



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 2 JULY 2020 AT 6.30 PM
MICROSOFT TEAMS**

***This meeting of the Development Management Committee will be held remotely via the Microsoft Teams application.**

Should any members of the public wish to join this meeting, please contact the Assistant Director (Corporate & Contracted Services) at member.support@dacorum.gov.uk by 5pm on Wednesday 1st July.

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 (Chair)	Councillor Oguchi
Councillor Wyatt-Lowe (Vice-Chair)	Councillor Riddick
Councillor Beauchamp	Councillor R Sutton
Councillor Durrant	Councillor Symington
Councillor Hobson	Councillor Uttley
Councillor Maddern	Councillor Woolner
Councillor McDowell	

If you are having problems connecting to the virtual meeting, please phone the clerk on 01442 228490.

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

AGENDA

- 1. MINUTES** (Pages 5 - 16)
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) 20/00150/FUL - Proposed 20m mast and associated cabinets at Corner of Shenley Road and Elstree Road to replace existing 14.70m Mast and cabinets on Shenley Road" - Land ADJ 1 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE (Pages 17 - 56)
- (b) 20/01109/FUL - Construction of new dwelling - Longfield Aylesbury Road Tring Hertfordshire HP23 4DH (Pages 57 - 82)
- (c) 20/00884/FUL - Construction of a general purpose agricultural building - Glendale Farm, Flaunden Bottom, Flaunden, Hertfordshire. HP5 1GA (Pages 83 - 92)
- (d) 20/00631/FUL - Construction of new dwelling with access via existing driveway. Demolition of existing garage and construction of two new detached double garages. - Fullers Cross Oak Road Berkhamsted Hertfordshire HP4 3NA (Pages 93 - 113)
- (e) 4/02072/19/FUL - Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling. - Chequers Hill Nurseries Delmer End Lane Flamstead St Albans AL3 8ER (Pages 114 - 130)
- (f) 19/02521/FHA - Single storey front extension, two storey side and rear extension - 15 New Road Wilstone Tring Hertfordshire HP23 4NZ (Pages 131 - 147)
- (g) 20/01038/FHA - Single storey rear extensions, front porch canopy and alterations to front, rear and side fenestration (amended scheme) - 12 Puller Road Hemel Hempstead Hertfordshire HP1 1QL (Pages 148 - 155)
- (h) 20/00758/FHA - Two storey side and single storey rear extensions - 24 Finch Road Berkhamsted Hertfordshire HP4 3LH (Pages 156 - 169)
- (i) 20/00771/FHA - Two storey side and rear extensions and new front porch - Autumn Tints 4 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE (Pages 170 - 181)

6. APPEALS (Pages 182 - 186)

DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

11 JUNE 2020

Present:

MEMBERS:

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

OFFICERS:

J Hutton (Legal Governance Team Leader - Planning and Property), J Doe (Assistant Director - Planning, Development and Regeneration), H Edey (Planning Officer), R Freeman (Lead Planning Officer), J Gardner (Lead Planning Officer), C Lecart (Planning Officer), P Stanley (Development Management Team Leader), M Stickley (Lead Planning Officer), S Whelan (Group Manager - Development Management and Planning) and C Webber (Corporate & Democratic Support Officer)(Minutes)

The meeting began at 6.30 pm

1 MINUTES

The minutes of the meeting held on 21 May were confirmed by the Members present. Hard-copy minutes will be signed by the Chair when restrictions are lifted.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Sutton.

Councillor Graham Sutton was supposed to be substituting for Councillor Rosie Sutton but apologies for absence were also received from Councillor Graham Sutton.

3 DECLARATIONS OF INTEREST

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

4 PUBLIC PARTICIPATION

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

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

5a 20/00212/FUL - DEMOLITION OF GARAGES, TWO-STOREY EXTENSION AND ALTERATIONS TO EXISTING MEDICAL CENTRE, AND ASSOCIATED WORKS. - DOCTORS SURGERY PARKWOOD DRIVE HEMEL HEMPSTEAD HERTFORDSHIRE HP1 2LD

Councillors Guest declared that she and her husband were both patients at the Parkwood Drive Doctors Surgery. Councillor Hobson also declared that she was a patient at the Parkwood Drive Doctors Surgery.

Legal Advisor, Jacqueline Hutton, confirmed that these constituted personal, not prejudicial, interests and, therefore, Councillors Guest and Hobson participated and voted on this item.

The Case Officer, James Gardner, introduced the report to Members and said that the application had been referred to the Committee due to objection received and DBC has an interest in land.

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

Vote:

For: 12 Against: 0 Abstained: 0

Resolved: That planning permission be **GRANTED** subject to 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:**

102_1 Rev. I
125_D Rev. E
126_B Rev. B
110_B Rev. B
111_B Rev. B

R3_3751019_LA01

778225-MLM-ZZ-XX-RP-J-0001 22/01/2020
Proposed GP Surgery Extension Parkwood Drive, Hemel Hempstead
Travel Plan (dated January 2020)
1944-TEW-ZZ-XX-DR-E-4000-120-S0-P01
1944-TEW-RP-E-External lighting calculations -S0-P01

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

3. (a) **The Local Planning Authority is of the opinion that the Phase 1 Contamination Assessment submitted at the planning application stage (Document Reference: Assura Aspire Ltd 778225-MLM-ZZ-XX-RP-J-0001 22/01/2020) indicates a reasonable likelihood of harmful contamination and so 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.

4. **Any contamination, other than that reported by virtue of Condition 3 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.

5. **Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.**

Reason: To ensure permanent availability of the parking / manoeuvring area and to ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy.

6. **The approved travel plan, "Proposed GP Surgery Extension Parkwood Drive, Hemel Hempstead Travel Plan", (dated January 2020) shall be implemented at all times.**

Reason: In order to ensure that sustainable methods of transport are considered in the interests of highway safety, in accordance with Policy CS8 of the Dacorum Core Strategy.

7. **The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and facilities to restrict the generation of dust and mud from the site proposed during the construction period have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan/Statement and the approved details are to be implemented throughout the construction programme.**

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 CS8 and CS12 of the Dacorum Core Strategy.

8. **No lighting other than that shown on 1944-TEW-ZZ-XX-DR-E-4000-120-S0-P01 ("Proposed site plan indicative lighting layout and calculation" dated Jan 2020) shall be installed without the prior written approval of the local planning authority. The lighting shall only be operated in accordance with 1.0 (General) of document: 1944-TEW-RP-E-External lighting calculations -S0-P01.**

Reason: In the interests of the visual amenities of neighbouring properties in accordance with saved Policy 113 of the Dacorum Local Plan and Policy CS12 of the Dacorum Core Strategy.

9. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

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).

10. **The planting shown on drawing no. R3_3751019_LA01 shall 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 1 year 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).

11. **The window(s) at ground and first floor level in the northern elevation of the extension hereby permitted shall be non-opening below 1.7 metres from finished floor level and permanently fitted with obscured glass (minimum of level 3 on the Pilkington Scale).**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

12. **The boundary treatment in respect of the northern boundary, as shown on drawing no. 102_I, shall be fully constructed prior to first occupation of the development hereby approved.**

Reason: In the interests of the amenity of the neighbouring dwellings in accordance with Policy CS12 of the Dacorum Core Strategy.

13. **The D1 use hereby permitted shall not take place other than between the hours of:**

- (a) Mondays, Thursdays and Fridays: 08:30 - 21:00**
- (b) Tuesdays and Wednesdays: 07:00 - 21:00**
- (c) Saturdays: 09:00 - 18:00**
- (d) Sundays: 09:00 - 13:00**

Reason: To protect the residential amenities of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 (f) 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 at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph

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

2. 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.
3. Dust from operations on the site should be minimised by spraying with water or 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.
4. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

5b 19/03134/FUL - DEMOLITION OF EXISTING BUNGALOW TO BE REPLACED BY THE ERECTION OF A TERRACED ROW OF FOUR RESIDENTIAL DWELLINGS, TO INCLUDE ALL ASSOCIATED WORKS. - 96 LONGFIELD ROAD TRING HERTFORDSHIRE HP23 4DE

The Case Officer, Heather Edey, introduced the report to Members and said that the application had been referred to the Committee as the recommendation was contrary to the views of Tring Town Council.

Tring Town Councillor Christopher Townsend spoke in objection to the application.

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

Councillor Maddern declared that she had lost connection during the item and, therefore, did not vote.

Vote:

For: 3

Against: 6

Abstained: 2

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

It was proposed by Councillor McDowell and seconded by Councillor Beauchamp to **REFUSE** the application on the grounds that the proposed development, by reason of its cramped layout, density and design would result in overdevelopment of the plot,

causing harm to the character and appearance of the streetscene. The proposal is therefore contrary to the aims of Policies CS11 and CS12 of the Core Strategy (2013).

Vote:

For: 6

Against: 3

Abstained: 2

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

5c 20/00150/FUL - PROPOSED 20M MAST AND ASSOCIATED CABINETS AT CORNER OF SHENLEY ROAD AND ELSTREE ROAD TO REPLACE EXISTING 14.70M MAST AND CABINETS ON SHENLEY ROAD" - LAND ADJ 1 ELSTREE ROAD HEMEL HEMPSTEAD HERTFORDSHIRE HP2 7NE

Councillor Guest stated that this application had been deferred to the Development Management Committee meeting scheduled to take place on Thursday 2nd July 2020.

5d 20/00273/FUL - REMOVAL OF DOUBLE-DECKER BUS AND ARCHERY AREA AND PLACEMENT OF TWO FIELD SHELTERS AND ONE SHIPPING CONTAINER ON CAMPING AND LEISURE LAND. - 10 BROWNLOW FARM BARNS, POUCHEN END LANE, HEMEL HEMPSTEAD HERTFORDSHIRE, HP1 2SN

Councillor Durrant declared his interest in this item as he was the applicant. He did not participate or vote on this item.

The Case Officer, Martin Stickley, introduced the report to Members and said that the application had been referred to the Committee as the applicant is a Councillor.

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

Councillor Symington declared that she had lost connection during the item and, therefore, did not vote.

Vote:

For: 9

Against: 0

Abstained: 1

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

Condition(s) and Reason(s):

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:**

0854/01C
0854/02C

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

3. **Prior to the first use of any structures hereby permitted the double-decker bus as shown on the existing site plan (reference: 0854/01, March 2020) shall be permanently removed from site.**

Reason: In the interest of the openness, character and appearance of the Green Belt in accordance with Policies CS1 and CS5 of the Dacorum Core Strategy (2013)

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.

The meeting adjourned at 8:06pm

The meeting reconvened at 8:20pm

5e 20/00419/FUL - DEMOLITION OF THE EXISTING BUNGALOW AND CONSTRUCTION OF A NEW DWELLING AND GARAGE - TWO BAYS, LONG LANE, BOVINGDON, HERTFORDSHIRE. HP3 0NE

The Case Officer, Robert Freeman, introduced the report to Members and said that the application had been referred to the Committee as the recommendation was contrary to the views of the Parish Council.

Steven Cosgrave-Attwell spoke in objection to the application.

James Cosgrave spoke in support of the application.

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

Vote:

For: 10

Against: 0

Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the conditions set out below:

Condition(s) and Reason(s):

No	Condition
1	<p>The development hereby permitted shall begin before the expiration of three years from the date of this permission.</p> <p><u>Reason:</u> To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990, as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004</p>
2	<p>The development hereby permitted shall be constructed in accordance with the materials specified on drawing 8 and the application form.</p> <p><u>Reason:</u> 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)</p>
3	<p>No construction of the superstructure shall take place until details of proposed sustainability measures, including sustainable drainage measures, within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.</p> <p><u>Reason:</u> To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 150 and 153 of the National Planning Policy Framework (2019).</p>
4	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:</p> <p>Schedule 2 Part 1 Classes A and E</p> <p><u>Reason:</u> To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the 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).</p>
5	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>Drawing numbers 1 to 8</p> <p><u>Reason:</u> For the avoidance of doubt and in the interests of proper planning.</p>

5f 20/00460/FHA - TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND BALCONY - CLOVERLEAF, CHAPEL CROFT, CHIPPERFIELD

The Case Officer, Robert Freeman, introduced the report to Members and said that the application had been referred to the Committee in view of the contrary recommendation of the Parish Council.

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

Vote:

For: 10

Against: 0

Abstained: 2

Resolved: That planning permission be **GRANTED** subject to the following planning 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 constructed in accordance with the materials specified on the approved plans and application form

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).

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

NAJ 004 F 2020 (Elevations - Scheme C)

NAJ 004 F (Ground Floor Plan)

NAJ 004 G (First Floor Plan)

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

5g 20/00566/RET - RETENTION OF TIMBER ENCLOSURE/FENCING. - 33 BULBOURNE COURT TRING HERTFORDSHIRE HP23 4TP

The Case Officer, Heather Edey, introduced the report to Members and said that the application had been referred to the Committee as the recommendation was contrary to the view of Tring Town Council.

Tring Town Councillor Rosemarie Hollinghurst spoke in objection to the application.

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

Councillor Oguchi declared that she had lost connection during the item and, therefore, did not vote.

Vote:

For: 3 Against: 5 Abstained: 3

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

It was proposed by Councillor McDowell and seconded by Councillor Symington to **REFUSE** the application by reason of its poor design, the existing fencing/enclosure would appear an intrusive feature, failing to integrate with the streetscape character. The development would therefore be contrary to Policies CS11 and CS12 of the Core Strategy (2013).

Vote:

For: 6 Against: 3 Abstained: 2

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

5h 20/00524/FHA - PROPOSED GROUND FLOOR REAR AND SIDE INFILL EXTENSION, FLOOR PLAN REDESIGN AND ALL ASSOCIATED WORKS. - 7 QUEENS ROAD BERKHAMSTED HERTFORDSHIRE HP4 3HU

The Case Officer, Colin Lecart, introduced the report to Members and said that the application had been referred to the Committee due to objection received from Berkhamsted Town Council.

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

Vote:

For: 11 Against: 0 Abstained: 1

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

Condition(s) and Reason(s):

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:**

**103-01
104-01**

203-01
204-01
302-01
401-01 A

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

3. **The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the existing building in terms of size, colour and texture.**

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).

6 APPEALS

That the following appeals were noted:

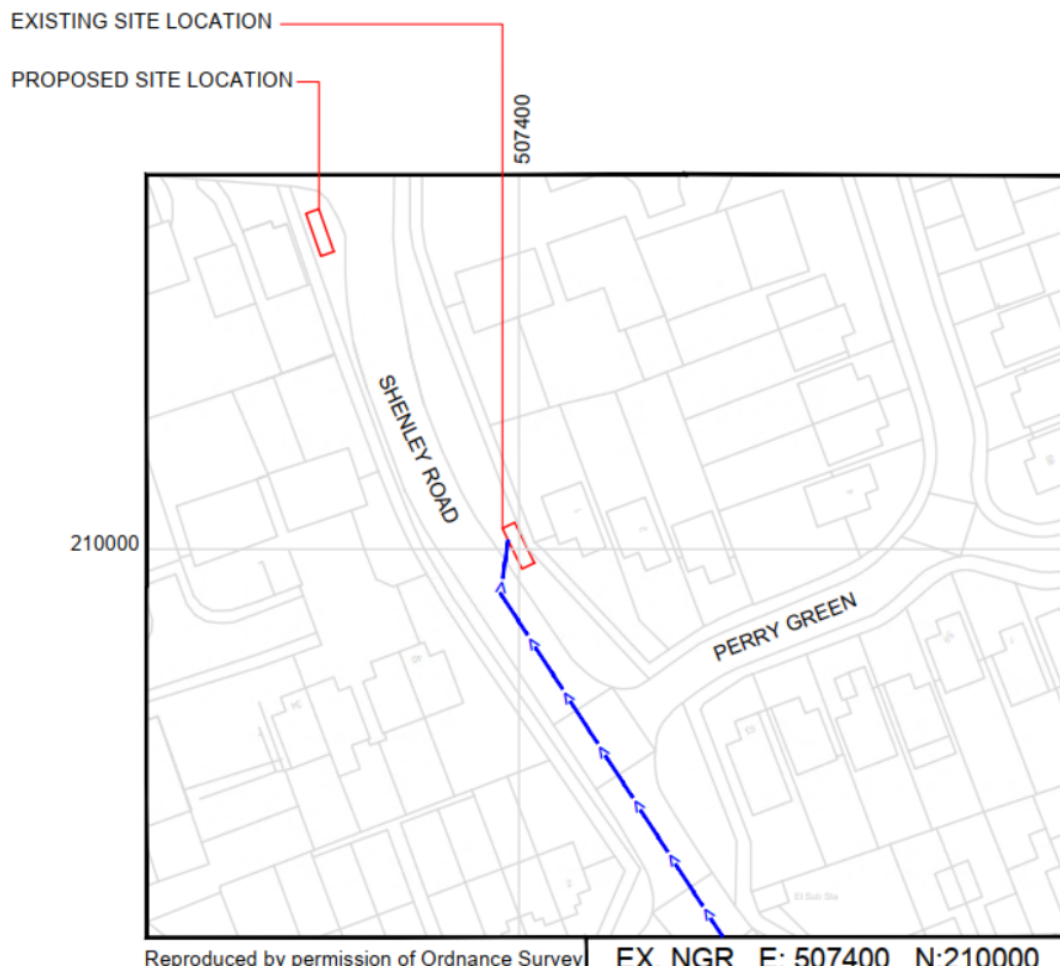
- A. LODGED**
- B. DISMISSED**
- C. ALLOWED**
- D. WITHDRAWN**

The Meeting ended at 9.42 pm

Item 5a 20/00150/FUL

Proposed 20m mast and associated cabinets at Corner of Shenley Road and Elstree Road to replace existing 14.70m Mast and cabinets on Shenley Road

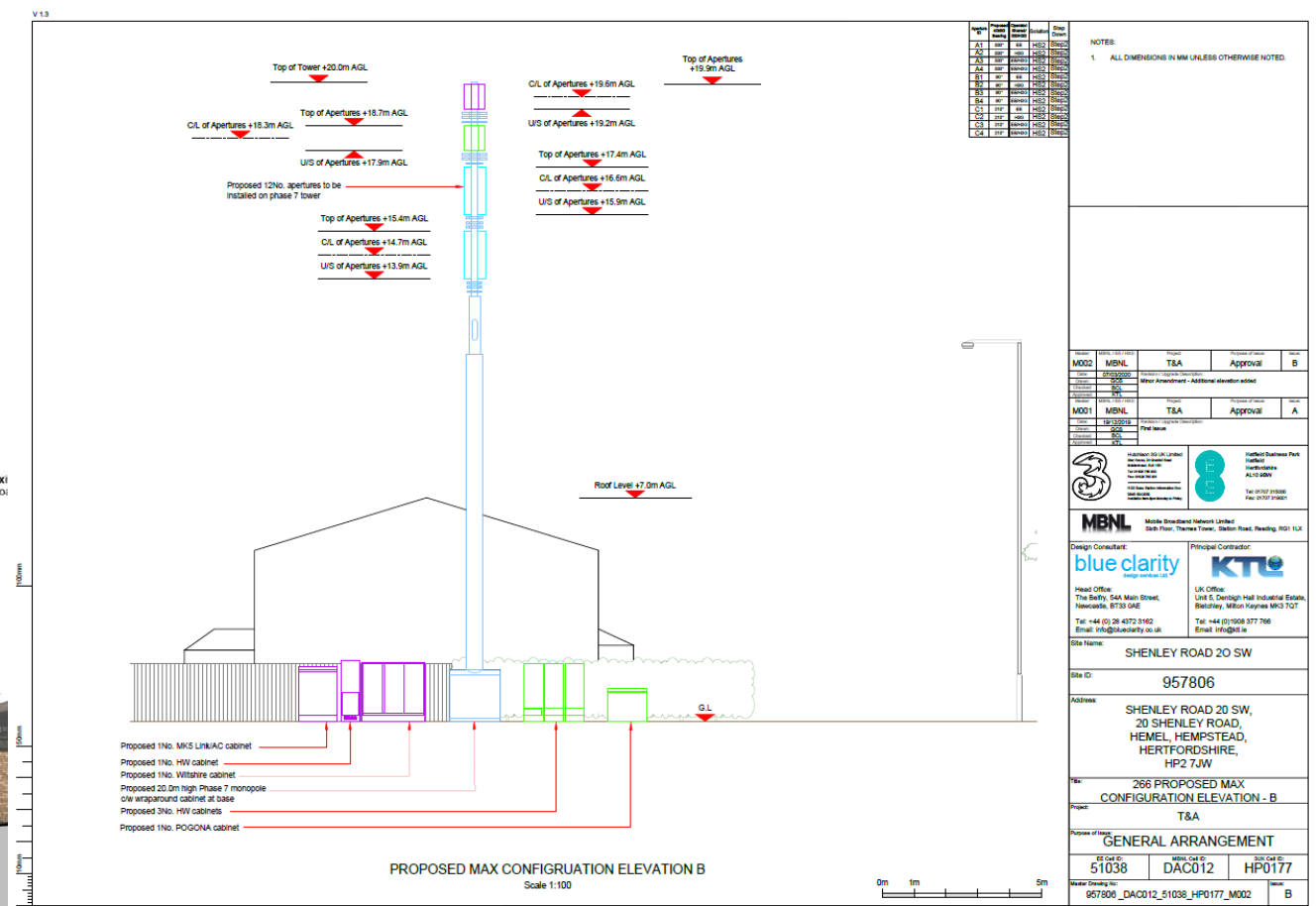
Land adj. 1 Elstree Road, Hemel Hempstead, HP2 7NE



Item 5a 20/00150/FUL

Proposed 20m mast and associated cabinets at Corner of Shenley Road and Elstree Road to replace existing 14.70m Mast and cabinets on Shenley Road

Land adj. 1 Elstree Road, Hemel Hempstead, HP2 7NE



ITEM NUMBER: 5a

20/00150/FUL	Proposed 20m mast and associated cabinets at Corner of Shenley Road and Elstree Road to replace existing 14.70m Mast and cabinets on Shenley Road"	
Site Address:	Land ADJ 1 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE	
Applicant/Agent:	Miss Daly	
Case Officer:	James Gardner	
Parish/Ward:		Woodhall Farm
Referral to Committee:	Called-in by Ward Councillor	

1. RECOMMENDATION

That planning permission be **GRANTED**.

2. SUMMARY

2.1 The application would enable existing 2G, 3G and 4G data services to be maintained while facilitating the ability to provide 5G data services in the future, in accordance with the aims and objectives of Section 10 of the National Planning Policy Framework.

2.1.1 It has been demonstrated by the applicant that there are no sequentially preferable sites within the maximum permissible search radius, appropriate consultation was carried out with local schools and ward councillors, and a certificate has been submitted to confirm that the monopole would comply with the relevant guidelines pertaining to non-ionizing radiation.

2.1.2 The structure would be higher than that which it replaces (located 55m to the south-east) but in the context of an urban area, it is not considered that the visual impact would be so severe as to weigh in favour of refusing planning permission.

2.1.3 Consideration has been given to the any potential impacts on the residential amenity of neighbouring properties. There would be no significant adverse impacts.

3. SITE DESCRIPTION

3.1 The application site is located on the western side of Shenley Road, Hemel Hempstead and comprises a grass adjacent to the public highway. It is proximate to the Shenley Road / Elstree junction and adjacent to the flank elevation of no. 1 Elstree Road.

4. PROPOSAL

4.1 Planning permission is sought for the erection of a 20 metres monopole and 8 associated cabinets. The monopole is proposed as replacement for a 14.7 metre version located approximately 55 metres to the south-east, which will be removed upon completion of the new site.

5. PLANNING HISTORY

5.1 No relevant history for this site.

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
CIL Zone: CIL3
Former Land Use (Risk Zone): Former Fireworks Factory, Woodhall Farm, Hemel
Parish: Hemel Hempstead Non-Parish
RAF Halton and Chenies Zone: Green (15.2m)
Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)
Smoke Control Order
EA Source Protection Zone: 3
Town: Hemel Hempstead

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:

Dacorum Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 – Quality of Public Realm
CS29 - Sustainable Design and Construction

Dacorum Local Plan

Policy 13 – Planning Conditions and Planning Obligations
Policy 126 – Electronic Communication Apparatus

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

Principle of Development
Quality of Design / Impact on Visual Amenity

Impact on Residential Amenity
Impact on Highway Safety and Parking

Principle of Development

9.2 Section 10 (paragraphs 112-116) of the National Planning Policy Framework (NPPF) sets out the approach that local planning authorities should take to the upgrade and expansion of electronic communication networks. It states that “*Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections*”

In the interests of limiting the number of radio and electronic communications masts, encouragement is given to re-using existing masts, buildings and other structures, although it is acknowledged that there will at times be a requirement for new sites. Where new sites are required, equipment should be sympathetically designed and, where appropriate, camouflaged.

