>02 Apr 20</u> | N/A | This notice was appealed but subsequently withdrawn on 2 Oct 19. Compliance required by 02 April 20. |
| 30 | E/16/00007 | Land lying to the northwest of Hill Farm, Markyate, AL3 8AU (known as Swaddling Wood) | Parking of vehicles, siting of mobile home and erection of gate in woodland. | 15 Feb 19 | 18 Mar 19 | 18 Jun 19 | Yes | N/A | N/A | This notice has been appealed.*Start letter issued and statements exchanged.* |
| 31 | E/18/00385 | Site of Smallgrove Farm, Windmill Road, Pepperstock | Creation of a large bund using imported material. | 11 Mar 19 | 11 Apr 19 | 11 Apr 20 | Yes | N/A | N/A | This notice has been appealed. *Start letter issued and statements exchanged* |
| 32 | E/18/00166 | Honeybrook, St Margarets, Great Gaddesden, HP1 3BZ | Formation of level terraces and construction of brick and stone retaining walls in rear garden. | 22 Mar 19 | 22 Apr 19 | 22 Oct 19 | Yes | <u>29 May 20</u> | N/A | This notice was appealed. *Application to be submitted in order to retain terracing with changes to design and new landscaping proposal. Appeal withdrawn* |
| 33 | E/18/00166 | Honeybrook, St Margarets, Great Gaddesden, HP1 3BZ | Non-compliance with condition 12 p/p 4/02874/15/FUL. | 22 Mar 19 | 22 Apr 19 | 22 Oct 19 | Yes | <u>29 May 20</u> | N/A | This notice was appealed. *Variation application 19/02721/ROC submitted. Appeal withdrawn* |

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| 34 | E/15/00238 | 6 Sarum Place, Hemel Hempstead | Untidy land | 21 May 19 | 21 Jun 19 | 21 Dec 19 | No | N/A | N/A | S215 untidy land notice served in relation to the garden, windows, gate and shed at this property. Previous S215 considered complied with following direct action by DBC. Property fallen into disrepair again. *Final deadline given to tidy up the site*. |
| 35 | E/18/00436 | 68 Tring Road, Wilstone | Erection of a fence in excess of 1m adjacent to a highway | 11 Jun 19 | 09 Jul 19 | 09 Oct 19 | Yes | N/A | N/A | Retrospective planning permission was refused – Enforcement notice served and notice appealed. New planning application submitted. *Start letter for appeal issued and statements exchanged* |
| 36 | E/19/00010 | Boxmoor Lodge Hotel, London Road, Hemel Hempstead | Erection of a marquee | 25 Jun 19 | 06 Aug 19 | 06 Aug 20 | <u>Yes</u> | N/A | N/A | *Notice appealed & statements exchanged* |
| 37 | E/18/00408 | 28 Boxwell Road, Berkhamsted | Demolition of wall and creation of parking area | 09 Sep 19 | 09 Oct 19 | 09 Dec 19 | <u>Yes</u> | N/A | N/A | EN served following dismissal of planning appeal regarding same development. *EN appealed, statements exchanged* |

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| 38 | E/19/00321 | Land at Featherbed Lane, Hemel Hempstead | Change of use to residential, siting of mobile homes and operational development including laying hard standing and erection of fencing | 11 Sep 19 | 09 Oct 19 | 09 Jan 19 | Yes | N/A | | Status quo injunction sought and granted 23 Aug 2019 (made final 20 Sep 2019). EN served following refusal of planning permission on 11 Sep 19. Refusal and EN appealed and likely to be linked inquiry. |
| 39 | E/17/00442 | Land north of Home Farm, Flaunden Bottom | Extension to building and construction of new building | 12 Sep 19 | 12 Oct 19 | 12 Dec 19 | No | 12 Apr 20 | | EN served following unsuccessful negotiation. *No appeal made following discussions and re-issuing of the EN. Compliance required by 12.04.20* |
| 40 | E/19/00336 | Land on the west side of 6 Haynes Mead, Berkhamsted | Change of use of amenity land to residential garden and erection of fence | 13 Sep 19 | 12 Oct 19 | 12 Dec 19 | N/A | N/A | Complied | EN served & complied. *To be removed from this list* |
| 41 | E/19/00302 | Lock Cottage, Ravens Lane, Berkhamsted | LBEN: Demolition of wall within curtilage of listed building | 13 Sep 19 | 12 Oct 19 | 12 Jan 20 | Yes | N/A | | LBEN served – notice appealed on basis that wall was not listed and that permission was previously granted under 4/01580/15/LBC |
| 42 | E/19/00302 | Lock Cottage, Ravens Lane, Berkhamsted | EN: Demolition of a wall in a conservation area and creation of a raised parking area | 13 Sep 19 | 12 Oct 19 | 12 Jan 20 | N/A | N/A | | *EN served – not appealed. Required to comply with the notice by 12.01.20 – site visit to check compliance* |

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|---|-------------------|--|---|-------------|----------------|-----------------|--------|---------------------|-----------------|---|
| <u>43</u> | E/19/00403 | Former Civic Centre Site, Dacorum Way, Hemel Hempstead | Use of piling and penetrative foundation works within discharging conditions attached to 4/03624/14 | 19 Sep 19 | 19 Sep 19 | N/A | N/A | N/A | <u>Complied</u> | Temporary Stop Notice issued in relation to the work to require cessation of those works. *Notice expired 17 Oct 19 and compliance was achieved with the discharge of condition prior to this. To be removed from this list* |
| <u>44</u> | E/19/00398 | Land off Upper Bourne End Lane, Hemel Hempstead | Erection of hardstanding and laying of hard materials. | 04 Oct 19 | 04 Oct 19 | N/A | N/A | N/A | <u>Complied</u> | Temporary Stop Notice issued in relation to the work to require cessation of those works. *Notice expired 01 Nov 19 and planning application submitted to regularise works (19/02741/FUL). Insofar as the TSN is concerned, the site has complied with those requirements. To be removed from this list* |
| THE FOLLOWING CASES HAVE BEEN ENTERED ONTO THE LIST FOR THE FIRST TIME | | | | | | | | | | |
| <u>45</u> | E/19/00492 BOC | Bovingdon Market, Chesham Road, Bovingdon | Breach of conditions 4, 5 and 19 of planning permission 4/01889/14/MFA | 05 Dec 19 | 05 Dec 19 | 02 Jan 20 | N/A | N/A | | *Breach of condition notice issued in respect of breaches pertaining to vehicular access points and approved plans* |

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| <u>46</u> | E/19/00492/ BOC | Bovingdon Market, Chesham Road, Bovingdon | Use of vehicular access on Molyneaux Avenue | 13 Dec 19 | 13 Dec 19 | N/A | N/A | N/A | | *Temporary Stop Notice issued in connection with the use of a vehicular access from Molyneaux Avenue (for market customers)* |
|-----------|--------------------|---|---|-----------|-----------|-----|-----|-----|--|---|