9.2.1 Paragraph 115 of the NPPF requires applications for electronic communications to be supported by the information necessary to justify the proposed development:

- The outcome of consultations with organisations with in an interest in the proposed development.
- Evidence that the applicant has explored the possibility of erecting a mast on an existing building, mast or other structure.
- A statement that self-certifies that, when operational, International Commission guidelines on limiting exposure to electromagnetic fields will be met.

9.2.2 In accordance with paragraph 116, applications must be determined on planning grounds only and should not prevent competition between respective operators, question the need for an electronic communication system or set more stringent health safeguards than those set out in the International Commission guidelines for public exposure.

Consultation

9.2.3 A document entitled “SUPPLEMENTARY INFORMATION” was included as part of the supporting documents and outlines the consultation which took place prior to submission of this planning application:

- ☐ Letters and plans emailed to Woodhall Farm Ward Councillors on 14th November 2019.
- ☐ Letters and plans issued to Holtsmere Junior School and Holtsmere End Infant and Nursery School.

Alternative Sites

9.2.4 As the 5G mast would not be erected in the same location as the existing 2G/3G/4G mast, it is appropriate for alternative sites to be considered in accordance with paragraph 115 (c) of the NPPF. The supporting information suggested that this had not been done. However, contact was subsequently made with the planning agent who provided the following statement:

To ensure the efficient continued operation of the network, replacement sites must to be within a short radius of the existing mast to maintain the existing network coverage. If the mast was relocated even a short distance from the existing site, it could leave a gap in existing network coverage elsewhere. In order to maintain existing coverage, this necessitates a limited search area of approximately 100m from the existing site which is illustrated at figure 1 below.

Site placement is always critical in network planning and becomes even more so, when one is seeking to replace an existing base station already operating within the established cellular pattern.

When an existing site is lost, it leaves a very specific and unique gap in the network, much like removing a piece from a completed jigsaw would, which needs to be re-filled if users living and working within that area are to be able to continue to use their mobile phones and other wireless devices. This places even greater limitations on the potential siting opportunities, as many locations will not enable this specific gap to be adequately filled.

The characteristics of telecoms sites are that they must be environmentally suitable, capable of being developed (e.g. ground conditions) and safe and secure. For a rooftop installation the roof must be flat, be higher than the existing site with clear lines of site and be structurally able to accommodate the heavy equipment. Within the search area, the roof scape is pitched, domestic roofs where there were no alternative rooftop sites to consider. There are no large commercial buildings or sites which might offer a non-streetworks option.

MBNL can only consider siting a streetworks telecommunications facility on the adopted highway. The New Road & Streetworks Act 1991 allows statutory undertakers the right to install a facility in the adopted highway subject to a number of conditions, for example highway safety. If a site is not located in the adopted highway MBNL would need to seek a formal agreement with the registered landowner, and this could be a protracted process that could potentially take a number of years to formally agree.

Several constraints contributed to the proposed site selection including, space restrictions, underground services, trees, and dense residential properties. For these reasons, suitable options for the replacement upgrade, in this area, are limited. The existing site can-not be used due underground services present and space restrictions surrounding the site. The proposed site is the most suitable from a technical and town planning perspective.

Similar to the existing installation, the site subject of the proposal, at the front of a wide highways verge, not fronting the surrounding residential properties, **is well-placed to serve the entire residential area**. On this basis in accordance with guidance in the NPPF, the proposal is to upgrade the existing base station in this location.

To conclude, there are no sequentially preferable, suitable alternative sites for the provision of enhanced 4G and new 5G provision in this area.

9.2.5 Having reviewed the map showing a 100m radius of the site, there are no obvious alternative sites capable of housing the necessary equipment.

Public Health

9.2.6 Updated guidance on 5G technology (*5G technologies: radio waves and health*) was published by Public Health England (PHE) on 3 October 2019. The guidance states that a “*large amount of scientific evidence has emerged since the year 2000 through dedicated national and international research programmes that have addressed concerns about rapidly proliferating wireless technologies.*” Although the focus of the aforementioned studies was current communication technologies – i.e. not 5G technology - PHE highlights that the “*interaction between radio waves and body tissues are well understood at higher frequencies and are the basis of the present ICNIRP restrictions*”. They subsequently conclude that whilst 5G may result in a small increase in exposure to radio waves, the overall exposure would remain low to relative guidelines and, as such, there should be no consequences for public health.

9.2.7 Paragraph 116 of the NPPF is clear that local planning authorities should not set health safeguards different from the International Commission guidelines for public exposure.

9.2.8 The applicant has certified that that the proposed mast would be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP). Therefore, in these circumstances the NPPF advises that health safeguards are not something for a decision maker to determine.

9.2.9 A self-certification statement has been provided to state that the mast and cabinets) are in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionising Radiation (ICNIRP), as expressed in EU Council recommendation of 12 July 1999 (1999/519/EDC) on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz)".

9.2.10 As the required ICNIRP certificate has been received, we cannot consider the health implications of the proposals any further.

Quality of Design / Impact on Visual Amenity

9.3 The approach taken by Saved Policy 126 of the Dacorum Local Plan (2004) is for applications for electronic communications apparatus to be assessed with regard to size, colour and appearance; local topography, relationship with adjoining dwellings, the presence of trees in the vicinity and the extent to which they screen the site; the size, form and prominence of other authorised telecommunications apparatus in the vicinity.

9.3.1 Policies CS11 and CS12 of the Dacorum Core Strategy seek to ensure that, amongst other things, development preserves attractive streetscapes and integrates with the streetscape character.

9.3.2 The site of the proposed 5G mast is located at the junction of Elstree Road and Shenley Road – a looped local distributor road lined by mature trees and grass verges. Dwellings are generally set at 90 degrees to the road and street furniture is a common feature of the area.

9.3.3 The mast would be 20 metres in height but would be seen against the backdrop of common urban features such as residential dwellings, lampposts and trees. Whilst it is acknowledged that it would be considerably higher than the nearby dwellings, owing to the relatively flat topography of the immediate area it would only be fully visible from a limited number of locations within the street scene. In addition, when travelling along Shenley Road in a northerly direction the mast would be seen against a cluster of mature trees, which would help to soften its overall appearance. It is submitted that the average person moving through the street would largely perceive only the parts of the mast at eye level, and although longer distance views over the top of roofs may be possible from nearby roads, visibility does not automatically equate to visual harm. Indeed, the area does not fall within the boundaries of a Conservation Area, the Chilterns Area of Outstanding Natural Beauty or a rural area. It is not therefore a visually sensitive landscape. In terms of limiting the overall height, it has been confirmed that the current height of the proposed mast is the minimum capable of providing the technological improvements sought and satisfying ICNIRP requirements. The location of the mast – on a grass verge adjacent to the public highway – is not an unusual location; nor would it draw unnecessary attention to it. The use of Highway land obviates the need for protracted discussions with private landowners and therefore tends to be the favoured location for such equipment.

9.3.4 The proposal also includes the installation of eight ancillary radio equipment cabinets. These would not, however, be large in scale and are of similar appearance to those already in situ at the original site. Should planning permission be granted, a condition will be included which requires the cabinets to be painted dark green to aid integration with the grass verge.

9.3.5 In accordance with paragraph 113 of the NPPF, which seeks to keep the number of radio and electronic masts to a minimum, should planning permission be granted, it is considered appropriate to impose a condition requiring removal of the existing radio equipment cabinets within a period of three months from the date that the planning permission is commenced. It is understood that the construction programme can take up to two months; therefore, three months would appear to be a reasonable time-scale to integrate the new mast into the network and remove the old equipment. The planning agent has confirmed that this is acceptable. With regard to the existing mast, whilst the applicant has offered to remove the shroud and antennae, this does not go far enough; rather, it is considered reasonable to require the removal of the mast in its entirety and its replacement with a slim-line lamppost to match those already found within the street.

9.3.6 The removal of this mast and cabinet reduces street clutter and therefore the new installation should be seen in the context of what extra is being provided and not in its totality.

9.3.7 Taking all of the above into account, it is not considered that the proposed development would be unduly prominent or detrimental to the visual amenities of the area. It therefore follows that it would accord with saved Policy 126 of the Dacorum Local Plan and Policies CS11 and CS12 of the Dacorum Core Strategy.

Impact on Residential Amenity

Noise

9.4 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development avoids disturbance to surrounding properties.

9.4.1 Noise from the fans within the radio equipment cabinets has been identified as a cause for concern, for these could potentially have an adverse impact on the first floor window of no. 1 Elstree Road and its amenity space.

9.4.2 Specifications for the fans has been provided; however, the data in isolation is meaningless as it does not take account of the local noise context. For example, if the ambient noise within the area is low, even a fan with a modest dB rating could potentially adversely impact a nearby property. Conversely, a loud fan within a high noise environment may not give rise to concerns. The Council's Environmental Health Officer has therefore recommended that a condition be imposed which requires a noise management plan to be submitted to and approved in writing by the local planning authority prior to first use. The proposed wording of the condition is as follows:

The use hereby approved shall not be operated until a noise management plan, including a scheme of noise mitigation(if required) has been submitted to and approved by the Local Authority. The approved plan shall ensure/demonstrate how adverse effects from noise to nearby residential occupiers are to be avoided.

The noise management plan and any required scheme of noise mitigation shall be prepared and compiled by an appropriately experienced and competent persons.

The development shall be carried out in accordance with the approved noise management plan, including any noise mitigation measures required as part of the approved plan.

9.4.3 This will ensure that, where appropriate, mitigation is provided to ensure that local residents are not detrimentally impacted by noise and disturbance.

9.4.4 Reference has not been made to following a British Standard condition, since it risks creating ambiguity in a condition. Requiring an assessment that accords with principles of BS 4142 leaves this open to interpretation as the methodology is applied with a number of discretions, such as

application of factors for noise character and method for doing so. It will be for the acoustic consultant to demonstrate to the Council that they have undertaken a robust enough assessment of noise to ensure an adverse impact will not occur, or will be appropriately mitigated. Acoustic consultants should be regarded as experts with knowledge of relevant guidance and to be able to demonstrate they have interpreted and applied guidance, as is appropriate to the situation. Ultimately, if the Council were not satisfied with the information provided, the condition would not be discharged and the mast and associated equipment cabinets would not be able to be brought into use.

9.4.5 Subject to the inclusion of the above referenced condition, the development does not give rise to concerns from a noise perspective.

Overshadowing

9.4.6 Concerns have been raised in connection with overshadowing. The nearest dwelling to the application site is no. 1 Elstree Road, which is located to the west. The mast would be sited approximately 1/3 of the way along the gable end. As such, it is unlikely that this would result in overshadowing of the garden. Even if the orientation and location were not favourable, it is not considered that the level of limited overshadowing caused by the mast would be so severe as to weigh in favour of a refusal of planning permission.

Visual Intrusion

9.4.7 The number of dwellings that would front the mast would be limited to nos. 2, 4 and 6 Elstree Road. These dwellings are located a considerable distance away and would have very limited views of the mast owing to the presence of a large group of trees on the intervening amenity green.

9.4.8 It is noted that no. 1 Elstree Road has a side-facing window facing the proposed mast; however, this appears to serve a bathroom and is fitted with obscured glass.

9.4.9 In light of the above, it is not considered that the mast would result in a significant visual impact on the nearby dwellings.

Wind Noise

9.4.10 The Council has no specific policy in terms of addressing wind noise generated by a tall structure. However, given its relatively limited height (compared with tall buildings which have caused such issues in cities) and its cylindrical shape it is considered unlikely that this would divert the wind in such a way as to result in unacceptable noise impacts.

9.4.11 The Council's Environmental Health Officer has been consulted but is not aware of complaints being made about similar structures within the borough.

Impact on Highway Safety and Parking

9.5 The mast and radio equipment cabinets are located within the centre of the grass verge, away from the kerbside and back from the give-way lines at the Elstree Road / Shenley Road junction. As such, any vehicles waiting to turn right at the give-way lines would have an unobstructed view along Shenley Road, and would therefore be able to manoeuvre safely. Visibility has been demonstrated on "004 VISIBILITY SPLAY PLAN".

9.5.1 The Highway Authority have not raised any objections to the application. A follow-up email was sent to the highway officer concerned to clarify that the proximity of the nearby pedestrian crossing had been taken into account, in response to which the following reply was received:

9.5.2 *The remaining levels of vehicular to vehicular visibility at the junction of Elstree Road and Shenley Road would be considered to be acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide.*

9.5.3 It can be concluded that there are no fundamental issues which would result in detrimental impact on highway or pedestrian safety.

Other Material Planning Considerations

Impact on Trees and Landscaping

9.6 No implications.

Electronic Interference

9.6.1 It has been confirmed by the agent that *“authoritative evidence has been produced to suggest that 5G masts do not result in interference to television signals.”*

Response to Neighbour Comments

9.7 These are addressed below:

“There has been inadequate consultation and other sites have not been looked at during the process and only now in June have alternative sites retrospectively been shown.”

The applicant first provided the information on alternative sites in an email dated 26th February 2020. The information provided in June is essentially the same, but has been tailored to be a standalone document for use on the website.

“Clause 5C. The report drawing only shows an elevation of the mast and equipment panels and does not show a section showing the mast 5.0m away from the side of 1 Elstree Road, which has a side first floor window. The window will be the closest to a mast in Hemel Hempstead and the first time a mast is located next to an openable window. We object on the grounds the mast is too close and fronts a window, that although has mottled glass, has a clear view looking out.”

Limited weight is generally given to adverse impacts on non-habitable windows such as those serving bathrooms, en-suites, garages etc. This is predicated on the basis that, unlike a living room, kitchen or bedroom, where one reasonably be expected to spend a large proportion of their day, non-habitable rooms are occupied for much shorter durations; therefore, the any harm will be limited.

“Clauses 2.1.1, 9.2.1, 9.2.3, 9.2.4. We object that the applicant has demonstrated that there are no alternative sites. The new drawing issued in June clearly shows a retrospective review and therefore biased towards the current application. This drawing is showing a 50m radius around the existing mast and not a 100m radius that the applicant states is applicable. We can see other sites particularly on the corner of Perry Green where it can be located with only one small tree relocated. It would be c10m from the side of a house and will have much less visual impact residentially.”

The information on alternative sites was provided on 26th February 2020. In terms of the search radius shown on the applicant’s alternative sites plan, online tools and the Council’s Geographic Information System (GIS) confirm that the search area is indeed a 100m radius (please see Appendix C).

“Clause 9.2.1. Although a self-certifying certificate for radiation is provided. This is based on 1999 ICNIRP guidelines. It does not cover 24-7 exposure and so no specific risk assessment is produced for nearby houses or workman working on roofs.”

The applicant has provided a certificate which states that, when operational, International Commission guidelines will be met. As per paragraph 116 of the NPPF, local planning authorities should not set health safeguards different from the International Commission guidelines for public exposure.

“Clause 9.2.5. We object that there are no other sites. This has not been demonstrated satisfactorily and has not been consulted during the planning period. The applicant appears to have taken the view that they would install in the current position that suits them best since approval appears to be automatically given (we cannot see any rejections locally to other proposals in the town). The review drawing of other sites is retrospective and so not applicable to the submission. There are clearly other sites closer to the original installation that place the mast much further away from the nearest house. Should there not be a review of mast positions in the whole estate so that future mast generations are future proofed, namely the commercial area around Sainsburys?”

The applicant's site selection map shows a number of possible alternative sites; however, each of these is subsequently discounted. For example, the existing site is not suitable owing to space restrictions and the presence of underground services; the grass verge adjacent to no. 2 Denham Close was discounted owing to space restrictions and trees, whilst the area adjacent to no. 1 Denham Close was deemed unsuitable due to the presence of underground services.

“Clause 9.3.4., 9.2. We object to this clause. There are 8 panels much taller than the existing 3 panels that occupy a 10m width instead of 4.0m and half the height. (Refer to the photos of the existing and proposed site and the real size of the installation as installed in Grovehill). Painting them green will not meet the NPPF policy for sympathetically designed and camouflaged.”

If a mast were already installed at the site, then the radio equipment cabinets could potentially be constructed under permitted development. Woodhall Farm is an urban area of Hemel Hempstead and does not have a rural character. It is submitted, therefore, that street furniture (such as radio equipment cabinets) is not an uncommon feature. Painting the cabinets green will not, of course, prevent them from being seen. However, this will help them to more fully assimilate into the local environment. The cabinets are approximately the same height as a standard fence panel, which is not excessive. Consequently, the cabinets are, in my view, considered to be sympathetically designed and camouflaged.

“Clause 9.3.5. If the existing panels are to be removed why can't the new installation be placed alongside them as per the applicant's original pre-consultation drawings and government guidelines? We do not agree that this has been adequately explored. There is another site on the opposite corner of Perry Green where the removal of one tree offers a better location that is further away from houses and windows on both sides of the road.”

The applicant's site selection map indicates that the existing site on the corner of Perry Green cannot accommodate the new installation due to space restrictions and the presence of underground services. The site on the opposite side of the road (adjacent to 2 Denham Close) has already been discounted as unsuitable due to space restrictions and trees. These are reasonable comments and there are no obvious reasons for the Council to require the submission of additional reports to corroborate this.

“Clauses 9.4.1 to 9.4.3. We object that planning will be granted before a noise mitigation scheme is submitted. We object to the clause “if required” that has been added. Clearly the 5G panels will pollute many houses with their noise, not just 1 Elstree road. The acoustic report to be submitted must include measured day and night time noise values with measured noise ratings from equipment at high ambient temperatures (I suggest 30degC). I have experience of this in my career as a Chartered Building Services Engineer, so I am aware that this is onerous and cannot be achieved with just acoustic lining and louvres as suggested. These equipment panels are not designed to be within a quiet residential area. So there is no confusion, the accepted industry standard to use for reporting noise is BS4142. It should be made clear that acceptable noise should be reduced to -5dBa less than the background noise levels at openable windows and daytime gardens. I have carried out my own analysis which is elsewhere in this document to highlight the noise gap that exists which is anticipated to be 20-25dBa.”

The Council’s Environmental Health Officer is satisfied that any noise impacts can be suitably mitigated. It should be noted that the mast cannot be brought into use until a noise report has been submitted to and approved in writing and approved by the local planning authority. If the Environmental Health Officer is not satisfied with the contents of the reports, then it is open to the Council to refuse to discharge the condition. It would then be incumbent upon the applicant to provide a report that addresses the relevant concerns, should there be any.

“Clause 9.4.5 Overshadowing. We object to this clause. The southern sun will cast shadows over properties 2,4,6 Elstree Road (the trees have no leaves in winter) and many more. The first-floor window on 1 Elstree road is mottled glass offering a good view externally so the mast and equipment panels will be clearly seen. In any event this window could be replaced with clear glass (as my human right to do so) so the type of window glass should be irrelevant!”

Whilst wider than the previous generation of telecommunication masts, the mast is not excessively wide, so although it is conceivable that there may be some overshadowing of nos. 2, 4 and 6 Elstree Road, it is not considered that this would be so severe as to warrant a refusal of planning permission. Even in the winter months, the combined mass of the trunks and branches of the substantial trees are likely to result in some overshadowing. Finally, any adverse impacts need to be balanced against the benefits of providing enhanced data services to the area.

*Clause 9.6.1- We object to this clause since it states “Authorative evidence has been produced to suggest that 5G masts **result in interference to television signals**”. This in unacceptable and would require mitigation.*

This was a typographical error in the previous report and has been corrected. The text should have read as follows: *“Authoritative evidence has been produced to suggest that 5G masts do not result in interference to television signals”*.

“Clauses 10.1 to 10.1.4 Conclusions. We object to the report conclusions as stated above and below.

- a) *Consultations have not been carried out with organisations correctly since the new mast was only shown in the same position as the existing one.”*

The Council were not provided with the contents of the consultation packs sent to stakeholders.

- b) *Consultations were carried out with only 3 neighbours (we requested if other neighbours were contacted but we never received a reply). The most affected house, 1 Elstree Road, **never** received a consultation letter. Surely this can’t be the correct consultation*

procedure? The planning proposal was only strapped to a nearby lamppost approximately 3 weeks after the first submission and our complaint. This is not in line with NPPF guidelines.

The following addresses were consulted as part of the application process:

2 Elstree Road
4 Elstree Road
6 Elstree Road

100 Elstree Road

15 Perry Green
16 Perry Green
17 Perry Green

Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order states that applications are to be publicised in the following manner:

- a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or*
- b) by serving the notice on any adjoining owner or occupier.*

A neighbour consultation letter would ideally have been sent to no. 1 Elstree Road and appears to have been omitted. However, a site notice was, on 13th February 2020, also displayed proximate to the location of the new mast, satisfying the relevant consultation requirements and drawing the attention of the wider area to the planning application. Furthermore, it is noted that comments have been received from no.1 Elstree Road, which demonstrates that they are aware of this application. No.1 Elstree Road has therefore not been prejudiced or prevented from commenting on this application as a result of the absence of an application notification letter being sent to their address.

- f) "This proposed mast would become the closest to a house (5.0m) with or without a window, in the whole of Hemel Hempstead. There are only two other examples of this; one being the existing mast (7.5m away with no side window) and one in Warners End (10m away no window, facing a field). It is apparent that should planning be granted this would set a precedent and leave difficult choices now in other parts of Hemel, and in the future, when this mast is replaced with a taller and noisier mast. Isn't the real issue that this mast should be located in the commercial areas of the estate like other ones in Hemel Hempstead."*

Each case is judged on its own merits and the degree to which it complies with the relevant local and national planning policies.

"Lightning Protection- *It is a legal requirement that the mast provider produces a risk assessment for the installation with the mitigation measures taken, and must be signed by the designer. This is not provided. This would not be an issue if a mast was not near a house or so tall. There is a very real risk the mast will be struck by lightning with the EMP causing damage in the house since it is so close."*

The applicant has confirmed that there are two earthing systems on all sites: lightning protection system earthing and installation earthing. Lightning protection entails a complete system for

protection of structures against lightning, including their internal systems and contents, as well as persons. Protecting against lightning strikes is not, however, a material planning consideration.

Community Infrastructure Levy (CIL)

9.8 This application is not CIL liable.

10. CONCLUSION

10.1 It has been demonstrated by the applicant that there are no sequentially preferable sites within a 100m search radius. The requirements of paragraph 115 of the NPPF have also been satisfied; that is to say, information has been provided in respect of the following:

- The outcome of consultations with organisations with an interest in the proposed development.
- Evidence that the applicant has explored the possibility of erecting a mast on an existing building, mast or other structure.
- A statement that self-certifies that, when operational, International Commission guidelines on limiting exposure to electromagnetic fields will be met.

10.1.2 In the context of an urbanised area of Hemel Hempstead, which includes lampposts, broadband cabinets and dwellings, the proposed mast would not appear incongruous and would, in time, be seen as merely an additional piece of street furniture. Its height is the minimum required to carry out its necessary function and comply with the ICNIRP guidelines on exposure to non-ionizing radiation.

10.1.3 In terms of any adverse impacts on the amenity of neighboring properties, as outlined in the report it is not considered that these would be so severe as to warrant a refusal of planning permission. Health impacts have been addressed by virtue of the developer certifying that the installation would comply with ICNIRP guidelines. The nearest dwellings with a direct view of the mast (nos. 2, 4 and 6 Elstree Road) are located a significant distance away, and a large group of trees would shield much of the mast from view. Given the separation distance, it is not considered that the development would be overbearing. The side facing window of no. 1 Elstree Road appears to be a non-habitable bathroom window, so it is unlikely that the mast would be visible or result in any significant effects – be these visual or in terms of shadowing.

10.1.4 Highway safety has been addressed. The mast and associated cabinets would not result in a reduction in visibility for cars waiting at the give-way lines at the Elstree Road / Shenley Road junction.

11. RECOMMENDATION

11.1 That planning permission/listed building consent be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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:**

**Master Drawing No: 957806_DAC012_51038_HP0177_M001 (Issue A)
Title: 100 Existing Site Plan**

**Master Drawing No: 957806_DAC012_51038_HP0177_M001 (Issue A)
Title: 150 Existing Site Elevation**

**Master Drawing No: 957806_DAC012_51038_HP0177_M001 (Issue A)
Title: 215 Proposed Max Configuration Site Plan**

**Master Drawing No: 957806_DAC012_51038_HP0177_M001 (Issue A)
Title: 265 Proposed Max Configuration Elevation**

**Master Drawing No: 957806_DAC012_51038_HP0177_M002 (Issue B)
Title: 266 Proposed Max Configuration Elevation**

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

3. **The use hereby approved shall not be operated until a noise management plan, including a scheme of noise mitigation (if required) has been submitted to and approved by the Local Authority. The approved plan shall ensure/demonstrate how adverse effects from noise to nearby residential occupiers are to be avoided.**

The noise management plan and any required scheme of noise mitigation shall be prepared and compiled by an appropriately experienced and competent persons and include time-scales for implementation.

The development, including any noise mitigation measures, shall be carried out in accordance with the approved noise management plan, and in accordance with the implementation timescales found therein.

Reason: In order to ensure that the adjacent dwelling is not adversely impacted by noise and disturbance, in accordance with Policy CS12 of the Dacorum Core Strategy.

4. **All cabinets scheduled for removal, as shown on the following drawings shall be removed within 3 months of the date that work in respect of this planning permission commences:**

**Master Drawing No: 957806_DAC012_51038_HP0177_M001 (Issue A)
Title: 215 Proposed Max Configuration Site Plan**

**Master Drawing No: 957806_DAC012_51038_HP0177_M001 (Issue A)
Title: 265 Proposed Max Configuration Elevation**

Reason: In order to keep the number of sites used for radio and electronic communications masts to a minimum and in the interests of the visual amenities of the area, in accordance with paragraph 113 of the NPPF and Policies CS11 and CS12 of the Dacorum Core Strategy (2013).

5. **Notwithstanding the details provided within the document entitled "SUPPLEMENTARY INFORMATION", the equipment cabinets hereby approved shall be painted dark green within 2 months of installation.**

Reason: In the interests of the visual amenity of the area and to ensure that the development satisfactorily integrates with the streetscape character, in accordance with saved Policy 126 of the Dacorum Local Plan (2004) and Policies CS11 and CS12 of the Dacorum Core Strategy (2013).

6. **Within 3 months of the first operation of the mast hereby permitted, and notwithstanding the details shown on Drawing Nos 957806_DAC012_51038_HP0177_M001 (Issue A) Title: 215 Proposed Max Configuration Site Plan; and, Master Drawing No: 957806_DAC012_51038_HP0177_M001 (Issue A) Title: 265 Proposed Max Configuration Elevation, full details of a scheme to remove the existing telecoms column and replace it with a lamppost of standard construction shall have been submitted to and approved in writing by the local planning authority. The scheme shall include full specifications of the new lamppost, proposed elevations, a site plan and a timeline for the removal of the existing telecoms column and the installation of the replacement lamppost. The works shall then be carried out in accordance with the approved particulars and the timescales found therein.**

Reason: In order to avoid the proliferation of redundant digital communication apparatus, in accordance with saved Policy 126 of the Dacorum Local Plan (2004) and paragraph 113 of the NPPF.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<p>Without more specific detail on the locality it is difficult to know if there will be an adverse noise impact.</p> <p>At the current location of Perry Green I cannot see any windows opening out on the current location, whereas at land adjacent to 1 Elstree I can see windows and this might give rise to noise issues if opening onto a habitable space. What we also aren't clear on is the number of fans, and if these have specific noise characteristics such as tonality or intermittency and could affect sound character.</p> <p>Basic sound level detail on its own without context means I can't say if this would be acceptable or not. We can either ask for a noise assessment or require a condition which requires details of mitigation measures in lieu of a noise survey, should it indicate an adverse impact.</p>

Environmental And Community Protection (DBC)	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.
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
7	15	0	15	0

Neighbour Responses

Address	Comments
Woodhall House 11 Horton Gardens Hemel Hempstead Hertfordshire HP2 7NF	<p>It would be helpful to understand first why the new post is required, and why the original is not adequate.</p> <p>I just tried to access the details on the planning site and they have been removed.</p> <p>The location and height will degrade the area, and will affect the closest houses.</p> <p>If this is to extend to the new housing estates, maybe put the post on these plots rather than keep disturbing the original occupants in the area as it appears never ending, have to provide for the new but whilst the original have put up with nothing for decades.</p>
8 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE	<p>Affect local ecology - The actual harm caused to health by the electromagnetic radiation emitted by such masts is unconfirmed but is of real concern to the families/residents living in the vicinity of the mast, or even having to pass by the mast on a regular basis. Depending on the number of associated cabinets, the entire area of grass at the site may be permanently lost. Furthermore, opposite the site is a larger area of grass and trees, and electromagnetic radiation is thought to be harmful to local wildlife and some wildlife even abandon areas where new masts are erected as a result of this.</p> <p>Close to adjoining properties - The mast would be located at the end of a purely residential street (Elstree Road) and directly next to the curtilage of number 1 Elstree Road. This is unacceptably close to the houses at the location.</p> <p>Development too high - The proposal is that the mast is 20m high, much higher than the other buildings/houses in the locality and therefore it would be visible well above the current skyline of the estate.</p>

General dislike of proposal - The mast will be situated too close to residential properties and will be an eyesore. It will be visible from the windows to the rear of my property and depending on its precise location, my back garden also.

Increase of pollution - Due to the telephone networks greater needs, masts now emit even higher levels of radiation than previously. Such a mast will obviously increase the amount of electromagnetic radiation in the vicinity, the harmful effects (to health and the environment) of which are currently unknown; studies carried out in some other countries, have linked the presence of masts to a deterioration in health.

Not enough information given on application - The application for the mast appears sparse, with insufficient detail supplied and many questions left unanswered. Will the antennae on the mast take it above 20m, or does the 20m stated take this into account? Why does it need to be taller than the existing mast? How many relating cabinets will be required? There are 5 on the existing site, which is significant. Will the entire area of grass be utilised and therefore lost? Will the existing mast and cabinets on Shenley Road be removed and the site reinstated to grass? Why can't the existing site be utilised/updated to accommodate a new mast?

Further to this, I live within metres and sight of the proposed site, but received no notification of the proposal until I was informed of it by a friend/neighbour. Neither has any notification been erected at the site, which sometimes appears to be the case. Should I have received notification?

Out of keeping with character of area - A mast of the proposed height and the relating cabinets will negatively impact on the appearance of the location and vicinity, which is currently residential, interspersed with green areas, another of which will be lost to this development.

Traffic or highways - The proposed site is situated at a busy junction and the mast, but particularly the relating cabinets, will negatively impact on the visibility of drivers turning out of Elstree Road, into Shenley Road. This is of even greater concern, as the edge of the grass area at the site abuts a pedestrian crossing, used frequently by children going to/from the 2 primary schools located on Shenley Road and older children using the cut through behind Elstree Road, to Astley Cooper Comprehensive School. If visibility at this junction is reduced, it is inevitable that there will be an increase in road traffic accidents.

Affect local ecology - The actual harm caused to health by the electromagnetic radiation emitted by such masts is unconfirmed but is of real concern to the families/residents living in the vicinity of the mast, or even having to pass by the mast on a regular basis. Depending on the number of associated cabinets, the entire area of grass at the site may be permanently lost. Furthermore, opposite the site is a larger area of grass and trees, and electromagnetic radiation is thought to be harmful to local wildlife and some wildlife even abandon areas where new masts are erected as a result of this.

Close to adjoining properties - The mast would be located at the end of

a purely residential street (Elstree Road) and directly next to the curtilage of number 1 Elstree Road. This is unacceptably close to the houses at the location.

Development too high - The proposal is that the mast is 20m high, much higher than the other buildings/houses in the locality and therefore it would be visible well above the current skyline of the estate.

General dislike of proposal - The mast will be situated too close to residential properties and will be an eyesore. It will be visible from the windows to the rear of my property and depending on its precise location, my back garden also.

Increase of pollution - Due to the telephone networks greater needs, masts now emit even higher levels of radiation than previously. Such a mast will obviously increase the amount of electromagnetic radiation in the vicinity, the harmful effects (to health and the environment) of which are currently unknown; studies carried out in some other countries, have linked the presence of masts to a deterioration in health.

Not enough information given on application - The application for the mast appears sparse, with insufficient detail supplied and many questions left unanswered. Will the antennae on the mast take it above 20m, or does the 20m stated take this into account? Why does it need to be taller than the existing mast? How many relating cabinets will be required? There are 5 on the existing site, which is significant. Will the entire area of grass be utilised and therefore lost? Will the existing mast and cabinets on Shenley Road be removed and the site reinstated to grass? Why can't the existing site be utilised/updated to accommodate a new mast?

Further to this, I live within metres and sight of the proposed site, but received no notification of the proposal until I was informed of it by a friend/neighbour. Neither has any notification been erected at the site, which sometimes appears to be the case. Should I have received notification?

Out of keeping with character of area - A mast of the proposed height and the relating cabinets will negatively impact on the appearance of the location and vicinity, which is currently residential, interspersed with green areas, another of which will be lost to this development.

Traffic or highways - The proposed site is situated at a busy junction and the mast, but particularly the relating cabinets, will negatively impact on the visibility of drivers turning out of Elstree Road, into Shenley Road. This is of even greater concern, as the edge of the grass area at the site abuts a pedestrian crossing, used frequently by children going to/from the 2 primary schools located on Shenley Road and older children using the cut through behind Elstree Road, to Astley Cooper Comprehensive School. If visibility at this junction is reduced, it is inevitable that there will be an increase in road traffic accidents.

<p>100 Elstree Road Hemel Hempstead Hertfordshire HP2 7QP</p>	<p>Will restrict view for cars and pedestrians crossing at road junction</p>
<p>2 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Too close to 1 Elstree Road. The mast is too high for them area. The mast will be a visual intrusion from my kitchen and bedroom windows. I have received one letter from the council regarding this mast, some of the residents have received no Information whatsoever- more information is definitely required. There are other places on the estate where a mast could be erected where it would not intrude on house owners I.e. the original al site near Perry Green or nearer Sainsbury's where there is a vast wooded area and the mast could be reasonably hidden. The box next to the mast would be extremely noisy for the residents living close by. If the the mast was placed where you suggest I feel this would be dangerous for traffic turning right from Elstree Road on to Shenley Road - there is also a crossing where parents and children cross near this corner to get to the school.</p>
<p>4 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Firstly, we share the concerns expressed by others regarding the unknown effects of living in close proximity to such a mast. Why does it need to be so close to homes? Why does the mast need to be moved from it's current location? Why has this location been chosen ? The proposed location is at a busy junction which also already has one of the few pedestrian crossings between this end of the estate and the local schools at Holtsmere End. We feel that the mast and associated cabinets are likely to impede visibility, increasing the risk of a collision. Finally, we agree with other comments that note the lack of detail attached to this proposal and we would welcome further scrutiny by the planning department of other alternative solutions.</p>
<p>6 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Affect local ecology - There are numerous unconfirmed reports on the internet of the potential harm to health that these masts may cause to those living close by. Close to adjoining properties - The proposed mast would be directly adjacent to 1 Elstree Road, this is totally unacceptable. Development too high - A 20 metre high mast and the cabinets that go with this will negatively impact the overall appearance of the residential area and take away green space - this development will be directly visible from our property. General dispute of proposal - This is for the reasons outlined in this objection - A mast of this size should not be positioned so close to residential housing. Increase of pollution - This will produce high levels of electromagnetic radiation - it is not known what affect (if any) these masts have on the local environment and on people's health who live close by. This may also affect communication/TV signals to those living nearby. Noise nuisance - This will emit noise which for those living close by will be affected by.</p>

	<p>Out of keeping with character of area - A mast of this size and the associated cabinets will negatively change the visual look of the area.</p> <p>Traffic or highways - Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road will be an additional hazard to motorists and pedestrians. This is a very busy junction, in which already there are regular 'near misses' - this will create further blind spots and a greater risk to an accident happening.</p>
<p>5 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Location- The application refers to replacement of the existing facility but the plan shows unnecessary relocation onto the corner of Elstree Road.</p> <p>Over development- Their will be two masts within 50m of each other which is unnecessary and unsightly.</p> <p>Traffic- The proposed position is anticipated will obstruct the view of traffic turning in and out of Elstree road causing potential danger.</p> <p>Noise and close proximity- The proposed relocation is too close to the corner property and will be noisy and potentially disrupt communications (TV reception etc)</p> <p>Height and close proximity- the facility is too high now 20m from 14.3m in its original position and will be the tallest local object within 3.0m of the corner property.</p> <p>Affect on local ecology and over development. There is already communication control boxes at the far end of Elstree road and the existing one at Perry Green another would be over development.</p>
<p>7 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>This development is over 5 metres taller than the current one which will make it the tallest structure in the area, taller than all the houses trees and street lights and would therefore be very noticeable and degrade the area. It is therefore out of keeping with the area. No explanation is given why it has to be this tall and no explanation is given as to why the current site can not be redeveloped. The current site is situated on a straight part of the road away from junctions and on a wider verge the new location is on a junction which will restrict the view of cars emerging from Elstree Road and therefore increase the likelihood of accidents also there is a traffic island at this location with drop kerbs to assist pedestrians to cross the road and again this structure would restrict views for pedestrians crossing the road. Is this just a case of a new site is easier than redeveloping an old site. These mast are an eyesore and they should not be allowed and the companies requesting them should find better and less intrusive ways to carry on their business. It might only be a small piece of grass but it will be a small piece of grass we no longer have.</p>
<p>9 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>The street furniture associated with this mast will be an obstruction as you pull out of Elstree Road onto Shenley Road. There are 8 roads off Elstree and, therefore, the junction is very busy.</p> <p>This development will be over 65ft, which is much higher than anything else on our estate.</p> <p>Recently The Financial Times has highlighted that Switzerland has halted 5G rollout over health concerns which is very worrying for people living close by. Can you guarantee that there are no health issues</p>

	<p>associated with the mast?</p> <p>Too close to residential properties, especially No.1</p> <p>There are many other sites that are better suited for the location of this mast, why has Shenley/Elstree Road been chosen?</p> <p>Thank you for your considerations.</p>
<p>15 Morland Place Birmingham B31 2PF</p>	<p>The lack of visual information on the proposal makes it very difficult to judge the exact extent of the proposed development and the full impact it will have. No elevations or plans of the proposed mast and associated cabinets have been provided, apart from the height being noted at 20m. There is no indication of the plan size of the mast or number of, size and location of the associated cabinets or more accurate location information. No information is provided to be able to determine what is actually proposed to be erected on the site.</p> <p>The application states the size of the site being 0.1 hectares, this is not correct. The land proposed is at its widest part, approximately 5m with a maximum length of 38m. The patch of grass that has been identified as the proposed site already has a number of services within it, with two associated service pits/ covers (CATV), limiting the actual available land for location of the mast and cabinets.</p> <p>Within the document 957806 _dac012_51038_hp0177_m001 location plan, the photo of the site is a photo of the existing site, not the proposed site, and the link to street view is also of the existing, not highlighting the proposed location. The site address on the application form is also for the existing site, not the proposed. Under section 6. Existing Use -description of the current use of the site, it is noted as Existing telecommunications site. The new proposed site is not the existing telecommunications site but a patch of vacant green grass on the corner junction of two roads, with the Elstree Road street sign.</p> <p>The proposed location is on the land between a busy junction, where Elstree Road joins Shenley Road and a pedestrian crossing. The crossing is regularly used by children for their journey to and from school and to access the green land adjacent to Elstree Road. The mast and cabinets will restrict the view of both the pedestrian crossing and the Elstree Road junction.</p> <p>There does not appear to be any evidence that the existing site has been analysed and deemed inappropriate for the new mast, which is noted to be replacing the existing. No evidence submitted of potential proposed sites analysed. The location of the proposed development, on the corner of Shenley Road and Elstree Road, is highly prominent. The existing mast is partially visually screened by the presence of trees. The smaller size of the proposed site, lack of vegetative screening, its position and the significant increase of height would result in a much greater visual impact than the existing mast that it replaces.</p>

<p>92 Elstree Road Hemel Hempstead Hertfordshire HP2 7QP</p>	<p>92 Elstree Road Hemel Hempstead Hertfordshire HP2 7QP (Objects)</p> <p>Affect local ecology - There are numerous unconfirmed reports on the internet of the potential harm to health that these masts may cause to those living close by. Close to adjoining properties - The proposed mast would be directly adjacent residential, this is totally unacceptable. Development too high - A 20 metre high mast and the cabinets that go with this will negatively impact the overall appearance of the residential area and take away green space - this development will be directly visible from our property. General dispute of proposal - This is for the reasons outlined in this objection - A mast of this size should not be positioned so close to residential housing. Increase of pollution - This will produce high levels of electromagnetic radiation - it is not known what affect (if any) these masts have on the local environment and on people's health who live close by. This may also affect communication/TV signals to those living nearby. Noise nuisance - This will emit noise which for those living close by will be affected by. Out of keeping with character of area - A mast of this size and the associated cabinets will negatively change the visual look of the area.</p> <p>Traffic or highways - Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road will be an additional hazard to motorists and pedestrians. This is a very busy junction, in which already there are regular 'near misses' - this will create further blind spots and a greater risk to an accident happening.</p> <p>Location- The application refers to replacement of the existing facility but the plan shows unnecessary relocation onto the corner of Elstree Road. Must be a better location than proposed to reduce both health and environmental impacts. Has a detailed appraisal of alternative site locations been undertaken. Over development- There will be two masts within 50m of each other which is unnecessary and unsightly.</p> <p>Application I consider the application to be seriously lacking in detail and the siting of the mast questionable. I believe the application should be rejected for reasons outlined below.</p> <p>Planning Policy Chapter 10 of the NPPF 2019 states 'equipment should be sympathetically designed and camouflaged where appropriate'.</p> <p>Dacorum Policy 126 states - 'electronic communication apparatus should be assessed with regard to their appearance, size, form and siting.' (Policy at Appendix 1)</p> <p>Paragraph 115 of the NPPF states that applications for electronic communications equipment should be supported by the necessary evidence to justify the proposed development and should include; - The outcome of consultations with organizations with an interest in the proposed development;</p>
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- Evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self certifies that, when operational, international commission guidelines will be met.

Grounds for Objection

Lack of detail

The information submitted with the application is very sparse. No detailed elevations of the development have been submitted meaning that determining the visual impact of the proposal would prove difficult. Furthermore, without the submission of elevations or details of the structure's dimensions, it would prove difficult for the Council to undertake enforcement action if this was necessary in the future - as there would be no information to refer to in regard to the appearance/scale of the development. Article 7 of the Development Management Procedure Order requires the submission of 'any other plans, drawings and information necessary to describe the development which is the subject of the application' - in my opinion, I would consider that, at the very least, scaled elevations should have been submitted to the Council for consideration.

When considering the requirements of paragraph 115 of the NPPF (as outlined previously) no supporting evidence has been submitted with the application detailing how the applicant has explored the possibility of using the existing mast or any other building or structure. Furthermore, no details have been submitted that certify that international commission guidelines will be met, contrary to the requirements of the NPPF.

Based on these points alone, I would consider that the Council does not have sufficient evidence to approve the application.

I would expect an analysis of alternative sites to be submitted with the application to demonstrate that the applicant has considered alternative locations and outline reasons why the proposed site is the most appropriate place for the development to take place. In my opinion, masts of this size should not be located in residential areas.

Visual Impact

The siting of the proposed development, on the corner of Shenley Road and Elstree Road, is highly prominent and would undoubtedly have some visual impact on the street scene. The existing mast is somewhat screened in the streetscape by the presence of street trees. The lack of vegetative screening surrounding the proposed site, its prominent corner position and the significant increase of scale would result in a much greater visual impact than the existing mast that it replaces.

Other

As the development is proposed on Highway land and is adjacent to a junction (where it could impede visibility), it would be pragmatic in this instance to consult Highways on the application.

Appendix 1 (Source: Local Plan 2004)

	Dacorum Policy 126 Electronic Communications Apparatus
<p>3 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Affecting Local Ecology - There are numerous unconfirmed reports on the internet of a potential harm to health that these masts may cause to those living nearby. The proposed location of the mast is adjacent to 1 Elstree Road and other residential properties and this is totally unacceptable. Development Too High - A 20metre high mast and the cabinets that go with this will negatively impact on the appearance of the residential area and take away the green space. This development will be directly visible from surrounding properties. General Dislike of the Proposal - This is for the reasons outlined in this objection, a mast of this size should not be positioned this close to residential housing. Increase of Pollution - This will produce high levels of electromagnetic radiation, it is not known what affect(if any) these masts have on the local environment and on peoples health who live close by. In other areas of the country there are unconfirmed reports of people suffering from electromagnetic hypersensitivity. This may also affect communication and TV signals to those living nearby. Noise Nuisance - This will emit noise which for those living nearby will be affected by this. Out of Keeping in Character of the Area - A mast of this size and cabinets will negatively change the visual look of this area and will stand out as a blot on the landscape of the immediate vicinity. Traffic or Highways - Positioning the mast and cabinets on the corner of Shenley Road / Elstree Road will be an additional hazard to motorists and pedestrians. This will create a blind spot and a greater risk of an accident happening on what is already a busy junction where there are regular near misses. Over Development - There will be two masts within 50metres of each other which will be unnecessary and unsightly. Location - The application refers to the location of the existing facility but the plan shows unnecessary relocation onto the corner of Shenley Road / Elstree Road. There must be a better location that proposed to reduce both health and environmental impacts. Has a detailed appraisal of an alternative site location been undertaken, for example Dacorum Borough Council Cupid Green Depot where there are similar installations. Unfortunately local residents have not been informed of this planning application in a respectful way such as leafleting through the door with appropriate notification.</p>
<p>1 Elstree Road Hemel Hempstead Hertfordshire HP2 7NE</p>	<p>Location- The application refers to replacement of the existing facility but the plan shows unnecessary relocation onto the corner of Elstree Road. Over development- Their will be two masts within 50m of each other which is unnecessary and unsightly. Traffic- The proposed position is anticipated will obstruct the view of traffic turning in and out of Elstree road causing potential danger. Noise and close proximity- The proposed relocation is too close to the corner property and will be noisy and potentially disrupt communications (TV reception etc) Height and close proximity- the facility is too high now 20m from 14.3m</p>

in its original position and will be the tallest local object within 3.0m of the corner property.

Affect on local ecology and over development. There is already communication control boxes at the far end of Elstree road and the existing one at Perry Green another would be over development.

Comments to recent HCC reviews that have been posted which are in addition to my previous comments:-

Noise - Comments have been received from "Environmental and Community Protection" regarding the need for a noise assessment for equipment proposed to ascertain the extent of attenuation required due to its close proximity to the 1 Elstree Road window. My experience for this is that equipment would need to be located in a substantial housing larger enough to accommodate silencers which would make it untenable in the proposed location. 5G equipment is much noisier than the current control panels on the estate.

Traffic - Hertfordshire Highways have commented on 12-3-20. The comments appear to be generic and have not addressed the close proximity of the pedestrian crossing or requested details for the size of the 5G control panel layout and the large support structure required, for a 20m mast, to fully appreciate the visual obstruction. Also, this is a busy junction that has a past history of accidents which may not have been considered.

Health & Safety - Comments still awaited from the HSE. My view is that safety risks include the following.

a) Risk of lightning strikes to the tallest object on the estate (3 times the height of a house)

b) The antenna housing can detach itself in high wind which we are aware occurred at Adeyfield this year.

c) The 247-microwave radiation exposure to houses that are close to the mast can be harmful to health (5G produces significantly more radiation than previous networks and there is much evidence that it is potentially harmful).

Effect on local ecology - We have reviewed numerous documents on the internet reflecting the potential harm to health that these masts (with their microwave antenna) may cause to those living close by. Very little research has been carried out on the long term effects of living very close to the emitters. The EU launched a recent appeal to governments, started by 180 scientists and doctors from 36 countries, warning of the potential dangers of 5G networks and the need for an independent task force to reassess the health effects (www.jr-seco.com). References to safe levels of microwave radiation are from dated research and the data provided is meaningless to most of the public. In additional concern is that 5G uses higher frequencies than existing 4G (range 0.6Ghz -6Ghz) of much greater output (noting that microwave ovens use 2.5Ghz).

Although we appreciate that there is a desire to upgrade the mobile network surely a more appropriate position is near a commercial building (eg Sainsbury's) or in a green field (eg at the back of Arkley Road). We do not understand why there are not alternatives to 20m masts other than the cost associated with more smaller ones that would be more appropriate in this residential area.

Close to adjoining properties - The proposed mast would be directly

adjacent to 1 Elstree Road (within 3.0m) and abutting the busy corner footpath. The structure on top of the mast could overlap. This is totally unacceptable.

Development too High - The current mast located adjacent 1 Perry Green is 14.3m and has a single emitter slightly larger than the pole. The current proposal adjacent 1 Elstree Road is 20m high with 12 antennas (this is 3 times the height of a house). From reviewing pictures on the internet, the pole diameter will be significantly larger than existing poles with a support structure on its top that could be 3.0m diameter with potential to expand further. This development will be directly visible from most of Woodhall Farm.

Should this structure be closer than its height to a house and still be acceptable?

In addition, associated cabinets will negatively impact the overall appearance of the residential area and take away green space. The size of the equipment and its protection has not been defined.

General dislike of proposal - This is for the reasons outlined in this objection - A mast of this size should not be positioned so close to residential housing. The details submitted are inadequate and do not show the layout of associated ground equipment or elevations of its impact on the local environment or the noise it will emit. It has not taken into account its affect on road traffic from the busy corner junction and the close proximity of the crossing (within a few metres).

Increase of Pollution - This will produce high levels of electromagnetic microwave radiation where it is unknown what affect these masts 0will have on the local environment or on people's health especially those that live close by. This may also affect communication/TV signals/ house wireless networks etc for those living nearby. It will also produce noise pollution particularly from fans associated with the cooling requirements of control boxes.

Information Missing from Plans -a) There is inadequate details provided for the mast. To fully understand the proposals a detailed plan and section of the control panels and their protection with a dimensioned elevation of the mast showing nearby houses and trees that demonstrates how the impact on the local area would be minimised. The detail should reflect the proposed installation of antenna on the top of which there are different types some looking like the one recently installed on the Leighton Buzzard road opposite the water Gardens car park.

b) Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road restricts visibility to motorists and pedestrians and affects the nearby pedestrian crossing none of which has been considered on the plans.

Loss of Light - The proposed 20m mast will cast a shadow on many local residences.

Noise Nuisance - Noise will be emitted from the control boxes cooling fans which is not taken into account on the application. This will peak in summer when it is hottest.

The wind noise generated from the tall structure could be significant

when so close. What assurances can be given that this will not occur?

Not Enough Info given on the plan -

a) The document does not demonstrate that the equipment does not exceed the safe levels of radiation to nearby properties. It should consider a risk assessment for a person carrying out maintenance on the roof of 1 Elstree Road and their close proximity to the emitters (potentially within 8.0m to the bottom of an antenna).

b) There is inadequate detail provided for the mast. To fully understand the proposals a detailed plan and section of the control panels and their protection with a dimensioned elevation of the mast showing nearby houses and trees that demonstrates how the impact on the local area would be minimised. The detail should reflect the proposed installation of antenna on the top of which there are different types some looking like the one recently installed on the Leighton Buzzard road opposite the water Gardens car park.

c) Provide acoustic details for the equipment in summer when it is loudest, and how the noise will be controlled to be 10dba less than the night time background noise at the site boundary.

Out of keeping with the character of the area - A mast of this size and the associated cabinets will negatively change the visual look of the area. The application does not provide details of the mast that demonstrates its visual impact. There are many types of masts that can be used making them appear very industrial such as the one recently erected on the Leighton Buzzard Road.

Over Development - There will be two masts within 50m of each other which is unnecessary and unsightly.

Traffic or Highways - Positioning the mast and cabinets on the corner of Elstree Road/Shenley Road will further restrict visibility to motorists and pedestrians. This is a very busy junction, in which already there are regular 'near misses' and sometimes collisions - this will create further blind spots and a greater risk to an accident happening. In addition, there is a nearby pedestrian crossing (within a few meters) which is very busy in the morning and afternoon school run. This installation would put the junction and crossing at significant risk to traffic and pedestrians! This risk would persist for any future maintenance requirements for the mast.

Other - a) The planning submission states the site area to be 0.1 Hectare which is equivalent to 1000m². This is obviously incorrect and should be changed on the application.

b) The top of the structure has fixed equipment to a frame. These could work loose during severe weather. Anything falling would place pedestrians and traffic at great risk.

c) The application refers to replacement of the existing monopole. This is a misleading and an inaccurate description since the work describes only the provision of a new mast on a different site.

Note additional these comments in PDF have been sent by email to PO on 19-05-20

Planning Reference for the installation of a 20m mast at 1 Elstree Road submitted on 14-1-20 PP084444 ref 20/00150/FUL
Overview of further MBNL Documents uploaded to the planning Portal on 15-05-2020

1) Summary of main points that have not been addressed from the comments raised in the planning submittal.

a) A side elevation has now been produced but a cross section showing the closeness of the mast to 1 Elstree Rd has not been produced (this would demonstrate the 4:1 aspect ratio since the 20m mast is at best 5.0m away). There is not a clear plan layout produced that would have shown the over development of this corner with the several tall control panels. Surely there must be guidance regarding site aspect ratios? All but one of the drawings issued have the same drawing number, M001A , which implies that this company has inadequate quality assurance.

b) There has been no response to the equipment noise generation and the closeness of the equipment to the 1 Elstree Rd openable side window (5.0m). The 5G equipment will be at least 70db as measured from existing 4G masts in Bennetts End, Warners End in February (this will be more in summer when the equipment heat is harder to dissipate). Surely environmental noise issues must be complied with? The comment from the DBC (dated 27-02-20) has raised this as an issue.

c) There has not been a study of the loss of view to traffic that the tall equipment will cause. There has not been a traffic study but it is known that this corner has incurred several traffic accidents. The pedestrian crossing has still been ignored. The comments raised by Hertfordshire highways has made no mention to the pedestrian crossing or take into account the size, position and quantity of the equipment which was unknown at the time of them making their comments.

d) The documents maintain that the new mast will be concealed by trees and not seen by nearby properties which is totally untrue since the proposed location is likely to be seen by much of the estate and there are no trees on the proposed site. Since the mast is 3 times the height of the house it will be seen directly by 100s of nearby houses. It is noted that the side window of 1 Elstree road will have a clear view of the mast 5.0m away

e) Drawings of the existing mast layout has been issued presumably to confuse since these show much less visual impact.

f) The risks of the greatly increased microwave radiation have not been answered. Old documents and studies are used again. Can we see evidence/ test data to prove that 5G technology is safe and accountability from named people? The certification document issued by MBNL (dated 2014-01-14) is non-specific and refers to the old 2014 mast (4G?) and only has a typed signature.

g) The risk of falling objects from the exposed microwave transmitters and risk of lightning strike to the tallest object in the area affecting 1 Elstree Road is not addressed.

h) It is noted that the HSE have currently made no comments.

i) A study of alternative mast positions has not been produced which was requested in the planning comments since there are better positions on the estate, assuming that we must accept the roll out of 5G, namely the Sainsburys site. It is noted that the existing masts in the town are all located around shopping centres or commercial sites. An example of the current 20m 5G mast is located in Grovehill, but in an

open area opposite the shops, remote from housing.
 j) We point out that 1 Elstree Road never received a planning submission letter and this is the most affected property. We have asked why but to date have not received an answer. We also point out that the pre planning consultation document issue to schools by Blue Clarity on 11-2019 only showed the existing mast being replaced and consequently is inappropriate and misleading for the current application!
 k) Finally would anyone want to have a 20m high microwave mast with several noisy equipment panels 5.0m from there house?

2) Review of each new Document submitted as per table below:-

Doc	DOI	Description of Document	Comments	Item
15-05-2020	957806	_DAC012_51038_HP0177_M001	LOCATION PLAN 1049110 (drg M001A)	1
Same drg as original submission- drg does not show the road junction or the pedestrian crossing, the photo is of the existing mast at Perry Green and not of the proposed new location.				
24-01-2020		THE LOCATION PLAN	957806	
		_DAC012_51038_HP0177_M001	LOCATION PLAN-	1079064
(DrgM001A) Same drg as above, why reissue? 2				
14-05-2020		ADDITIONAL PLANS	VISIBILITY SPLAYS	1079453
(drgM002B) Pedestrian crossing not shown. The equipment will obstruct the view of the junction and its tall mast would distract drivers. The curve in the road will further restrict view of the junction. 3				
15-05-2020	957806	_DAC012_51038_HP0177_M001	SITE PLAN AND OTHER PLANS	-1079065
(drgsM001A,M001A,M100A,M001A,M001A) The 4 drawings are of the existing layout with a couple of overlays showing the new proposal. All drawings have the same number. All confusing and unprofessionally issued to confuse. The proposed mast is 5.0m away from the property and directly in front of the upstairs window and there are 7 tall equipment panels exceeding the width of the house. There is no cross section which would emphasize the aspect ratio. 4				
20-04-2020		ADDITIONAL PLANS		957806
		_DAC012_51038_HP0177_M002-		1077281
(elevation drg M002B,) This drawing shows four sections of microwave dishes on top of the mast. Its height exceeds 1 Elstree Road highest point by nearly 13 m and guttering by 14m. It will be in front of a large openable side window that is not shown on the drawings. It will be the tallest object anywhere on the estate. There are no trees nearby to conceal it. The mast will be seen by 100s of houses and flats. 5				
15-05-2020		DAC012	LPA APPLICATION COVERING LETTER	1079061
Blue Clarity letter to Council Lists documents issued on 24-01-20. This is out of date correspondence and confusing. Should this not be a new submission that can be formally commented on. 6				
15-05-2020		DAC012	DEVELOPERS NOTICE CERTIFICATE	1079059
This is the original MBNL letter to the council requesting the land dated 24-01-20. 7				
15-05-2020		DAC012	DEVELOPERS NOTICE COVERING LETTER	1079060
Blue Clarity letter to Highways, roads and pavements dated 24-01-20 reissued unchanged. Will the new documents issued by BC and the local residents concerns that have been raised in the planning consultation now be addressed? Who is responsible for this? 8				

	<p>15-05-2020 MATT WARMAN MP LETTER ON 5G BROADBAND_RFCWG19-19-1079051 General letter issued by department of digital culture media and sport dated 11-2019. This is irrelevant to the application. 9</p> <p>15-05-2020 DAC012-51038-SHENLEY_ROAD_20_SW-ICNIRP_CERTIFICATE-247083-2020-01-17_13_35_03- 1079062 This is a certificate for the conformity to public guidance at the existing position dated 2012-1-2014 and therefore not applicable to the current application for a much more powerful mast. I want to see risk assessments carried out on people that might work on the roof and for the current position that takes into account the increasing evidence that continuous exposure to microwaves are harmful. The certificate is digital and the signature is only typed (Sam cable-wright from KTL). I would like to see the qualifications and contact details for whoever signs off these installations since they will be accountable! 10</p> <p>24-01-2020 APPLICATION FORM APPLICATIONFORMREDACTED 1049114 This is the original document that has been reissued and superseded by the following document item 12. 11</p> <p>15-05-2020 APPLICATION FORM APPLICATIONFORMREDACTED 1079070 The new document has been amended with the correct site area. It still incorrectly states that this is a replacement mast. Item 20 should describe the equipment control panels proposed that requires variable ventilation for temperature control and the transformer hum and how it would be dealt with when only 5.0m away from an openable window. 5G is much bigger and noisier than 4G installations and from measurements taken elsewhere will exceed 70dba. The document is still dated 20-01-2020 but this is an amended document? 12</p> <p>15-05-2020 DAC012 INDUSTRY SITE SPECIFIC SUPPLEMENTARY INFORMATION_ 1079063 Document dated 24-01-2020 states that pre-consultation plans and letters were issued on 14-11-2019 by Blue Clarity which included the local Holtsmere school. We work at the school and have reviewed these documents which only show the current mast being replaced, with no reference made to a new site.</p> <p>It implies that because the 2014 development had been accepted that the new proposal should be accepted. This is irrelevant and we point out that we are unaware that there was proper consultation with residents for the 2014 mast. Certainly 1 Elstree Road was not consulted and we are in clear view of this mast</p> <p>page3 states that there is no front facing property. Clearly there are several that will see the mast and equipment with 1 Elstree road having a direct view from a side window 5.0m away. 100s of houses will see the mast looming above 1 Elstree Road. It will have a huge visual impact since it is on the corner of a busy junction. The document has not looked at any other sites such as the Sainsburys shopping centre where other masts have been located elsewhere in the town. 13</p> <p>15-05-2020 20180905 MOBILE UK COUNCILS AND CONNECTIVITY PDF 1079057 Standard document not relevant to this specific planning application 14</p> <p>15-05-2020 CONNECTED_GROWTH_MANUAL- 1079055 Standard document not relevant to this specific planning application 15</p>
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15-05-2020 CA LB HARM AND PUBLIC BENEFIT 1079053 Document of a 4G mast appeal in Somerset on 02-2018 not relevant to this application. 16
15-05-2020 5G AND FUTURE TECHNOLOGY STREETWORKS 21.06.19- 1079049 Standard document not relevant to this specific planning application 17
15-05-2020 DCMS MHCLG COLLABORATING FOR DIGITAL CONNECTIVITY LETTER 1079046 Standard letter from the department for digital, culture, media and sport dated 7-3-2019 not relevant to this application. 18

Thank you for your reply to our previous emails which are shown in the attachment. We also attach the site review document that you produced in June which we have commented on in the email below.

We have reviewed your planning report and accept some clauses but dispute others. We have produced a detailed appraisal of these below which has been added to the development management agenda (together with supporting photos). These comments have been discussed and agreed with the neighbours as our formal response to the planning report.

We have looked at document CS12 that you have referred to for noise and visual but found that it is too general and gives little guidance . The condition that you are adding to the planning report for noise control does not give clear guidance and a huge amount of wriggle room on behalf of the provider to allow him to install equipment before it is treated acoustically. We therefore seek, that should this installation go ahead, that an auditable acoustic report is produced (to BS4142) with mitigation proposals before any installation is carried out. The reason for this is that this is the first 5G mast in Hemel Hempstead that is proposed in the middle of a quiet residential area located the closest to a house with an openable window. Hopefully your environmental engineer will concur with this.

Can you review our statements below and reply accordingly. I have copied this to all involved parties including ecp regarding noise.

Summary of Report

The following document reports on our main objections to the planning report and then looks at the issues in more detail where more explanation is required to make our point. The report begins with our summary of principle objections. We have attached photographs in appendix 1 to support our objections.

Summary of principle objections

We maintain that the planning application for the new mast should be denied for the following reasons.

There has been inadequate consultation and other sites have not been looked at during the process and only now in June have alternative sites retrospectively been shown. We consider some of these alternatives would be better and more

appropriate to meet the NPPF guidelines (assuming that we accept that the new mast must be within 100m radius of the first mast). We note that the pre-consultation documents issued 14-11-2019 sowed the mast in the same position as the existing one.

The applicant has not considered noise pollution in their submission which will be excessive in a quiet residential estate. This was requested on several occasions but ignored in both the applicant's submissions. Although a condition has been placed in the planning document to review noise and provide mitigation measures this will be retrospective after installation. This is not following guidelines and a full noise report containing a mitigation plan should be provided before planning permission is considered. The requirements should be clear and carried out to an industry standard using BS4142 which can be audited externally. For Noise levels not to be nuisance it is industry standard to be -5dBa less than the background noise at openable windows and gardens. Our noise study anticipates noise levels at openable windows (at 1 Elstree road and across Shenley road) and garden to be elevated by 20-25dBa above guidelines which is unacceptable (this is based on my experience of noise calculations as a chartered building services engineer).

The existing installation is clearly audible and it is 50m away and that has much lower noise emissions.

The development will have a significant visual impact since it is on an exposed small corner plot of land at the highest topography on the estate, and will be seen directly by at least 30 houses and flats, and the mast seen by many more. The installation will be a surprise to many residents since they were never consulted with the proposals (eg there were no drawings produced in the planning submittal showing the size of the mast and the associated equipment panels, just a site area marked on a largescale plan layout).

We consider that the noise pollution and visual impact of the development by being so close to 1 Elstree Road and other residents 20-30m away is a denial of our human rights to a quiet environment and to be not overshadowed by a 20m high mast located 5.0m from a house with its associated 8 large equipment panels.

The report has stated that there will be TV interference, if this is true that would be unacceptable.

Objections to the Planning report

- 1) Clause 5C. The report drawing only shows an elevation of the mast and equipment panels and does not show a section showing the mast 5.0m away from the side of 1 Elstree Road, which has a side first floor window. The window will be the closest to a mast in Hemel Hempstead and the first time a mast is located next to an openable window. We object on the grounds the mast is too close and fronts a window, that

although has mottled glass, has a clear view looking out.

- 2) Clauses 2.1.1, 9.2.1, 9.2.3, 9.2.4. We object that the applicant has demonstrated that there are no alternative sites. The new drawing issued in June clearly shows a retrospective review and therefore biased towards the current application. This drawing is showing a 50m radius around the existing mast and not a 100m radius that the applicant states is applicable. We can see other sites particularly on the corner of Perry Green where it can be located with only one small tree relocated. It would be c10m from the side of a house and will have much less visual impact residentially.

The pre consultation document issued on 14-11-2019 clearly shows the new mast adjacent the existing mast where national guidelines state it should be. We cannot understand why this position cannot be reused now that it is confirmed that the existing installation is required to be removed afterwards. For a short period, there would be congestion. The new position therefore was not appropriately consulted.

- 3) Clauses 2.1.2, 9.3.4. We object that the proposed position has acceptable visual impact. Its location will be much more obtrusive and on view to many more houses. It is on a bend and the highest point of the estate and will be seen by everyone with at least 30 houses and flats having a clear view. The trees only offer some concealment whilst they are in leaf. There are 8 equipment panels that stretch beyond the gable wall covering a 10m width.
- 4) Clause 2.1.3. This will have impact on the local amenity by polluting the quiet residential area with the high noise of 5G equipment.
- 5) Clause 9.2.1. Although a self-certifying certificate for radiation is provided. This is based on 1999 ICNIRP guidelines. It does not cover 24-7 exposure and so no specific risk assessment is produced for nearby houses or workman working on roofs.
- 6) Clause 9.2.5. We object that there are no other sites. This has not been demonstrated satisfactorily and has not been consulted during the planning period. The applicant appears to have taken the view that they would install in the current position that suits them best since approval appears to be automatically given (we cannot see any rejections locally to other proposals in the town). The review drawing of other sites is retrospective and so not applicable to the submission. There are clearly other sites closer to the original installation that place the mast much further away from the nearest house. Should there not be a review of mast positions in the whole estate so that future mast generations are future proofed, namely the commercial area around Sainsburys?
- 7) Clause 9.3.1. We object that the proposal preserves the attractive streetscapes since clearly it will not. (Refer to attached photos where it can be seen how exposed it will be). Being on a corner with open views of 270deg it will dominate the streetscape.
- 8) Clause 9.3.3 We object to this clause the flat topography only

exists to the east of Shenley Road otherwise the land falls away exposing the mast to be viewed by much of the estate. When the trees shed their leaves there is no screening since this is on an exposed corner.

- 9) Clause 9.3.4., 9.2. We object to this clause. There are 8 panels much taller than the existing 3 panels that occupy a 10m width instead of 4.0m and half the height. (Refer to the photos of the existing and proposed site and the real size of the installation as installed in Grovehill). Painting them green will not meet the NPPF policy for sympathetically designed and camouflaged.
- 10) Clause 9.3.5. If the existing panels are to be removed why can't the new installation be placed alongside them as per the applicant's original pre-consultation drawings and government guidelines? We do not agree that this has been adequately explored. There is another site on the opposite corner of Perry Green where the removal of one tree offers a better location that is further away from houses and windows on both sides of the road.
- 11) Clauses 9.4.1 to 9.4.3. We object that planning will be granted before a noise mitigation scheme is submitted. We object to the clause "if required" that has been added. Clearly the 5G panels will pollute many houses with their noise, not just 1 Elstree road. The acoustic report to be submitted must include measured day and night time noise values with measured noise ratings from equipment at high ambient temperatures (I suggest 30degC). I have experience of this in my career as a Chartered Building Services Engineer, so I am aware that this is onerous and cannot be achieved with just acoustic lining and louvres as suggested. These equipment panels are not designed to be within a quiet residential area. So there is no confusion, the accepted industry standard to use for reporting noise is BS4142. It should be made clear that acceptable noise should be reduced to -5dBa less than the background noise levels at openable windows and daytime gardens. I have carried out my own analysis which is elsewhere in this document to highlight the noise gap that exists which is anticipated to be 20-25dBa.
- 12) Clause 9.4.5 Overshadowing. We object to this clause. The southern sun will cast shadows over properties 2,4,6 Elstree Road (the trees have no leaves in winter) and many more. The first-floor window on 1 Elstree road is mottled glass offering a good view externally so the mast and equipment panels will be clearly seen. In any event this window could be replaced with clear glass (as my human right to do so) so the type of window glass should be irrelevant!
- 13) Clause 9.5. to 9.5.3 Impact on Highway. We disagree that there is no increased risk of an accident. Elstree road has a busy traffic of people and cars as it serves many houses as well as being a short cut to Grovehill. There is a busy pedestrian crossing on Shenley Road outside 1 Elstree Road particularly during the school run. The visibility for vehicles turning left into Elstree road is reduced and the development would cause further distraction to motorists on a semi blind bend. There is a

history of accidents on this corner.

- 14) Clause 9.6.1- We object to this clause since it states “ Authorative evidence has been produced to suggest that 5G masts **result in interference to television signals**”. This in unacceptable and would require mitigation.
- 15) Clauses 10.1 to 10.1.4 Conclusions. We object to the report conclusions as stated above and below.
- a) Consultations have not been carried out with organisations correctly since the new mast was only shown in the same position as the existing one.
 - b) Consultations were carried out with only 3 neighbours (we requested if other neighbours were contacted but we never received a reply). The most affected house, 1 Elstree Road, **never** received a consultation letter. Surely this can’t be the correct consultation procedure? The planning proposal was only strapped to a nearby lamppost approximately 3 weeks after the first submission and our complaint. This is not in line with NPPF guidelines.
 - c) The drawing that shows a review of other locations by the applicant has only just been issued and it is apparent has been carried out subsequent to the two submissions and therefore is biased and should not be accepted. There are other sites near the existing one which are better and not so close to a house (10m not 5.0m) with not so many houses in line of site of the installation (ie the corner of Perry Green). We also consider the existing site is viable now that it known that the existing equipment is required to be removed within 3 months.
 - d) 1999 ICNIRP guidelines are stated to be complied with but these are unintelligible. Risk assessments are not carried out as requested covering the 24-7 exposure to residents and where closeness is an increased risk factor. No answer is given to the residents question “ is it safe to work on a roof 5.0m away from the transmitters”?
 - e) The mast will cast shadows over nearby properties. There is a good view externally from the side window of 1 Elstree road which could be changed to clear glass in the future. So, the fact it is currently mottled is irrelevant. The trees are at least 20m from the mast and in winter will not hide the view of the mast. Properties to the east of Shenley road (beginning at 20m) are closer and will have a clear view of the installation at all times (they have not been consulted). The installation will have a huge visual impact on the estate since it is on an exposed corner and will be the highest object on the estate.
 - f) This proposed mast would become the closest to a house (5.0m) with or without a window, in the whole of Hemel Hempstead. There are only two other examples of this; one being the existing mast (7.5m away with no side window) and one in Warners End (10m away no window, facing a field). It is apparent that should planning be granted this would set a precedent and leave difficult choices now in

other parts of Hemel, and in the future, when this mast is replaced with a taller and noisier mast. Isn't the real issue that this mast should be located in the commercial areas of the estate like other ones in Hemel Hempstead.

- g) Noise has not been addressed by the planner in this section but at the very least it should have clear guidelines as we have stated (BS4142 should be stipulated) and should be an inherent part of any submittal with approval not given without it.

Further Detailed Comments supporting our objections

- 1) **Visual Impact and alternative sites-** The proposed new site is on a prominent corner with no tree cover. The mast in combination with the 8 cabinets would create a level of visual clutter to the proposed small area with no screening available to reduce this harm. The development will be seen by many houses and flats.

It is interesting that the site selection information just issued a few days ago states that the presence of trees is unsuitable, however the existing mast has a tree either side. The notes also state that other areas are not suitable due to size requirements, although the size required is not actually stated meaning that this cannot have been scrutinised by the council or residents. One reviewed location limitation is stated to be due to underground services however we have looked at this and there appears to be plenty of room between the underground comms ducts since the area of land is large. Some of the other areas nearby appear to be just as large as the proposed site e.g. the verge to the south of Perry Green where the mast can be located much further away from the house c10m and the house across the road is further away and does not have a window. The existing trees are small and could be reconfigured if necessary. This site is next to a bus stop and a small sub station so is already an amenity area.

- 2) **Noise** - Item 3 in the planning conditions states that equipment cannot be operated until a noise management plan, including a scheme of noise mitigation is approved by the environmental officer. So, there is no ambiguity we would expect that the appropriate BS for reporting and measurement is used, namely BS4142, and if agreed this should be stated. The noise condition clause is stating it will be approved by the local authority we consider that this is such an important issue that MBNL should submit a new planning submission that now includes the acoustic report which can be scrutinised by all the affected residents and analysed by an independent acoustic consultant. The reason for this is that the worst noise occurs on hot still days when the equipment is noisiest and when residents will have their windows open and it should not be left to the applicant to use their own interpretations and biased equipment data since retrospective acoustic treatment would be difficult to

apply.

This is an essential stipulation and if carried out properly and, in my experience, (I am a chartered building services consultant) would entail significant attenuation. Should this proposal remain recommended we maintain it should be resubmitted for planning approval allowing the data and visual impact to be studied by an external acoustic consultant as well as the environmental officer. We have measured night time noise at 30dBa and daytime noise at 40-45dBa. The equipment noise measured at other sites is 70dBa from each noisy panel which has a monotonal output that would add +5dBa, so the residual noise at windows for many properties will significantly exceed the background noise by some 20-25dBa (ie it will be clearly audible). To comply with this, it is anticipated that substantial acoustic boxes would be required.

We note that current installation is 50m away and can be clearly heard in 1 Elstree Road garden during the day, as well as hot evening when windows are open.

- 3) **Planning guidelines** – Our issue here is that there appears to be no clear guidelines on what is such an important issue. There is no guideline for night time noise protection in a residential area. There is no guideline to how close to a house a mast is permitted and how this would vary with an openable window. There is no consultation to determine the best location that suits the area. It seems that once a mast has been installed new ones have to be installed within the providers self-imposed 100m radius. This would mean that all future masts, whatever height and noise, would be installed in the same area this cannot be a reason for their approval and is not sustainable. They should not be allowed in the middle of a residential area when it can be avoided.
- 4) **Consultations** -The pre application consultation that was issued on 14-11-2019 showed the mast staying in the current location which is why the original wording stated replacement. It is stated that 7 people were consulted. We could only find 3 residents that were consulted that did not include the most affected resident namely, 1 Elstree Road. We requested who was consulted from the planning dept but never received an answer. The original application was deficient in information and a completely new application was submitted on 05-2020 under the umbrella of providing additional documents. This could not be scrutinised by residents since it was outside the date where comments could be made. The resubmission still did not cover many raised items eg Noise, review of alternate sites (only issued in June and was produced after the submission)
- 5) **Location** - The proposal will be the closest to any residential property in Dacorum, just 5.0m away. Most masts are installed in commercial shopping areas with the exceptions being the existing 4G mast on Perry Green, Shenley road which is 7.5 away from the side of a house (with no window) and one in Warner's End that is c10m away from the side of house (again

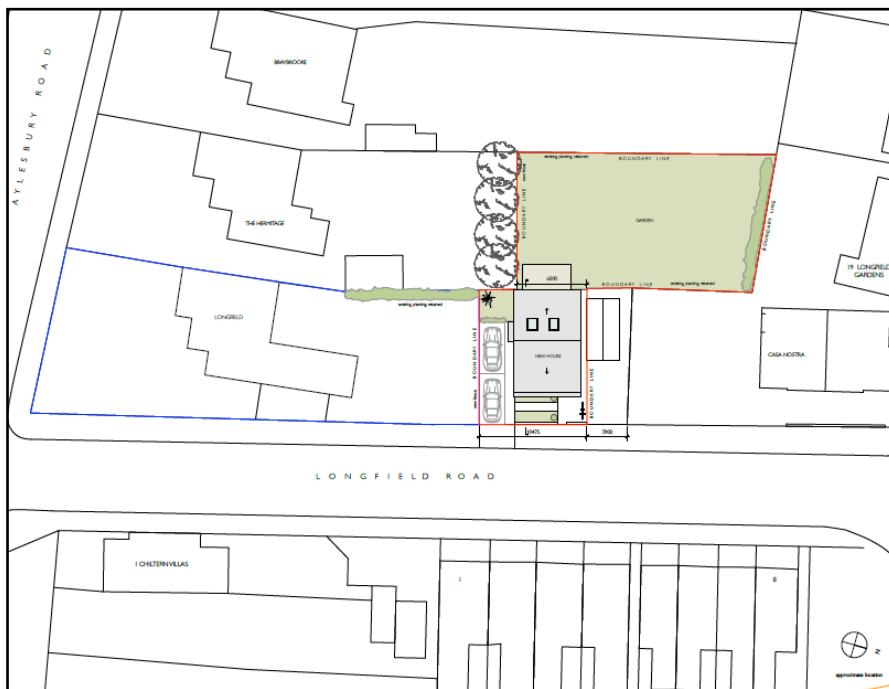
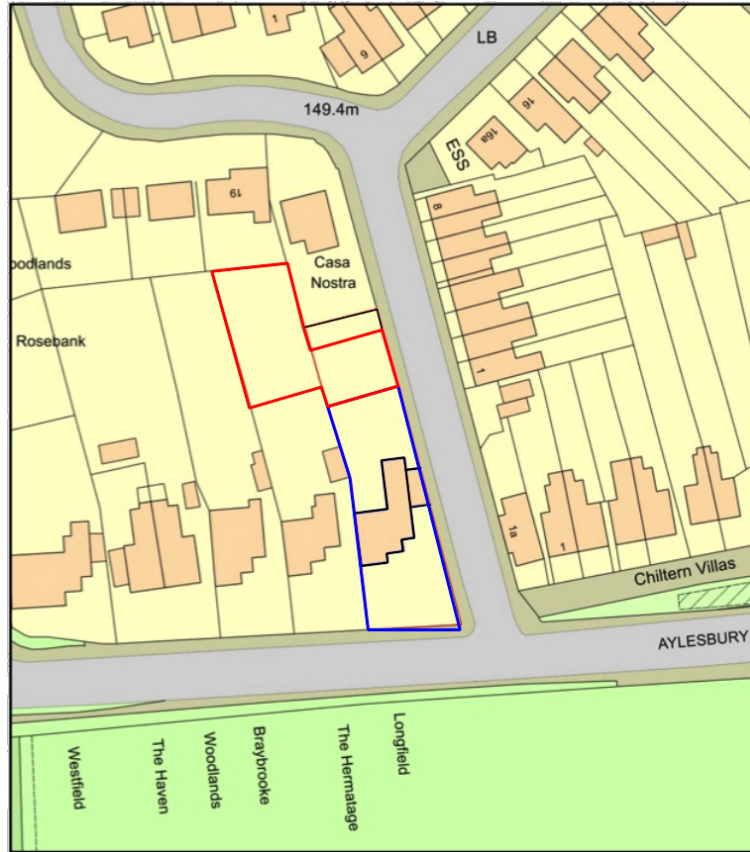
	<p>with no window). We maintain that the new mast should be installed in open areas or the Sainsburys commercial area. Since this is a new mast surely it should not be restricted to their 100m radius rule but instead be located in a sustainable site that can accommodate future expansion without unnecessary impact on residents.</p> <p>6) Lightning Protection- It is a legal requirement that the mast provider produces a risk assessment for the installation with the mitigation measures taken, and must be signed by the designer. This is not provided. This would not be an issue if a mast was not near a house or so tall. There is a very real risk the mast will be struck by lightning with the EMP causing damage in the house since it is so close.</p> <p>7) Health and Safety -The HSE did not make any comments. However, we have raised, and there is much scientific concern, that that the radiation levels, which will be 24-7 to retired residents and families could be harmful. The roll out program has been stopped in some countries until a study of the long term effect of exposure has been properly studied. We have asked for confirmation that the proposed mast is safe to residents or people working on the roof but MBNL refer only to a certificate of conformity to ICNIRP public exposure guidelines dated 12-07-1999 (1999/519/EDC). This document is old and impossible to follow since it is complex and not contained within one PDF. It does not demonstrate by calculations compliance in its applications. When ICNIRP is googled there are considerable new documents and we are unclear why they are not complying with the latest 2020 guidelines. This does not inspire confidence that the government has the 5G compliances under control and is letting the tail wag the dog. There does not appear to be any accountability.</p> <p>8) Futureproofing - We have always maintained that the masts should be located in the commercial areas of the estate like elsewhere in Hemel Hempstead. The only reason that the existing mast is proposed in its current location is because in 2014 it was given planning permission. We were not consulted on its location then so it was a surprise when it appeared. Now the provider states that any new mast is required to be within a 100m radius of the existing mast. We are sure that this information was not a condition of the original application. This would mean that all future masts however tall and noisy would remain in this location. To accept this position would set a precedent for any future proposed mast in in the area. There must be a constraint to a have a minimum distance for a mast from a house and this should not be 5.0m. The site line from the edge of the house is 77deg so would appear almost vertical.</p> <p>The End of comments (note appendix one can be found in the agenda for the development management committee meeting and the attachment to this email).</p>
34 Sarratt Avenue Hemel Hempstead	The proposed phone mast will be an absolute eye sore for everyone living locally. 20m is incredibly tall for a low level residential area like

<p>Hertfordshire HP2 7JF</p>	<p>Woodhall farm.</p> <p>There are plenty of fields very close to the estate, one of which could be utilised to house the mast rather than in the middle of a residential area.</p> <p>Disgusting that local residents so close were not written to about these plans in a clear attempt to pass this through in an underhand manner.</p>
<p>57 Elstree Road Hemel Hempstead Hertfordshire HP2 7PH</p>	

Item 5b 20/01109/FUL

Construction of new dwelling

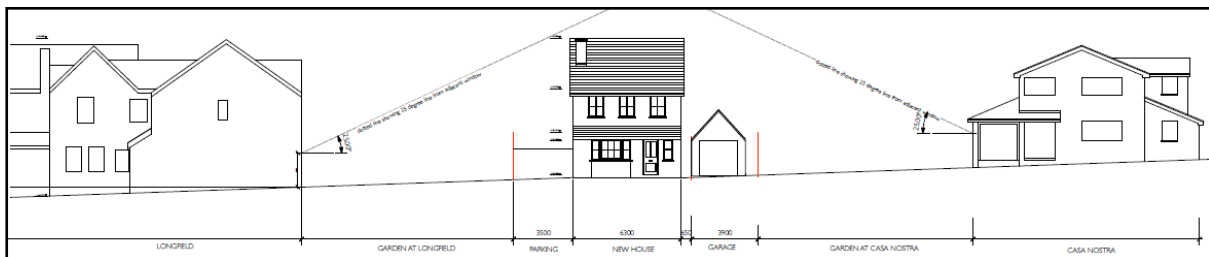
Longfield, Aylesbury Road, Tring, HP23 4DH



Item 5b 20/01109/FUL

Construction of new dwelling

Longfield, Aylesbury Road, Tring, HP23 4DH



ITEM NUMBER: 5b

20/01109/FUL	Construction of new dwelling	
Site Address:	Longfield Aylesbury Road Tring Hertfordshire HP23 4DH	
Applicant/Agent:	Alastair Ames / Emma Guy	
Case Officer:	Martin Stickley	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Called in by Councillor Christopher Townsend	

1. RECOMMENDATION

1.1 That planning permission be granted subject to conditions.

2. SUMMARY

2.1 The principle of providing a new dwelling in this area is acceptable. The proposal would provide a small but valuable contribution to the Borough's housing stock. The scheme has evolved positively from pre-application stage and the Applicant carried out public consultation prior to submitting a full application. The resultant property is modest and would not overdevelop the plot. Sufficient garden spaces would be retained/provided for existing and future users. The design of the building is in keeping with local vernacular and has been improved following comments from Dacorum's Conservation and Design Team. The building is appropriate in appearance and would respect the character of the area. There would be no significant impact on residential amenity and the scheme illustrates this (e.g. annotation of the 25 degree lines). Satisfactory parking and access arrangements would be provided and HCC have raised no objection on highway safety grounds. Taking all of the above into account the application is in accordance with the aforementioned policies and is recommended for approval.

3. SITE DESCRIPTION

3.1 The application site is situated on the western side of Longfield Road, within the residential area of Tring. The site comprises part of two rear gardens of two houses: Longfield and The Hermatage. The properties are accessed from Aylesbury Road. The overall size of the application plot is 422sq.m. There is a variety of house sizes, types and designs within the locality. There is also variety in plot size and shape.

4. PROPOSAL

4.1 Planning permission is sought the construction of a two-storey 3-bedroom detached dwellinghouse. The site would provide two parking spaces in a tandem arrangement to the flank.

5. PLANNING HISTORY

Planning Applications

4/00730/80 - Historic File Check DMS for Documents and Further Details
DET - 20th June 1980

4/00731/80 - Historic File Check DMS for Documents and Further Details
DET - 20th June 1980

4/01050/82 - Historic File Check DMS for Documents and Further Details
DET - 30th September 1982

4/00772/84 - Historic File Check DMS for Documents and Further Details
DET - 19th July 1984

4/00122/85 - Historic File Check DMS for Documents and Further Details
DET - 14th March 1985

4/00255/86 - Historic File Check DMS for Documents and Further Details
DET - 16th April 1986

4/01383/19/FUL - Change of use from c2 (residential institution) to sui generis (house of multiple occupancy up to 10 units)
GRA - 25th July 2019

4/01681/89/FUL - Two storey rear extension
GRA - 30th November 1989

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
CIL Zone: CIL2
Conservation Area: TRING
Former Land Use (Risk Zone): Cemetery, Aylesbury Road, Tring
Former Land Use (Risk Zone): Former Factory, Longfield Gardens, Tring
Parish: Tring CP
RAF Halton and Chenies Zone: Green (15.2m)
RAF Halton and Chenies Zone: Red (10.7m)
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
Residential Area (Town/Village): Residential Area in Town Village (Tring)
Town: Tring

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

National Planning Policy Framework (February 2019)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Policy NP1 - Supporting Development
Policy CS1 - Distribution of Development
Policy CS4 - The Towns and Large Villages
Policy CS10 - Quality of Settlement Design
Policy CS11 - Quality of Neighbourhood Design
Policy CS12 - Quality of Site Design
Policy CS13 - Quality of Public Realm
Policy CS17 - New Housing

Policy CS28 - Renewable Energy
Policy CS29 - Sustainable Design and Construction

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Policy 10 - Optimising the use of Urban Land
Policy 18 - Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 57 - Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 129 - Storage and Recycling of Waste on Development Sites
Appendix 1 - Sustainability Checklist
Appendix 3 - Layout and Design of Residential Areas
Appendix 5 - Parking Provision Appendices

Supplementary Planning Guidance

TCA1: Aylesbury Road (Character Appraisal) (May 2004)
Sustainable Development Advice Note (March 2011)
Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (September 2011)
Refuse Storage Guidance Note (February 2015)
Parking Standards Supplementary Planning Document (March 2019)

9. CONSIDERATIONS

Main Issues

9.1 The main planning issues in the determination of this application are:

- Principle of development;
- The quality of the design and the impact on the character/appearance of the area;
- The potential impact on the residential amenity of adjoining neighbours;
- Highway safety and parking provision; and
- Any other material planning considerations.

Principle of Development

9.2 The application site is located within the urban area of Tring. It is not an allocated housing site and so is considered a 'windfall site'. The Dacorum Borough Core Strategy highlights that appropriate residential development within residential areas in the Towns is encouraged (Policy CS4).

9.3 The National Planning Policy Framework (the 'Framework') encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing previously developed land. Though the application site is not considered to be previously developed (with regards to Annex 2 of the Framework), saved Policy 10 of the Dacorum Borough Local Plan seeks to optimise the use of available land within urban areas.

9.4 The application site is within an existing settlement and as such, the infrastructure in the immediate area has been developed to provide good transport links for residents. There are also services and facilities available within close proximity of the site.

9.5 Taking all of the above into account, the proposal would make a small but valuable contribution to the Borough's existing housing stock (in accordance with Policy CS17). The scheme would also comply with the Council's settlement strategy. As such, and given that the development would be

located in a sustainable location, the proposal is in accordance with Policies CS1, CS4, CS17, saved Policy 10 and the Framework. There is therefore no compelling objection to the principle of the proposed development.

Quality of Design / Impact on Visual Amenity

9.6 Core Strategy Policies CS11, CS12 and CS13 state that development within settlements should respect the typical density in the area, integrate with the streetscape character and contribute to the quality of the public realm. Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, Paragraph 130 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

9.7 The Aylesbury Road Character Area Appraisal (TCA1) highlights that infilling may be acceptable according to the following development principles:

“Design: Proposals for new development are encouraged to use the architectural themes and detailing present on existing Victorian and Edwardian dwellings in the area.

Type: Detached and semi-detached dwellings are appropriate and encouraged.

Height: Should not exceed two storeys.

Size: Moderate to large sized dwellings are appropriate. The scale and bulk of new development should be sympathetic to that of existing buildings.

Layout: The layout of the area should continue to be based on the linear route of Aylesbury Road. In this respect, new dwellings will be expected to front this road and be set back from it at a distance commensurate with other established dwellings, to maintain a wide, open visual impression from Aylesbury Road. Spacing should be provided in the wide range (5 m to 10 m).

Density: Should be compatible with the character within the existing density range, (less than 15 dwellings/ha).”

9.8 The land gently falls as you move from Longfield Gardens to Aylesbury Road. The proposed property has a maximum height of 8.15m. Whilst this exceeds the height of the adjacent neighbour, Casa Nostra, it is similar to the row of terraced properties opposite. The height of the building is less than the other adjacent property (Longfield) but it would appear taller due to the raised ground level.

9.9 The section of the site fronting Longfield Road is approximately 10.45m wide. The width of the plot would comprise the property (6.3m), a parking/bin storage area (3.5m) and a gap to allow access to the rear garden (0.65m). Amendments were requested to reduce the scale of the building and it was subsequently reduced to 9.55m (depth) x 6.3m (width). The reduced property would have a footprint of 60sq.m (14% of the overall plot). The amended property is appropriately scaled and would sit comfortably within the plot.

9.10 In terms of the surroundings, the proposed unit would be situated between the rear garden of Longfield and the side garden of Casa Nostra. There are terraced and semi-detached units on the opposite (eastern) side of Longfield Road and there are examples of detached units within the vicinity. A detached unit, which is encouraged by TCA1, would not feel out of place within the context of the surroundings. Furthermore, given the mixture of different property types, plot sizes, orientations and layouts within the locality, the proposal would not significantly disrupt the surrounding spatial pattern of built form.

9.11 Turning to the individual design of the proposed unit, the application documents show a local red multi-brick property with brick quoins on the front corners. White framed sash windows and slate roof tiles are incorporated. The amended plans include a brick chimney to match other properties on the street. A bay window on the façade helps to recreate the appearance and character of the terraced properties opposite. The application also proposes a 45cm tall dwarf wall at the front of the site to create some defensible space, similar to 1-8 Longfield. The pitch of the roof is similar to other properties within the vicinity.

9.12 The submitted Design and Access Statement explains the design rationale behind the proposed property, as well as highlighting the sustainable design techniques incorporated into the scheme. The Conservation and Design Department consider the design appropriate but have highlighted that “*the choice of brick will be critical*” to an attractive development. Considering this, it is necessary to condition the application, if approved, for full details on the proposed materials.

9.13 Saved Appendix 3 (Layout and Design of Residential Areas) states that private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m. Ideally, a range of garden sizes should be provided to cater for different family compositions, ages and interests. For infill developments, garden depths that are below 11.5m but of an equal depth to adjoining properties will be acceptable. Generally, all gardens should be of a width, shape and size to ensure the space is functional and compatible with the surrounding area. The proposed garden would measure 24m (width) x 13m (depth). The proposal would therefore provide a large, functional garden, complying with saved Appendix 3.

9.14 The scheme would involve the reduction of Longfield and The Hermitage’s existing garden areas. Longfield is currently being used as a house in multiple occupation (HMO). The Applicant has stated that there are currently 10 tenants. The Applicant only accepts single professional working tenants and therefore the HMO should not exceed 10 occupiers at any one time. Longfield would retain a garden that stretches 20m at its longest point, 12.3m at its minimum (due to the existing rear projection) and have a width of 12.5m.

9.15 The Hermitage is a family dwelling. This property would have a longest distance of 21.4m, minimum of 18.6m and a width of 13.6m. These are considered adequate for these properties and their current uses. It is not felt that reduced gardens would affect the character or spatial pattern of the area in any significant way and it is noted that other large properties on this row, such as Westfields, already have reduced garden sizes.

9.16 Overall the proposed property would be in keeping with the local vernacular and is felt to provide an attractive addition to the street. The character and appearance of the area would not be affected in any significant way. The proposals comply with the design as set out in TCA1. The scheme would provide and retain a high quality residential environment for existing and future occupiers. Considering this, no concerns are raised to the quality of development or the impact on the character and appearance of the area.

Impact on Residential Amenity

9.17 Policy CS12 aims to preserve neighbouring amenity. Furthermore, guidance in Paragraph 127 (f) of the Framework seeks to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.

9.18 Saved Appendix 3 of the Local Plan highlights a number of principles for the layout and design of residential areas. Regarding the spacing of dwellings, proposals should ensure privacy and enable movement around buildings. The minimum distances of 23m between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. This distance may increase depending on character, level and other factors.

9.19 The proposed property would be orientated so it is back-to-side with Longfield and side-to-side with Casa Nostra. Casa Nostra's main private amenity space is situated to its southern flank. There are a number of terraced properties (1-4 Longfield) directly opposite the site.

9.20 There would be a separation distance of approximately 23.7m between the proposed property and the main rear wall of Longfield (15.4m from the rear projection) and a distance of (17.4m) to Casa Nostra. The proposed 'Section A' drawing (1906_GA_04_B) illustrates 25 degree lines drawn from the midpoints of the neighbouring ground-floor windows. This reveals that there would be no breach of the 25-degree lines. It is therefore considered that there would be no significant impact concerning loss of light or visual intrusion to these properties.

9.21 There would be a gap of around 16.2m between the proposed front wall of the property and the façade of the terrace opposite. This is comparable to other relationships between properties on Longfield Road. Drawing 1906_GA_04_B illustrates that the proposed property would not breach the 25-degree line from the ground-floor windows of these terraced properties. The scheme therefore complies with the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' in this regard. The plan also shows that the site is on a lower ground level than 1-8 Longfield Road and the proposed roof slopes away from these neighbours (the ridge being sited some 21.4m away). The property size is modest and sufficient distances would be retained to ensure that the building does not appear visually intrusive or overbearing to the neighbouring properties.

9.22 1 and 2 Longfield Road have raised specific concerns loss of afternoon sunlight. From studying the layout and orientation, it appears that there may be a slight reduction for late afternoon sun received by the front windows on these properties. However, this would be fairly minor and is not felt that the proposal would warrant a refusal on these grounds.

9.23 2 and 3 Longfield Road raised concerns over a potential increase in overlooking. At present there are no properties fronting these neighbours. The scheme would introduce one new dwelling. No specific policies discuss front-to-front distances between properties. Reduced distances are common and are widely accepted in urban areas. The proposed property has been set back from the road behind a front garden area and the window directly facing 3 Longfield Road is obscure glazed. There would be views towards 2 Longfield Road; however, considering the distance between the properties and change in levels, it is not felt there would be an adverse impact on the living conditions of this neighbour.

9.24 A number of the objectors raised concerns regarding the proposed scale of the property. Following the reductions to the property these concerns are felt to have been addressed. Overall, the proposed dwelling would avoid significant harm to the living conditions of the occupants of adjoining and surrounding residential units.

Impact on Highway Safety and Parking

9.25 Policy CS12 seeks to ensure developments have sufficient parking provision. Paragraph 105 of 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.

9.26 Saved Appendix 5 states that, as a maximum, 2.25 parking spaces should be provided for a 3-bed dwelling in this location. The proposal suggests two tandem parking spaces to the flank. The parking spaces sizes would be in accordance with Dacorum's emerging standards i.e. 2.5m (width) x 5m (depth) (see Parking Standards Supplementary Planning Document, March 2019). Considering the sustainable location of the site i.e. near to shops, facilities and public transportation linkages, the provision of two parking spaces is considered acceptable.

9.27 The tandem parking arrangement would require the occupiers to manoeuvre into the parking space by either reversing in or out of the site. Hertfordshire County Council (HCC) as the Highway Authority have commented on this in terms of highway safety stating: *“The site is located on...an unclassified local access road with a 30mph speed limit, so vehicles are not required to enter and leave the highway in a forward gear. There have been no accidents involving personal injury in the vicinity of the site in the last 5 years.”* HCC concluded, *“the proposal would not have a severe residual impact on the safety and operation of the adjoining highways.”*

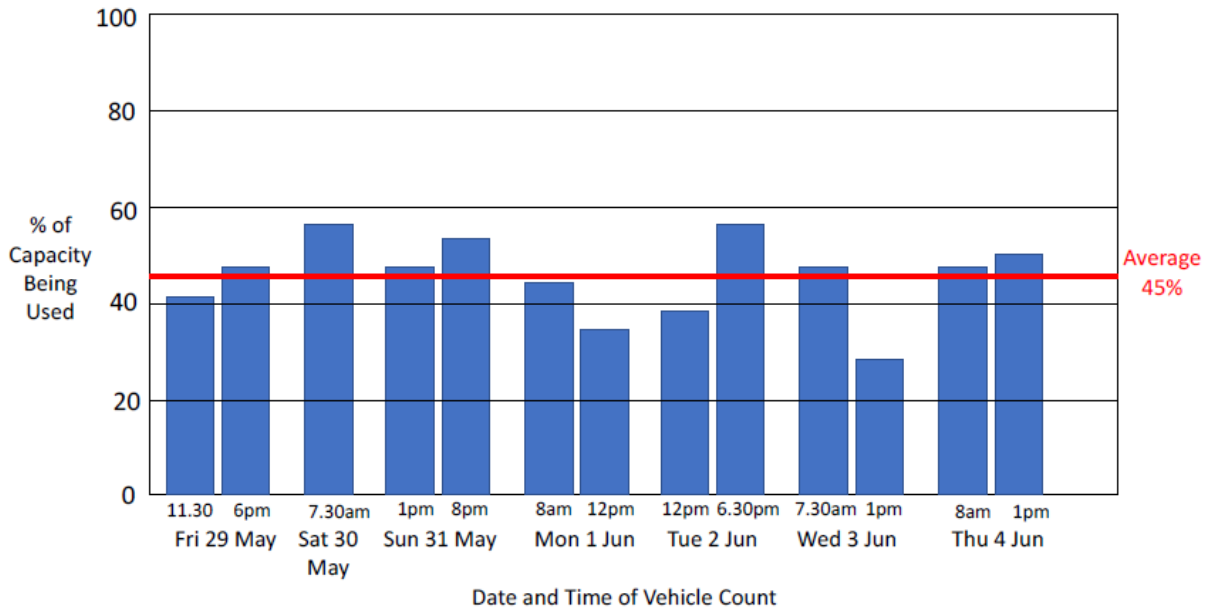
9.28 Neighbouring residents have raised the following concerns about the on-street parking situation:

- *“The properties do not have drives and residents park on the street.”*
- *“This section of Longfield is also used as overspill parking for residents from the main part of Longfield Road, residents from Gordon Villas and people parking to use the allotments at Duckmore Road.”*
- *“The construction of the property would reduce the amount of parking available to all and increase the amount of cars trying to park on the road.”*

9.29 There are a limited number of properties that face onto this section of the road (before the bend), including 1-8 Longfield Road and Casa Nostra. The residents have clearly identified an issue with regards on-street parking pressures. The construction of the property would result in a new cross over measuring approximately 3.5m wide. Although this is less than the average length of a modern vehicle, it is suggested that one on-street parking space would be lost. On-street parking would still be available on the 7m stretch in front of the property. Residents have highlighted that the scheme may lead to additional vehicles on the street. Whilst the proposal provides an adequate number of off-street parking spaces, the proposal could potentially lead to an additional cars being parked on the street e.g. for visitors. These concerns were raised with the Applicant and further information regarding parking numbers and on-street availability was submitted. The report provides the following information:

- *“This particular stretch of Longfield Road is 85m long, with the street wide enough for parking on both sides, so there is approximately 170m of parking space. On the assumption of allowing a 5m space for each car, this would indicate there is capacity for 32 spaces available (allowing space for the three driveways that currently exist).*
- *There are only 10 properties on this stretch of road, typically with three bedrooms, so the ratio of these sized properties to the total parking space available is low.*
- *Local residents have commented that there is insufficient parking spaces. In order to take an objective view on this, daily counts have been taken on the number of vehicles parking on the road over a one week period from Friday 29 May – Thursday 4 June 2020, at different times of the day.*
- *The graph below illustrates the number of cars recorded parking in the street vs the capacity available. This shows that there is parking still available with an average of only 45% of the capacity being used. In addition, these counts have been done during current Government Covid-19 restrictions, so it would be expected that there would typically be more cars at home during this time.*
- *It’s been suggested by local residents that there is an issue with non-residents parking on the road. If this is the case, then it would seem more appropriate to raise this with the relevant council authority, to introduce some form of parking restrictions, favouring residents.”*

Figure 1. Vehicle Count



9.30 The graph highlights that the maximum capacity recorded did not exceed 60% during the days/times captured. The report provides photographic evidence.

9.31 Based on the assumption that there are 10 properties all with 3-bedrooms on this section of the road, the maximum requirement for would be 22.5 parking spaces. The information provided in the Supporting Statement highlights that there is sufficient parking for up to 32 vehicles. This information helps to establish that the road does not suffer from significant parking stress. It is therefore unlikely that the provision of a modest property would cause any significant impacts on the road network.

9.32 The existing residents have raised issue with non-residents parking on the street (e.g. allotment users). If this is an existing issue, residents should approach the Highway Authority regarding the implementation of permit parking on the road.

9.33 As previously mentioned, Longfield is currently operating as a HMO. The Applicant has confirmed that there are eight parking spaces to the front of the property and at present, only five of the tenants have cars. Dacorum's parking standards highlight 0.5 spaces per tenancy unit for HMOs, meaning that the maximum requirement for this HMO would be five spaces. Longfield therefore overprovides on parking spaces and is unlikely to result in any overspill onto Longfield Road. The Applicant has confirmed that the proposed unit would not be a HMO.

9.34 Overall, that the property would afford sufficient off-road parking for future residents. HCC have not raised any concerns with the proposed parking or access arrangements in terms of highway safety. Whilst existing residents have raised concerns, the additional information provided by the Applicant appears to reveal that the street is not significantly overcrowded and would be able to accommodate a 3-bedroom property without any adverse impacts on the road network. The proposal is found to comply with the aforementioned policies with this regard.

Other Material Planning Considerations

i) Refuse and recycling

9.35 Saved Policy 129 seeks to ensure that developments have adequate storage for refuse and recycling. The proposed layout plan (1906_GA_02_B) provides a sufficiently sized area to the property's flank for three wheelie bins. The proposed elevations (1906_GA_03_C) show a bin store, ensuring that bins are left in front of the property.

ii) Trees and vegetation

9.36 It is noted that the garden area is a leafy green space and some vegetation would need to be removed. It is recommended that a full landscaping condition be added to the application, if approved, to ensure that replacement planting and additional trees are incorporated.

iii) Community Infrastructure Levy

9.37 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. The Charging Schedule clarifies that the site is in Zone 2 within which a current charge of £197.24 per square metre is applicable to this development.

iv) Contamination

9.38 The site is within buffer zones of contaminated land uses. As such, Dacorum's Environmental and Community Protection Department was consulted. They recommended a 'contamination discovery' condition and an informative. These would be added to the application if approved.

v) Rear access

9.39 The owner of the adjacent garage raised concerns with the proximity of the property to their garage. Following receipt of these comments, the property was moved further from the flank boundary. A gap of 0.65m would provide enough space for a garden waste wheelie bin and other garden equipment such as a standard lawn mower or wheelbarrow to access the rear of the site.

Response to Neighbour Comments

9.40 These points have been addressed above.

10. CONCLUSION

10.1 To conclude, the principle of providing a new dwelling in this area is acceptable. The proposal would provide a small but valuable contribution to the Borough's housing stock. The scheme has evolved positively from pre-application stage and the Applicant carried out public consultation prior to submitting a full application. The modest property would not overdevelop the plot. Sufficient garden spaces would be retained/provided for existing and future users. The design of the building is in keeping with local vernacular and was improved following comments from Dacorum's Conservation and Design Team. The building is considered appropriate in appearance and would respect the character of the area. There would be no significant impact on residential amenity and the scheme illustrates this (e.g. annotation of the 25 degree lines). Satisfactory parking and access arrangements would be provided and HCC have raised no objection on highway safety grounds. Taking all of the above into account the application is in accordance with the aforementioned policies and planning permission is duly recommended to be granted.

11. RECOMMENDATION

11.1 That planning permission be granted subject to the following 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 (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).

3. **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; and**
 - o minor artefacts and structures (e.g. sheds/outbuildings, refuse or other storage units, etc.).**

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).

4. **Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks) works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.**

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.

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 Core Strategy (2013). The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.

5. **Prior to the first occupation of the development hereby permitted the proposed access, on-site car and cycle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan drawing no 1906_GA_02_A and retained thereafter available for that specific use. No buildings and/or structures shall be erected in these areas.**

Reason: To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety in accordance with Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Policy 5 of Hertfordshire's Local Transport Plan (2018) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

6. **Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Policy 5 of Hertfordshire's Local Transport Plan (2018) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

7. **Pedestrian visibility splays of .65m x .65m shall be provided, and thereafter maintained, on both sides of the new vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Policy 5 of Hertfordshire's Local Transport Plan (2018) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

8. **The development hereby permitted shall be carried out in accordance with the following approved plans:**

**1906_GA_01_A
1906_GA_02_B
1906_GA_03_C
1906_GA_04_B**

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 at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38)

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

2. 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.
3. 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.
4. 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.
5. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>
6. 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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Tring Town Council	The Council recommended no objection to this application.
Conservation & Design (DBC)	<p>This scheme has been through several iterations at pre-app stage.</p> <p>I do not have an objection in principle to this single house. It appears however to sit awkwardly close to the garage of the adjoining plot. Does it require such a wide frontage (see below)?</p> <p>Chimneys are a feature of this part of Longfield Rd - the new house looks correspondingly stark without one. Choice of brick will be important. The application refers to slate tiles - as this is not clear, again</p>

	<p>the choice of roofing material will be important.</p> <p>Further comments</p> <p>The house has been shifted slightly away from the garage and a chimney added, so from a design perspective the scheme is acceptable. As mentioned previously, the choice of brick will be critical</p>
<p>Hertfordshire County Council Highway Authority (HCC)</p>	<p>Decision</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>CONDITIONS</p> <p>1. Prior to the first occupation of the development hereby permitted the proposed access, on-site car and cycle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan drawing no 1906_GA_02_A and retained thereafter available for that specific use.</p> <p>Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.</p> <p>2. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.</p> <p>Reason: In the interest of highway safety.</p> <p>3. Pedestrian visibility splays of .65m x .65m shall be provided, and thereafter maintained, on both sides of the new vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.</p> <p>Reason: In the interest of highway safety.</p> <p>INFORMATIVES:</p> <p>1. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the</p>

relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The

applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

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

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

4. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

	<p>COMMENTS</p> <p>This application is for Construction of new dwelling The site is located on land behind Longfield and The Hermitage, two properties fronting onto Aylesbury Road, and fronts onto Longfield Road, which is an unclassified local access road with a 30mph speed limit, so vehicles are not required to enter and leave the highway in forward gear. There have been no accidents involving personal injury in the vicinity of the site in the last 5 years.</p> <p>PARKING</p> <p>The proposal includes two parking spaces for the proposed new property, on a new hard standing to be constructed.</p> <p>ACCESS</p> <p>A new vxo is to be provided for the new property, on Longfield Road.</p> <p>CONCLUSION</p> <p>Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the documentation submitted with the above planning application and having considered the information held the by ECP team I have the following advice and recommendations in relation to land contamination.</p> <p>The development, if permitted, will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.</p> <p>As such, it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.</p> <p>Discovery Condition - Contaminated Land:</p>

	<p>Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informatives:</p> <p>To avoid future ground gas contamination on the site the material used to backfill the swimming pool should be filled with inert and non-putrescible material.</p> <p>The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.</p> <p>The above condition is 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>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
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14	11	0	11	0
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Neighbour Responses

Address	Comments
<p>38 Longfield Road Tring Hertfordshire HP23 4DG</p>	<p>The house appears to be out of character with its neighbours and sits awkwardly on its site very close to the "garage" on the adjoining plot. (It appears that the garage is no longer used for its intended use of parking a car but as a commercial document store)</p> <p>Situated within the Miswell Lane Character Area which references the large presence of two-storey houses and that bungalows are common. The Character Area states that new houses should relate well in terms of the type, design, scale, bulk and layout of nearby and adjacent development and further states that the height should not normally exceed two storeys.</p> <p>The Application is for a three-storey house with an overly steep roof with the ridge above its nearest neighbour. This should be scaled back</p> <p>With 3 double bedrooms, the house is too large for its plot and will have a detrimental effect on the problematical parking around that part of Longfield Road.</p> <p>For these reasons the Application should be refused unless it changed to something more in-keeping (a two-bedroom chalet-style bungalow with two proper car spaces?) and which would help to lessen the impact on roadside parking.</p>
<p>2 Longfield Road Tring Hertfordshire HP23 4DQ</p>	<p>I am writing to inform you of my objection to the construction of a new home on existing gardens on Longfield road. (planning application 20/01109/FUL) I live opposite the proposed development. There are currently no homes on the opposite side of the street. The road is narrow and the fronts of the houses on this part of the road are only a couple of metres away from the pavement. If the house was built it would completely overlook my house and we'd be able to see right into each other homes, exacerbated by the closeness of the property frontages to the pavements and therefore to each other.</p> <p>Parking is also an issue on this road. The properties do not have drives and residents park on the street. This section of Longfield is also used as overspill parking for residents from the main part of Longfield Road, residents from Gordon Villas and people parking to use the allotments at Duckmore Road. My part of Longfield Road is usually full with cars and I often cannot park outside of my home. (I can provide photographic evidence of the street sully with parked cars. There is no facility to attach photos to this comment.) The main part of Longfield Road is usually completely full with cars and residents from Longfield Gardens have complained when I have had to park there, causing difficulties with access to their driveways and road. The construction of the property would reduce the amount of parking available to all and increase the amount of cars trying to park on the road. The plans show that the new property will have a drive for two cars. If the new residents have two cars it is likely they will park one in the street (if there is space) so they do not block themselves in thus adding to car parking difficulties</p>

	<p>on the road.</p> <p>There are also traffic safety grounds to consider as any cars parked on the drive of the proposed property will almost certainly be emerging from between cars parked on the street. The street itself is narrow and the sight lines of the driver and on-coming cars will be poor making it difficult to spot each other.</p> <p>The new property will also reduce light to and overshadow our property. The sun will set behind the new house greatly reducing our access to sunlight during the afternoon and evening.</p> <p>There are currently about 180 properties being built near the cemetery, 40 on the old St Francis School site and about 300 planned for the Icknield Road development. This part of Tring has already had its fair share of new properties I do not think it is fair to squeeze in one more house when the impact on existing residents will be significant.</p>
<p>Casa Nostra Longfield Road Tring Hertfordshire HP23 4DQ</p>	<p>I object to the above application on the following grounds.</p> <p>1. PARKING</p> <p>Parking has been a problem in Longfield Road for some time now, particularly the stretch between Longfield Gardens and the Aylesbury Road,</p> <p>On most evenings there are insufficient places for residents to park their vehicles which results in parking on the corner of Longfield Gardens and on the sharp bend in Longfield Road opposite Longfield Gardens. Also, there is parking regularly on the junction with Aylesbury Road which makes this dangerous junction even more difficult to negotiate.</p> <p>The proposed car parking space with one car parked behind the other seems a bad idea. There will at times undoubtedly be much manoeuvring particularly when the first car in will want to be first out. In all probability one car will be parked on the road for the sake of convenience.</p> <p>Longfield Road is rapidly becoming dominated by car parking and therefore the construction of a new house here would appear to be contrary to Policy CS11.</p> <p>2. POSITION OF NEW DWELLING</p> <p>The depth and height of the proposed dwelling make it sit awkwardly on the street scene and the closeness of the proposed dwelling and the neighbour's garage makes the front view very unattractive.</p> <p>The 300mm gap between the two buildings is far too narrow and will make maintenance to either building very difficult, if not almost impossible.</p> <p>The proposed dwelling would appear to be too close to the houses on the opposite side of the road creating overlooking problems and also</p>

	<p>loss of sunlight.</p> <p>3. VISUAL AMENITY: DOMINANCE</p> <p>The application states that "the ridge height is within the ridge heights for the houses it neighbours on both sides as it steps down in height to follow the natural contour of the road."</p> <p>However, this is not true as a line drawn in a straight line between the ridges of Longfield and Casa Nostra cuts through the top of the roof of the proposed house which I believe shows that the new house is approximately one metre too high. The proposed house will be three storeys high while I understand that the local guidance prefers two storeys.</p> <p>The height of the house does not respect our property in terms of height which would appear to be contrary to Policy CS12.</p> <p>I live at Casa Nostra where our garden is to the south side and faces directly at the north side of the proposed dwelling. The blank side of the house, which will span most of the width of our plot, will be facing us and due to its height will be both dominant and overbearing.</p>
<p>Councillor Christopher Townsend</p>	<p>I have received sufficient local objection in writing and believe myself that this plan is inappropriate (further pressure on parking, the size of the house is out of keeping with that area and I think it constitutes over-development).</p> <p>I would therefore like it to be called in to committee.</p>
<p>6 Longfield Road Tring Hertfordshire HP23 4DQ</p>	<p>I live opposite the proposed development and have just moved in this year. When we bought the property, the parking availability was already a big concern for us as we have 2 very young children and not being able to park the car close to the house can be a real safety issue for us. If another property were to be built on this stretch of the road I do not believe we would be able to park anywhere near our property as the provision is already so greatly stretched. Cars park very dangerously on the corner of the road as it bends around and it will only become more dangerous if parking becomes more scarce as people will take more risks in order to park close to their homes. The allotment users also park their cars on the stretch of road. I strongly oppose this development.</p>
<p>1 Longfield Road Tring Hertfordshire HP23 4DQ</p>	<p>I wish to express my strong opposition to the above proposal for the following reasons:</p> <p>1) Parking Particularly in the evening, parking in the short part of Longfield Road has become increasingly problematical during the last few years. Car and van ownership in the surrounding area has increased, and both sides of Longfield Road, outside Nos. 1 - 8, 1a and 'Casa Nostra', are now used for overnight parking by several vehicle owners who do not live in any of those houses. On several occasions in the past 12 months</p>

I have returned home late in the evening to find not a single parking space available.

The new house proposed would merely aggravate the problem. The likelihood of the new owners parking two vehicles one behind the other (as shown in the design) in the driveway is slim indeed. Probably at least one of their vehicles will be parked on the road, and keeping the house's driveway accessible would effectively remove a second parking space.

Taking into account the closely parked cars on both sides of Longfield Road, backing a vehicle out of or into the proposed narrow driveway could be both hazardous and difficult.

2) Light

Because of the way they were built, with their fronts facing WSW, Nos. 1 - 8 Longfield Road receive very little southern sun. Thus the sunlight that comes in on the western side of our houses in the afternoon and evening is more than welcome, and is possibly a strong reason why many of the people living in those houses chose to buy them. Also, the fronts of these houses are only set back 1.65m from the pavement, much less than the average setback of the houses in the main part of Longfield Road. Any two or more storey building constructed opposite Nos. 1 - 8 is going to reduce the amount of afternoon and evening sunshine in our main living rooms. In my case, at No. 1, I estimate that for some four to six months of the year any house built opposite would block out a considerable amount of sunshine.

I would add that the chances are high that, at some point in the future, owners of the proposed new house will wish to extend the house over the proposed parking area. Then, the house would not only be of a totally inappropriate size for the road, but will block out even more sunshine from the houses opposite, particularly No. 1.

3) The General nature of the area

The proposal, in a perfectly valid manner, points out the mixture of the housing in the area. It does not mention the variety of garden sizes. Many of the people who have chosen to live in this area like gardening, and enjoy the feeling that their gardens provide a little real countryside within a town. There are several houses with large gardens, whose size is much appreciated by their owners, and there are several owners of houses with much smaller gardens who would appreciate having larger gardens. If a house is going to be used for multiple occupancy, as Longfield is at present, then surely it should have an appropriate sized garden. It is good to see that some of the present residents at Longfield have already created a vegetable patch in the garden.

I freely admit that I strongly opposed the conversion of 'Longfield' into a house of multiple occupancy, but now see that the venture has been a success, which is good. The owner mentioned to me an idea for the future of 'Longfield' that he has, whereby the house might be turned into three self-contained flats. It seems to me that, in either its present or future format (i.e. with either ten single people or three families in

	<p>residence), a garden of the present size is far more than desirable - it is necessary. Building the proposed house would take away a good third of the present garden of 'Longfield', which seems to me to be a thoroughly retrograde step.</p> <p>I quite understand that some of the owners of the houses in Aylesbury Road, may not enjoy the upkeep of the whole of a large garden, and may wish to sell off part of it. However, in all probability there are other people who could well be interested in buying part of garden of 'The Hermitage' to extend their own gardens, were the owner to put it on the open market.</p> <p>Since the two large-scale developments on Aylesbury Road, Tring, at the former convent at St. Francis and at the site west of the cemetery are going ahead, surely there is no need at all for a single 'infill' house in an inappropriate place in Longfield Road.</p> <p>For these reasons I trust and hope that you will do the right thing, and turn down this application. Thank you.</p>
<p>Ariel House 10A Frogmore Street Tring Hertfordshire HP23 5AU</p>	<p>I am the owner of the garage immediately adjacent to the proposed new property. The plans refer to a gap between the flank wall of the new property and the southern boundary of my garage of only 300mm. This is wholly insufficient to allow access for the purpose of maintenance and repair of the southern wall of the garage. Rights of access were granted by the previous owner of Longfield when the garage was sold to me to include a right of access with or without scaffolding. This will be utterly impossible if the new property is sited where proposed.</p>
<p>65 Longfield Road Tring Hertfordshire HP23 4DF</p>	<p>The proposed utilisation of the site is perverse, creating a very good-sized rear garden but cramming the street frontage. Longfield Road generally has witnessed a number of recent housing developments or proposals, all of which seem to imagine that the available on-street parking is limitless. We all know that is not so. Whichever way the proposed development is laid out, it would incur a further loss of on-street parking. The idea of parking for two cars end to end is entirely ludicrous and would result in endless manoeuvring, to the detriment of other road users and residents. It strikes me as more sensible to place the house further back within the site, i.e. entirely within the present rear garden of The Hermitage, or else across the boundary of the gardens to Longfield and The Hermitage, allowing for more car movement space at the front. This would not detract from the general aspect and amenity of the proposed house. The present plan substantially reduces the amenity space of Longfield, which is now in multiple occupation. The intention to use local brick is welcome, and to be encouraged.</p>
<p>19 Longfield Gardens Tring Hertfordshire HP23 4DN</p>	<p>I am the owner of an adjoining property 19 Longfield Gardens.</p> <p>The requirement to create parking, room to manoeuvre and park including a drop down kerb, will increase the parking pressure in Longfield Road and Longfield Gardens. Currently over spill parking from Longfield Road frequently occurs in Longfield Gardens, with the additional problem of parking on the corners of the junction causing a</p>

	<p>hazard. Additionally as Longfield, on the corner, has potentially up to 10 residents (currently only appears to be 2/3 car owners) the potential for additional overspill cars exists adding to the pressures. The exit/entrance from Longfield Road onto Aylesbury Road can already be hazardous because of corner parking and restricted views. Further loss of parking space will add to this pressure and hazard</p> <p>I have a short garden which is screened by a row of leylandii trees in the adjoining garden. This already reduces the sunlight into the garden. Any additional dwelling will increase the blockage of sunlight and risks "overlook".</p> <p>The density of housing particularly with the large estates already being built nearby and the arising loss of amenity and the pressures building on local schools, medical facilities etc. should in my view mean consideration of reducing new developments, rather than property extensions, should be a major consideration.</p>
<p>4 Longfield Road Tring Hertfordshire HP23 4DQ</p>	<p>I am writing to object to the (revised) planning application. The property is directly opposite to my home and even though there are various explanations as to why the height and distance from the road of the proposed development will not affect my privacy and sunlight, I find this impossible to accept. I do not accept that my current uninterrupted view from both my living room and main bedroom will not be impacted by the proposed development. To suggest that it 'minimises the impact on light and visibility' is just simply not true.</p> <p>I am surprised that Hertfordshire County Council Highway Authority can review the proposal and state it won't impact the local area. I have lived in my home for many years and it is only luck and good fortune that has prevented any serious incident or accident at this time. The entry onto or off Aylesbury Road from/to Longfield Road are constantly at risk with cars parked right up to the junction.</p> <p>I want to highlight the specific section of The Highway Code Rule 243 - that refers to parking. DO NOT stop or park; at or near a bus stop (on Aylesbury Road), opposite or within 10 metres (32 feet) of a junction (Aylesbury Road & Longfield Gardens), where you would force other traffic to enter a tram lane or on a bend.</p> <p>The photos, timings and period for which the parking evidence has been provided are misleading. Stating this is an 'objective view' is clearly not the case as it is supporting the development application and therefore it is bound to be biased. This is evidenced by the short time frame for recording parked cars and using parking measurements that are misleading.</p> <p>Do the measurements used in the justification take into account the 10M gap to the junction that is required by law in the Highway Code at both the Aylesbury Road entrance/exit and the Longfield Gardens entrance/exit? I'm certain it does not.</p> <p>I would contest that if the 10M gaps from the calculations are deducted this would reduce the numbers of cars that can safely park by a minimum of 8 cars/25%.</p>

	<p>If you consider the photos provided as evidence. Is it being suggested that in the first photo, Friday, 29th view North (13 cars/41%) that another 19 cars can be parked safely along the road? Saturday, 30th (18 cars/56%) another 14 cars?? This simply isn't true.</p> <p>Again, do these calculations account for a 10M gap to the junction with Aylesbury Road and the bend at the junction with Longfield Gardens? I would argue that some cars photographed are already illegally parked near the junction/bend and that no more cars could be safely parked.</p> <p>Personally (even with Covid-19) my nephew and I were both at work for 5 of the 7 days the recording of parked cars was taking place and neither of our vehicles would have been recorded at any of those times.</p> <p>I also think that its an unfair and unrealistic suggestion to simply imply that as there is a bus stop on Aylesbury Road, the 'potential' need for cars is reduced.</p> <p>Suggesting that the 3M drive will not take more than 1 space. Does that mean that cars will park right up against each side of the drive thereby blocking the view of oncoming vehicles both off and onto the road? Also, with a car exiting the proposed drive with cars parked either side of the driveway and cars parked opposite the driveway, will the car be able to exit onto the road in one motion and safely? It's not taking account of this.</p> <p>The only bit of the whole report I agree with is that the Council should provide residents parking for Longfield Road as there are far too many non-resident vehicles parking here.</p> <p>I live directly opposite the proposed development and have lived there for many years. Over the last year in particular, the vehicle access to Longfield Road from Aylesbury Road and vice versa is becoming more and more dangerous with cars parking on the corner. This is because there is limited off road parking associated with the properties there already and parking for the remaining residents is almost impossible now with more families having 2 or 3 cars. This is even more problematic during the warmer weather where the allotment owners use Longfield as a temporary car park. This property would remove parking space with the drive access and front elevation only worsening this situation. I would also have my view from my house ruined and a property looking straight into my main bedroom and living room.</p>
<p>3 Longfield Road Tring Hertfordshire HP23 4DQ</p>	<p>I live with my two children opposite this proposed development. I strongly oppose it for the following reasons;-</p> <p>The most important and crucial point is the affect it will have on parking. Currently both sides of the road are used by residents at all times of the day. The road is also used by local allotment holders to park their cars. This proposal will see approx. 3/4 spaces taken away and will necessitate residents to park their vehicles in either Longfield Gardens</p>

or further round into Longfield Road, neither of which have capacity to do this.

The potential for accidents to occur will be high for a number of reasons.

Most critically any cars turning into or coming out of the development will have very little turning space given the narrowness of the road once cars are parked. This will also cause blind spots in my opinion as the driver will not have enough vision to see passing cars when coming out of the development.

This leads onto a huge concern of cars turning from Tring Road onto Longfield Road and potential congestion spilling out onto Tring Road, which is already a fast and at times busy road.

In addition to this is the potential for accidents to happen with the cars turning into and coming out of the property onto Longfield Rd. It will be an accident waiting to happen. Included in this is traffic coming round the bend from Longfield Rd towards the Tring Road.

The loss of privacy and being overlooked is of huge concern to me. I value my privacy greatly and my children's. My daughters bedroom would be faced by this property and given the proximity of the development to the road we will be very close and very much overlooked therefore compromising our privacy.

There seems to be a need to build houses in any given space, in this case a garden which, with its many trees and bushes gives the most incredible birdsong in the morning and evening. Not a huge point I know but an important one nevertheless.

This leads to cause for concern of overshadowing and possible loss of light. The plans show a house of considerable size and I worry as to how much impact that will have on the light coming into this house.

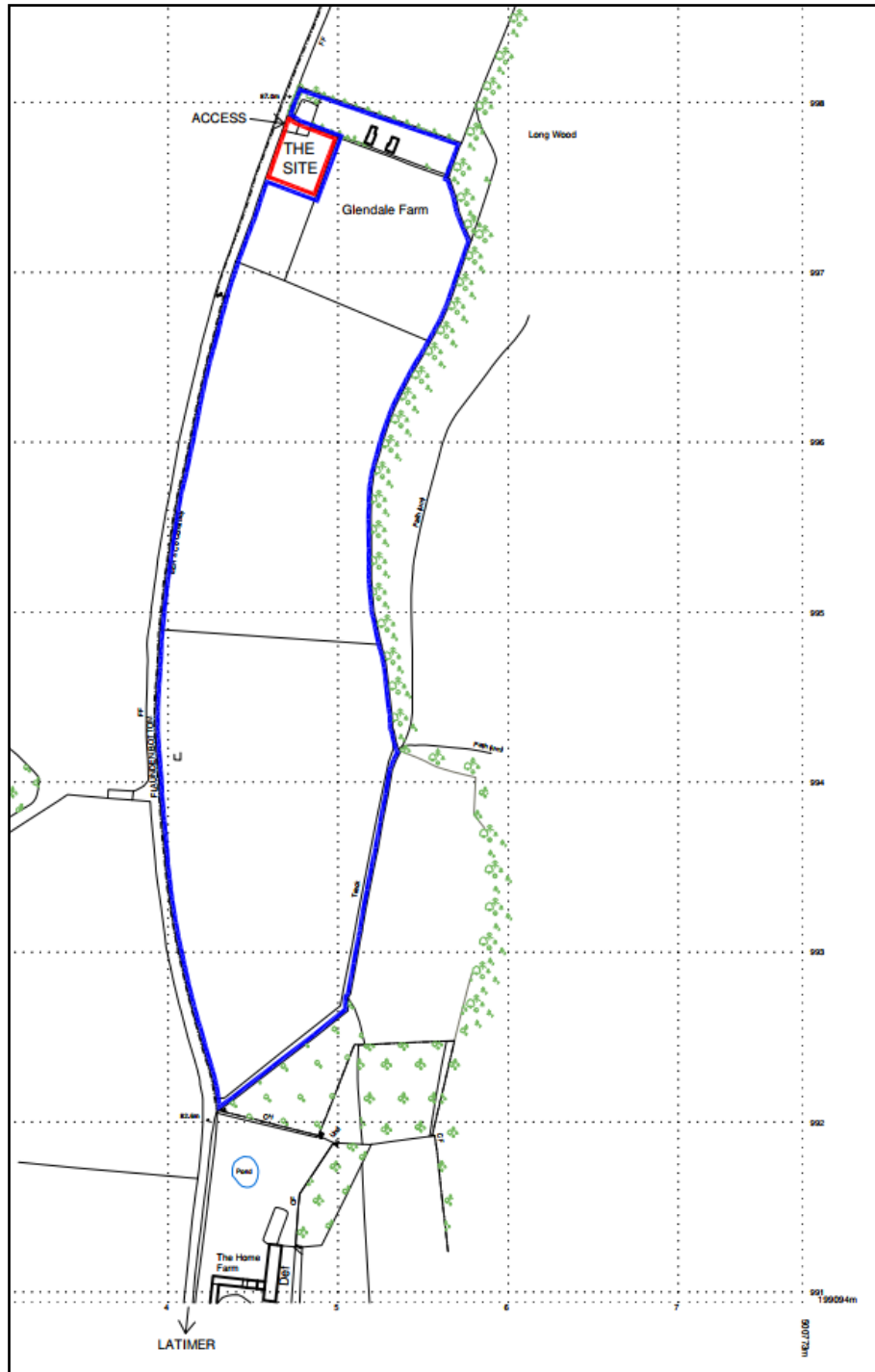
Another reason for my objection is the noise and disruption caused by the developers. The thought of builders lorries, vans etc, would increase the problems with parking for starters, added to that the noise and disruption they would bring. For the past six months or so we have had another development built at the back of our houses on the site of the old St Francis de Sales school. Both the noise and traffic has been constant. We are also now contending with the large LA3 development in progress.

So this proposal is sitting amongst two current developments and is unwelcome and unnecessary in my mind. I can see no positive benefits for its build, instead have grave concerns for safety with regards to parking and potential for accidents.

Item 5c 20/00884/FUL

Construction of general purpose agricultural building

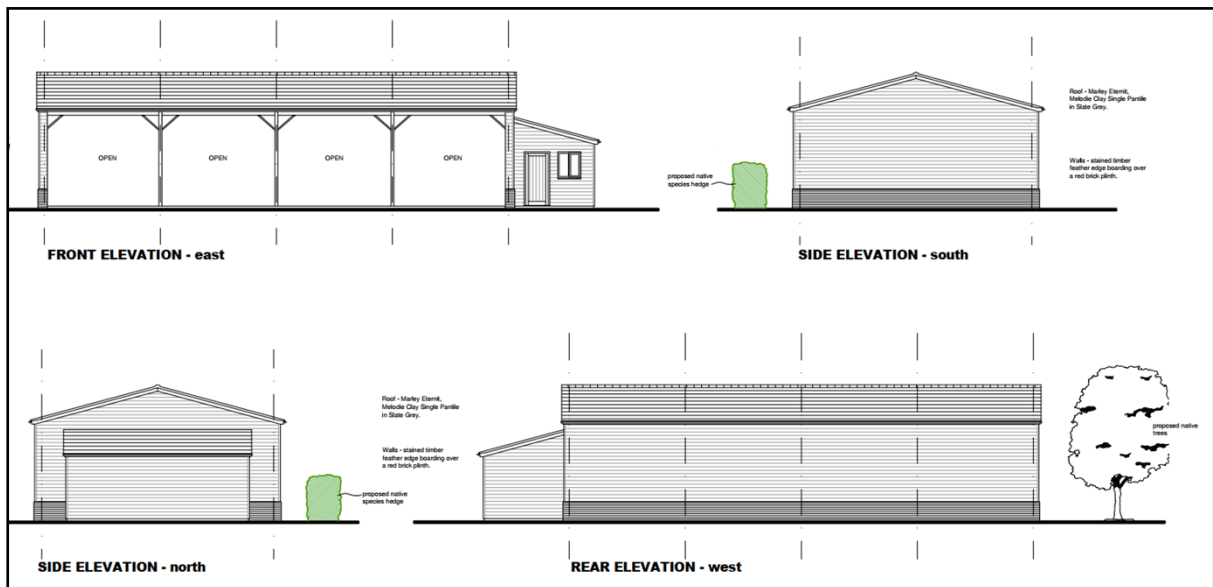
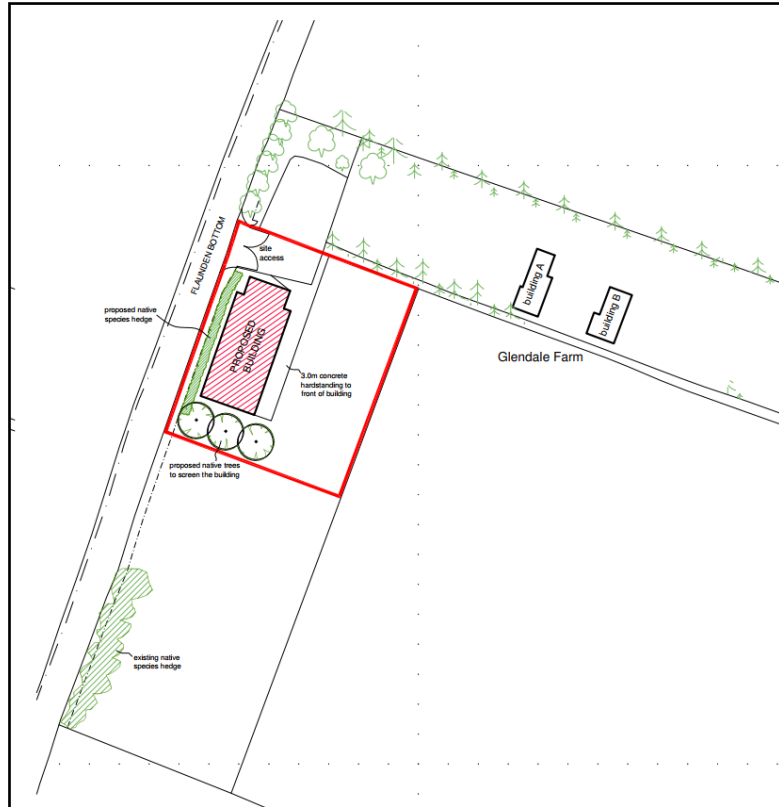
Glendale Farm, Flaunden Bottom, Flaunden, HP5 1GA



Item 5c 20/00884/FUL

Construction of general purpose agricultural building

Glendale Farm, Flaunden Bottom, Flaunden, HP5 1GA



ITEM NUMBER: 5c

20/00884/FUL	Construction of a general purpose agricultural building	
Site Address:	Glendale Farm, Flaunden Bottom, Flaunden, Hertfordshire. HP5 1GA	
Applicant/Agent:	Mr John Robb / Mr Christopher McNally	
Case Officer:	Robert Freeman	
Parish/Ward:	Flaunden Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	The application has been referred to the Development Management Committee given the recommendation of Flaunden Parish Council and at the request of Cllr Riddick. Cllr Riddick is concerned that the proposals constitute inappropriate development and are by definition harmful to the Green belt.	

1. RECOMMENDATION – That planning permission be GRANTED.

2. SUMMARY

2.1 The proposed agricultural building would be an appropriate form of development in this countryside location as set out in the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The proposed building is considered to be appropriate in scale, siting and design and will not result in significant harm to the character and appearance of the area nor the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB) in accordance with Policies CS5, CS12 and CS24 of the Core Strategy.

3. SITE DESCRIPTION

3.1 The application site is located on the eastern side Flaunden Bottom and between the village of Flaunden and Latimer. The site extends to an existing access onto Flaunden Bottom.

3.2 Glendale Farm extends to approximately 7.2 hectares of grassland adjacent to Long Wood and outlined in blue upon the site location plan. Glendale Farm has been primarily used for equestrian purposes. The wider site is occupied by two small lawful loose boxes associated with the equestrian use of the land.

3.3 An unlawful extension to these buildings is subject to an Enforcement Notice and is required to be removed from the site.

4. PROPOSAL

4.1 The proposals involve the construction of an agricultural building measuring some 18m in length, 9m in width and with an eaves height of 3.6m and an attached secure store measuring some 7m x 3m. The main building would be open fronted but otherwise enclosed on three sides by timber.

4.2 The proposed building is required in association with a livestock enterprise based on the development of young beef cattle (weanlings) and subsequent sale 10-12 months later. This will be based on a minimum of 30 cattle being resident throughout the year.

- 4.3 The building is needed to provide a protective and secure 180 day supply of high quality hay and straw for cattle upon the site. The total store requirement for 30 cattle will be some 54 tonnes of hay with an additional bedding requirement of a further 27 tonnes of straw. This equates to a storage requirement of 213 six string quadrant bales each being 0.7m in height, 1.2m in width and 2.4m in length. These will be stored in three bays with the fourth bay to the building being used for the parking of a tractor, trailer and hard feed (rolled barley) and mixing additives.
- 4.4 The proposed lean to secure store will be utilised for the storage of medicine, spray chemicals, clothes, boots and tools associated with the enterprise.

5. PLANNING HISTORY

- 5.1 The site is subject to an Article 4 Direction removing the rights to form enclosures within the site without the specific grant of planning permission.
- 5.2 The site has been subject to previous application history which is relevant in the consideration of the current proposal. These applications include:
- Application 4/02083/13/FUL for demolition of existing stables and field shelter and construction of replacement stables, which was refused on 6 January 2014 and establishing the site's use for breeding and training of horses which would not constitute agriculture;
 - Earlier prior approval application 4/01410/13/AGD for replacement stables which discounted the use of the site for agricultural purposes;
 - The most recent prior approval application 4/02336/14/AGD for livestock shelter, refused on 8 October 2014, where it was noted that there was no evidence to suggest that a genuine agricultural trade and business had been carried out at the farm unit and
 - Application 4/02642/17/RET for the retention of a barn and the extension of farm buildings was refused on the 5th November 2018 given concerns as to the use of the site for agriculture and given the impact on the visual amenity of the Green Belt and Chilterns Area of Outstanding Natural Beauty in this location.
- 5.3 Pre-application advice was sought in relation to the current proposals (19/03000/PREE). It is evident from the response to this request that there was no objection in principle to a bona-fide agricultural building in this location however it may be more appropriate to site the building adjacent to the highway.

6. REPRESENTATIONS

Consultation responses

- 6.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

- 6.2 No representations have been received from third parties in relation to this proposal.

7. 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
CS8 – Sustainable Transport
CS12 - Quality of Site Design
CS24 – The Chilterns Area of Outstanding Natural Beauty
CS25 – Landscape Character
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
The Countryside Place Strategy

Local Plan

Policy 13 – Planning Conditions and Planning Obligations
Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 97 – The Chilterns Area of Outstanding Natural Beauty.
Policy 99 – Preservation of Trees, Hedgerows and Woodlands

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards
Chilterns Building Design Guide
Energy Efficiency and Conservation
Water Conservation

8. CONSIDERATIONS

Policy and Principle

- 8.1. The application site is located within the Green Belt. The Council will apply national planning policy in relation to the Green Belt in accordance with the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. Paragraph 145 of the NPPF makes it quite clear that the construction of new buildings within the Green Belt should be considered as inappropriate development. Exceptions to this include the provision of buildings for agriculture and forestry amongst matters.
- 8.2 The High Court and the Court of Appeal, have in the case of *R (Lee Valley Regional Park Authority) v Epping Forest District Council and Valley Grown Nurseries Ltd* [2016] concluded that the exemption in the NPPF for agriculture and forestry is “unqualified” Thus “all such buildings are, in principle appropriate development in the Green Belt, regardless of their effect on the openness of the Green Belt and the purposes of including land in the Green Belt and regardless of their size and location”

- 8.3 The decision of the courts also highlights that the NPPF and other development plan policies may be relevant and either support or protect against any harmful visual and other adverse impact on the countryside. These policies will also need to be considered and afforded appropriate weight in the decision making process.
- 8.4 The proposals are therefore still expected to have a high quality design. They are also expected to be conserve the natural beauty of the Chilterns Area of Outstanding Natural Beauty in which the buildings would be located. This does not necessarily preclude the construction of buildings but places a greater emphasis on the design and siting of them.
- 8.5 Further support for agricultural uses of land is provided in the Countryside Place Strategy notably at paragraphs 26.9 and 26.10 of the Core Strategy.

Layout, Scale and Design

- 8.6 The Council will still expect a high quality design to be pursued in this location in accordance with Policy CS11 and CS12 of the Core Strategy. The site occupies a prominent location within the Chilterns Area of Outstanding Natural Beauty (AONB) and forms part of an attractive landscape enjoyed from the lane of Flaunden Bottom and public footpaths to the east and south of the site.
- 8.7 Policies CS24 and CS25 of the Core Strategy seek to conserve the special qualities of the landscape and designated AONB with the slope protected from development which would have a negative impact on the skyline. Saved Policy 97 of the Local Plan sets out that new buildings and other development must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings.
- 8.8 The applicants have provided a supporting statement clearly justifying the storage needs and need for the building in relation to an agricultural use of the land. They have registered the land, have been allocated a County Parish Holding (CPH) Number by the Rural Payments Agency at DEFRA (CPH 18/047/0137) and the application site is also registered with the British Cattle Movement Service. You are require to have a CPH number prior to placing any cattle upon the land.
- 8.9 The agent has demonstrated that the site is capable of accommodating significant numbers of weanlings and that the building meets the minimal storage requirements associated with the scale of activity described. The John Nix Pocketbook for Farm Management, 50th edition, 2020 has been used to calculate both the herd capacity and estimated storage needs at a recognised industry standard.
- 8.10 Glendale Farm has a total site area of 7.2ha of which 0.89 ha (just of 2 acres) is required for the lawful equestrian use of the site and in accordance with the grazing requirements of the British Horse Society. The remaining land is to be stocked with 30 weanlings (0-1 year olds) at the recommended livestock unit (LU) of 0.34 per head. This provides a total of 10.2 livestock units (30 x 0.34) or 1.595LU per hectare. This would increase to a stocking density of 1.838LU per hectare when cattle are 1-2 years old.
- 8.11 This is within the recommended stocking rates of between 1-1.5LU/ha (Low Stock) and 2-2.5LU/ha (High Stock) as set out within the Better Returns Programme, Beef and Sheep Manual (Version 8)
- 8.12 The stocking density of the site has also been discussed with an independent consultant who suggests that to accommodate 30 weanlings you would require between 5.8 ha and 6.4 ha of grazing land depending on a range of factors including land grade and nutrient

value. The remaining site area is at the upper end of this range indicating a sufficient area of land for the proposed agricultural operation.

- 8.13 The applicants supporting statement goes onto explain that it is standard practice for a cattle/livestock enterprise to have a secure 180 day supply of hay. The building is thus required to have a storage capacity for 54 tonnes of hay and 27 tonnes of straw (for dry bedding) based on the expected weight of cattle. Based on the average weight of hay and straw bales, this means that approximately 213 six-string quadrant bales are required to meet the storage requirements. The three bays of the proposed building are capable of accommodating 211 bales and would be within an accepted range.
- 8.14 In this context the building is considered to be appropriate in size and scale and is functional for its intended use and the use of land.
- 8.15 The proposed building heeds the advice in the Chilterns Building Design Guide and utilises traditional materials in its construction. The building would be sympathetically sited adjacent to the highway and at a relatively low point in the landscape. The applicants are also proposing landscaping immediately to the south of the building screening the proposed development from the rights of way to the south of the site. This will be secured by a planning condition.
- 8.16 Overall the proposals are considered to result in limited harm to the overall character and appearance of the AONB and as such no objection would be raised under Policies CS11, CS12, CS24 and CS25 of the Core Strategy.

Impact on trees and landscaping

- 8.17 The proposals will not have any adverse impact upon any existing landscape features including Long Wood, a designated wildlife site to the east and running parallel to the land. There are no objections to the proposals from a landscaping or ecology perspective.
- 8.18 Additional planting will be undertaken to the west and the south of the proposed building to mitigate the visual impact of the building from Flaunden Bottom and supplementing the boundary hedge with the road. This could support the objectives under Policy CS26 of the Core Strategy. This will be secured through a planning condition to this approval.
- 8.19 The comments of the County Ecologist are noted in relation to the potential use of the site by badgers and as suggested an Informative has been added to ensure their protection.

Access, Parking and Highway Safety

- 8.20 The proposed building would be accessed from an existing field entrance on Flaunden Bottom with additional hard standing being provided for access to the building. This hardstanding is not considered to be excessive in scale and would not detract significantly from the overall character and appearance of the area. As such there would be no objection under Policies CS8, CS12 and CS24 of the Core Strategy or Saved Policy CS51 of Local Plan 1991-2011.

9 CONCLUSION

- 9.1 The proposed agricultural building would be an appropriate form of development in this countryside location as set out in the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The proposed building is considered to be appropriate in scale, siting and design and will not result in significant harm to the character and

appearance of the area nor the natural beauty of the Chilterns Area of Outstanding Natural Beauty (AONB) in accordance with Policies CS5, CS12 and CS24 of the Core Strategy.

10 RECOMMENDATION

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

Condition(s) and Reason(s):

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 19-30-01 Revision B (Site Plan),
19-30-02 Revision A (Site Location Plan) and
19-30-03 Revision B

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

3. **No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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 construction of the superstructure shall take place until full details soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include a planting scheme with the number, size, species and position of trees, plants and shrubs and details of the finished floor level in relation to existing topographical information.**

The planting scheme 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 CS26 of the Core Strategy and Saved Policy 99 of the Dacorum Borough Local Plan (2004)

INFORMATIVE

BADGERS

Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.”

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Flaunden Parish Council	<p>Flaunden Parish Council objects to the proposal as it does not believe that as presented it is a viable scheme for the following reasons:</p> <p>a) The Council maintains that the 7.2ha site is not large enough for a viable agricultural holding to include cows and horses on the scale outlined in the proposals. The field is poor quality, low grade pasture barely able to sustain horses without adding further livestock. The site is generally in a poor state with existing buildings representing a danger to animals.</p> <p>b) The Council does not believe that a case has been made for further buildings on the site</p> <p>c) The Parish Council maintains that the comparison with the field on the other side of the valley is not valid. That field is verdant lush pasture maintained for many years. In addition the cattle within the field only graze for a few spring/summer months before returning to their home farm.</p> <p>d) The proposals fail to have regard to the purposes of conserving and enhancing the natural beauty of the area.</p> <p>The Parish Council considers it imperative, in view of the sensitivity of the site, that an independent report is obtained from BIAC or a similar organisation to confirm the viability of the proposals.</p> <p>We would recommend that this application is refused.</p>
Hertfordshire County Council Ecology Unit.	<p>The proposed site is adjacent and below “Long Wood & Hanging Croft (Flaunden)” Local Wildlife Site, which is an area of ancient semi-natural woodland. I have no reason to consider this will be affected by the proposal. The fields adjoining where the proposed building will be sited have, according to the supporting information, been used mostly as horse pasture and consequently I have no reason to consider they</p>

support uncommon habitats and species. The area comprising the immediate site seems from photos on Google Street View to have been used for access and parking.

The siting of the barn will result in the loss of an area of grassland. However, the proposal includes the planting of a native hedge between the barn and the road and the addition of some native trees as a screen at the end of the proposed building. This will compensate for the area of grassland lost to the building and provide a measure of biodiversity net gain.

There are records of badgers from the area and I recommend a precautionary approach to the works should be adopted. I advise the following **Informative** is added to any consent granted.

“Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.”

I do not consider there to be any other ecological issues with this proposal.

Item 5d 20/00631/FUL

Construction of new dwelling with access via existing driveway. Demolition of existing garage and construction of two new detached double garages.

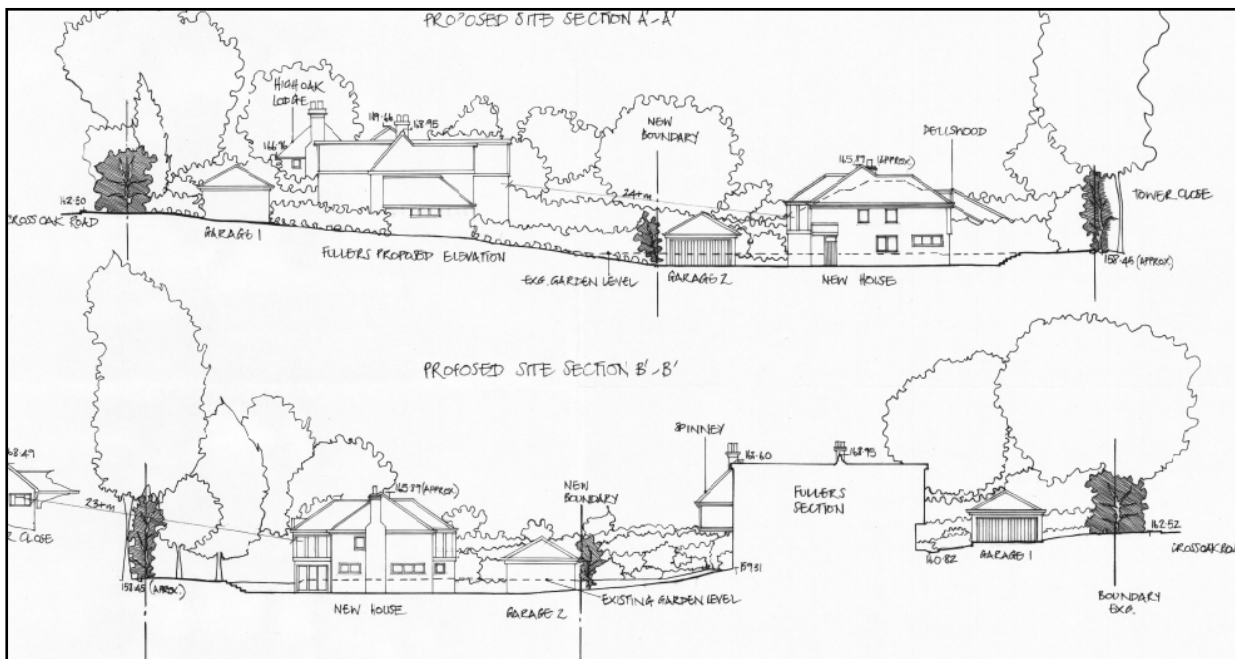
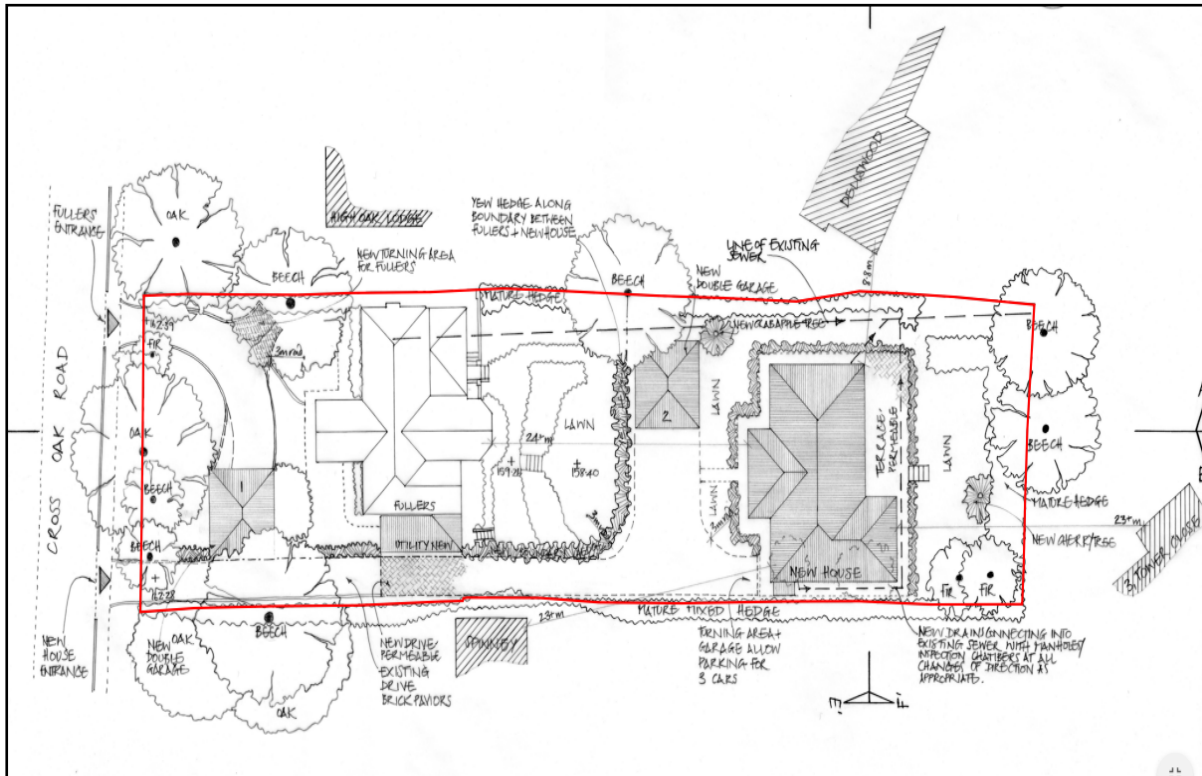
Fullers, Cross Oak Road, Berkhamsted, HP4 3NA



Item 5d 20/00631/FUL

Construction of new dwelling with access via existing driveway. Demolition of existing garage and construction of two new detached double garages.

Fullers, Cross Oak Road, Berkhamsted, HP4 3NA



ITEM NUMBER: 5d

20/00631/FUL	Construction of new dwelling with access via existing driveway. Demolition of existing garage and construction of two new detached double garages.	
Site Address:	Fullers Cross Oak Road Berkhamsted Hertfordshire HP4 3NA	
Applicant/Agent:	Mr Mann	
Case Officer:	Joan Reid	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	Objection from Town Council	

1. RECOMMENDATION

That planning permission be granted subject to the conditions and reasons set out at the end of the report.

2. SUMMARY

2.1 The site is situated within the town of Berkhamsted wherein residential development is acceptable in accordance with Policy CS4. A number of backland developments are evident within the immediate area and the proposal satisfactorily can be accommodated on the site without resulting in overdevelopment. Given the separation distance, design of the proposals, and existing circumstances including high level of existing screening, there would be no significant adverse impact on the residential amenities of adjacent properties in terms of light, privacy or visual intrusion. The proposal would comply with Policy CS12 in these regards. The new garage to the frontage and side extension would also be acceptable in design and amenity terms.

3. SITE DESCRIPTION

3.1 The application site comprises a large detached property situated on a generous plot within the residential area of Berkhamsted (BCA12 Shootersway). The immediate area is characterised by large detached dwellings of varying style, height, size, build line and architectural form. A number of backland infill developments are evident within the vicinity of the site. There is an existing in/out access arrangement serving the existing property off Cross Oak Road.

4. PROPOSAL

4.1 Permission is sought for construction of a new two storey dwelling with access via the existing driveway, together with demolition of existing garage and construction of two new detached double garages, 1 for the new property and 1 to serve Fullers. A side extension is also proposed to the parent property to serve a utility room.

5. PLANNING HISTORY

Planning Applications:

4/01012/05/FHA - Two storey central front extension
GRA - 15th June 2005

4/00569/01/FHA - First floor extension
GRA - 25th May 2001

4/01339/94/FHA - Single storey rear extension

GRA - 16th December 1994

4/00606/93/FHA - Two storey side / rear extensions
GRA - 24th June 1993

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4

CIL Zone: CIL1

Former Land Use (Risk Zone): Old Chalk Pits, Crossways, Berkhamsted

Former Land Use (Risk Zone): Infilled Ponds, Crossways, Berkhamsted

Former Land Use (Risk Zone): Infilled Ponds, Oakwood, Berkhamsted

Former Land Use (Risk Zone): Old Chalk Pit, Kings Road, Berkhamsted

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

RAF Halton and Chenies Zone: Red (10.7m)

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

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

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 Local Plan

Saved Policy 99 – Preservation of Trees, Hedgerows and Woodlands

Saved Policy 100 – Tree and Woodland Planting

Saved Appendix 3 – Layout and Design of Residential Areas

Saved Appendix 5 – Parking Provision

Supplementary Planning Guidance/Documents:

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)

Area Based Policies (May 2004) – Residential Character Area BCA 12

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.
- Ecological Impacts.

Principle of Development

9.2 The site is situated in the town of Berkhamsted within a designated residential area, wherein residential development is acceptable in principle in accordance with Policy CS4 of the Core Strategy.

9.3 The proposal would make a contribution to the Borough's existing housing stock (in accordance with Policy CS17) and complies with the Council's settlement strategy. As such, given that the development would be located in a sustainable location the principle of development is acceptable in accordance with Policies, CS1, CS4, CS17, of the Core Strategy, Saved Policy 10 of the Local Plan (2004) and NPPF (2018); subject to the impact of the proposal's character and appearance upon the existing dwellinghouse, immediate street scene and residential amenity of neighbouring properties.

9.4 The main considerations in the determination of the application are the impact of the development on the character and appearance of the site and street scene; the impact upon neighbouring properties; parking and highway safety, landscaping and ecological impacts.

Quality of Design / Impact on Visual Amenity

9.5 Core Strategy (2013), Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area; seeking to ensure that developments are in keeping with the surrounding area in terms of size, mass, height and appearance. This guidance is reiterated in the Saved Local Plan (2004) Policies of 10, 18, 21 and Appendix 3.

9.6 In consideration of the proposals, some weight can be afforded to the Area Character Appraisal for BCA12 Shootersway which describes the character of the area as a very low-density residential area on the southern side of town featuring a variety of mainly detached houses in a spacious semi-rural setting, dominated by informal heavy landscaping.

9.7 In particular, BCA12 sets out development principles for new housing development as follows:

Housing Design: No special requirements. Innovation in design is acceptable.

Type: Detached dwellings are appropriate and are encouraged. Flats may be acceptable where the site, and in particular car parking areas can be screened by heavy, informal planting, to maintain the landscape dominated appearance of the area.

Height: Should not normally exceed two storeys. *Size:* Large dwellings are appropriate and are encouraged.

Layout: An informal approach to layout is acceptable. Development should, however, follow established building lines where they exist. In cases of redevelopment and plot amalgamation, development in culs-de-sac is acceptable. For proposals fronting Shootersway, Cross Oak Road and Kings Road, very wide spacing (over 10 m) should be maintained. Elsewhere wide spacing (5 m to 10 m) will normally be required.

Density: Should be compatible with the character within the existing density range not normally exceeding 8 dwellings/ha.

9.8 The area based guidance for residential areas states that tandem development, the positioning of usually one (but sometimes more) new houses behind an existing dwelling and sharing access arrangements is a common form of backland development, but certainly the most inefficient, problematic and unsatisfactory. The area policy statement makes no reference to tandem development. It is the Council's view that this is a generally unsatisfactory form of accommodating new housing however this is subject to consideration of how the development meets minimum requirements and any harm that may arise.

9.9 The proposed development would comprise backland development situated on land comprising the rear garden of Fullers. Access would be located off Cross Oak Road via the existing driving serving Fullers and runs alongside the western boundary of the site. Fullers would be served by a second existing access. In consideration of the proposal, regard must be taken to the established pattern of development that surrounds the site, including other dwellings located behind the dwellings fronting Cross Oak Road. Examples include: neighbouring property Dellswood; Lavender House; Gillams; Brambleway House; Cherry Hill and Homestead. The proposal would not introduce an alien form of development in context of its surroundings given the already established grain. Therefore, in this instance the backland development is considered acceptable as the development would not detract from the established pattern of development within the immediate vicinity.

9.10 With particular regard to the principle of backland development in this location, an Inspector considered the impact of a new dwelling to be located within the rear garden of Chilterns in 2010 having regard to the Character Area Appraisal BCA12 (Appeal reference: APP/A1910/a/10/2131872). The Inspector stated that a similar sized dwelling to that current proposed would meet the Council's requirements in terms of density for the area, amenity provision and size and it would respect the character of the area. In summary the Inspector concluded that the new dwelling within the backland setting out be appropriate for the area. At the time, the Inspector also considered the concerns raised by the Council on precedent, and whilst acknowledged that that is no precedent in planning law, accepted that it would be difficult for the Council to resist further backland development in this setting.

9.11 The ratio of open space to built form within the site is generally reflective of the immediate environment in terms of plot subdivision. Although the footprint is slightly larger than that prevailing in the area it sits at a lower level than the existing house and its impact is lessened. To the boundary

nearest Dellswood, spacing of 8.8m between the dwellings is retained (approximately 6m to the side boundary in accordance with the area based policies and a distance of 24m is achieved between the front of the proposed property and the rear of the Fullers as well as meeting a minimum distance of 23m between the rear of the propose dwelling and 3 Tower Close. The resultant density of the development would be approximately 8 to 10dph which is in keeping with the low density surrounding.

9.12 The scheme also proposes a new detached garage to the front of Fullers. Due to the high level of landscaping to the frontage which is to be retained, and the existing establishment of detaches along this stretch of Cross Oak Road, the proposal would not detract from the existing leafy character of the immediate area.

Impact on Residential Amenity

9.13 The NPPF (2018) outlines the importance of planning in securing high standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact to neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.

9.14 Saved Appendix 3 of the Local Plan (2004) outlines that a minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. This distance may be increased depending on character, level and other factors. Therefore, a separation distance of at least 23 metres should be maintained between the existing dwelling and proposed units. This 23 metre separation distance is also maintained between High Oak Lodge, The Spinney, Fullers and No.3 Tower Close.

9.15 Consideration has been given to the impact of the proposed dwelling on the adjoining dwelling Dellswood in terms of loss of daylight, sunlight and outlook. Dellswood, which is a bungalow, is the nearest dwelling and lies immediately to the east, also in a backland location. The 25 degree line as drawn from these side facing windows has not been breached by the proposed dwelling and due to the high level of hedging separating the two sites, it is considered that there would be a satisfactory between the new dwelling and Dellswood in terms of loss of privacy, light and overbearing impact.

9.16 Concerns has been raised from two properties at Tower Close, which are properties backing onto the rear of the property. The proposed dwelling has been sited as to maintain the required distance of 23m between the rear of 3 Tower Close and the rear elevation. The proposed dwelling is set down somewhat and would not appear overbearing to the Tower Close properties, also shielded by the existing hedge which is to be retained. A condition will be imposed requiring the existing landscaping to be retained in accordance with the tree retention and tree protection measures plan contained within the arboricultural report however it is recognised that the level of restraint over the hedge is not always possible. However as the minimum distance of 23m is met, it is considered difficult to resist the development on loss of amenity.

9.17 Considerations has also been given to the effect of the dwelling to the surrounding properties in terms of introducing additional noise and nuisance within the rear garden. Given that the scheme is for 1 dwelling only, the level of noise attributed to a single family home (including vehicular movements) within reasonable spacious setting would not give rise to significant noise pollution which could be reason for refusal. The environmental health officer has raised no objection on noise or nuisance grounds.

9.18 Turning to the impact of the development to the Spinney, which is the property located to the west of the site. A distance of 23m is maintained between the rear elevation of the Spinney to the

front of the new dwelling which is the required distance between properties to achieve sufficient privacy levels. It is noted that due to the height of the Spinney, it is likely to be views from the first floor windows to the new dwelling, albeit at an oblique view across. The new dwelling is at a lower level to the surrounding properties, and whilst a two storey large dwelling, it is not considered to be overbearing to the Spinney. Conditions will be imposed to ensure that the windows on the first floor side windows are to be obscure glazed to over loss of privacy and a condition will be imposed removing permitted development rights for Classes A, B, C and E in order for the planning department to ensure any further extensions will avoid any further loss of privacy.

9.19 Turning to the living conditions the proposal would afford future residents. Saved Appendix 3 of the Local Plan (2004) states that garden depths equal to adjoining properties would be acceptable with a functional proposed width, shape and size that is compatible with surrounding area. Saved Appendix 3 expands this further outlining that a dwellinghouse should be provided with a minimum 11.5 metre deep garden space; the proposed dwelling retains a garden depth of approximately 13 metres and the new dwelling would achieve a garden in excess of 12m as well as a terrace to the rear. It is recognised that the rear garden of new dwelling comprises high hedging which is to be retained, however given the width is in excess of 20m, and a private terrace is also proposed, sufficient amenity provision is achieved. Looking within the immediate, there is variation in terms of garden lengths, widths and sizes throughout, some of which are larger and smaller than that proposed at Fullers. As such, the proposal achieves sufficient levels of private amenity provision for both new the new house and Fullers in accordance with CS12 and appendix 3.

9.20 The new utility room to the side of Fullers, would in in place of the existing garage and would not result in any harm to the amenity of the Spinney next door, due to the spacing, scale and existing

Impact on Highway Safety and Parking

9.21 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2018) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and adequate provision of spaces for ultra-low emission vehicles. Policies CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.22 The application site currently has a U-shaped driveway which allows for entrance and exit from the site in forward gear. The proposed development would utilise one of the accesses thereby requiring a sufficient turning area to be retained within both sites.

9.23 For four bed dwellings 3 off-street parking spaces should be provided within the areas of hardstanding serving both properties. Both properties achieve in excess of 3 spaces per dwelling shared between the driveways and detached garages. A condition will be imposed requiring the garages to be retained for the purposes of parking.

9.24 The County Highway Authority has no objections subject to conditions requiring specific drawings of turning space for emergency vehicles and submission of details for bin storage. It is considered that sufficient space exists for emergency vehicles however a condition will be imposed requiring this information. Sufficient provision can be made for bin storage for both properties which would be within 25m from the Highway and 30m from the dwelling. It is noted that provision for bin storage is made within the proposed garage, however this is in excess of 25m from the highway and as such, a condition asking for a plan showing bin storage to be located near the proposed utility room of Fullers to be submitted. If this is not possible, through discussions at condition stage, alternative provision for bin storage will be made nearer to the new dwelling, and the bins will be taken to Cross Oak Road for collection, in the same way as the neighbouring properties.

Other Material Planning Considerations

Impact on Trees and Landscaping

9.25 Saved Policies 99 and 100 of the Dacorum Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that retained trees are protected during development and that new planting is a suitable replacement for any removed trees.

9.26 The trees located near the front of the site on Cross Oak Road are Protected Trees and the site is generally very well screened by mature trees and hedging on all four sides. The application is accompanied by an arboricultural report which concludes that the construction proposed, will not be harmful to trees to be retained, nor will require any trees of significant public amenity value to be removed. The garage and drive to the front of the site would affect a small section of the root protection of 4 trees however this would be unlikely to damage the trees and it is recommended that no special footings are needed. Specific measures to ensure protection during construction have been detailed in the report and the tree officer has considered the scheme and agreed that that scheme can be developed without injuring the existing trees of value. A condition will be imposed requiring the existing trees/hedging to be retained in accordance with the details and plan set out in the arboricultural report. Should any loss of trees/hedging occur, the condition will seek replanting. Finally, due to concern that the hedge located between the Spinney and the new dwelling could be lost due to the driveway and as such, specific details of how this can be installed without damaging the roots of the hedge will also be sought as a condition.

Ecology

9.27 One neighbour has raised an issue of potential harm to protected species. The site is currently open back garden with some large trees, few of which are to be removed or under threat (as confirmed by the Tree Officer) and there is no evidence of potential threat to protected species or habitat however the applicant will be informed on their legal responsibility should they disturb any protected species.

Response to Neighbour Comments

9.28 The raised points have been addressed above.

Community Infrastructure Levy (CIL)

9.29 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 To conclude, the site is situated within the town of Berkhamsted wherein residential development is acceptable in accordance with Policy CS4. A number of backland developments are evident within the immediate area and the proposal can be accommodated on the site by meeting the minimum space, size and amenity standards. Given the separation distance, design of the proposals, and existing circumstances including high level of existing screening, there would be no significant adverse impact on the residential amenities of adjacent properties in terms of light, privacy or visual intrusion. The proposal would comply with Policy CS12 in these regards. The new garage to the frontage and side extension would also be acceptable in design and amenity terms.

11. RECOMMENDATION

11.1 That planning permission/listed building consent be granted subject to the conditions set out below:

Condition(s) and Reason(s):

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:**

**9518/11
9518/12
9518/13
9518/14
9518/15
9518/16
9518/17
9518/18
9518/19
9518/20
9518/21**

Arboricultural Report dated 14th Oct 2019

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

3. **No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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. **The development hereby approved shall not be occupied until a properly scaled swept path diagram demonstrating that the proposed access /on-site turning /waiting area is accessible to Fire and utility vehicles in order to service the new property and enter and leave the highway in forward gear or (plans for alternative fire hydrant provision) has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

Reason: In the interests of highway safety in accordance with policy CS8 and CS12.

5. **Construction of the development hereby approved shall not commence until a detailed refuse collection plan in line with the regulations set out in Roads in Hertfordshire has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan**

Reason: In the interests of maintaining highway efficiency and safety in accordance with policy CS8 and CS12

6. **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;
- specific details of the method of construction of the driveway

Any tree or shrub which forms part of the approved Arboricultural report 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 similar species, size and maturity.

Reason: To improve the appearance of the development, safeguard amenity of neighbouring properties and character of the area, 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 of the Dacorum Borough Council Core Strategy (2013).

- 7 **The tree protection plan and methodology as contained within the arboricultural report shall be fully implemented prior to any demolition or clearance of the site and tree protection shall remain in situ during the whole period of construction.**

Reason: To improve the appearance of the development, safeguard amenity of neighbouring properties and character of the area, 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 of the Dacorum Borough Council Core Strategy (2013).

- 8 **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:**

Classes A, B, C and E

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).

- 9 **The windows at first floor level in the western elevation of the extension hereby permitted shall be non-opening below a height of 1.7m and permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

10 The two detached double garages hereby permitted shall both solely be used for the parking of vehicles and for no other purpose.

Reason: To ensure an appropriate amount of off-street parking is retained for both dwellings without compromising the turning areas within the site in the interests of maintaining emergency vehicle access and highway safety and in accordance with Policy CS12 (a and b) of the Dacorum Borough Council Core Strategy (2013).

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.
2. Highways :
 - a) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
 - b) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
 - c) 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.
3. It is possible that bats or other protected species may be using areas of the existing site. UK and European Legislation makes it illegal to:

Deliberately kill, injure or capture bats;
Recklessly disturb bats;

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

If bats or evidence of them are found to be present or other protected species, a licence will be required before any relevant works can be undertaken and this will involve preparation of a Method Statement to demonstrate how bats can be accommodated within the development.

If bats are discovered during the course of any works, work must stop immediately and Natural England (0300 060 3900), Bat Conservation Trust Helpline (0845 1300 228) or the Hertfordshire & Middlesex Bat Group Helpline (01992 581442) should be consulted for advice on how to proceed.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Local Parish	<p>Objection</p> <p>The Committee agreed that Mr Allen's concerns were based on material planning grounds and that the proposed development could potentially be viewed as an overdevelopment due to the scale of the building of the plot but recognised that an objection on those grounds may not be sustained at Development Management. However, it did agree that the proposed does not adhere to the spacing and large gardens guidelines outlined in BCA12 and therefore objected to the application on those grounds. It also objected to the scale, mass and bulk of the proposed build and expressed regret at the proposal of a backland development.</p> <p>BCA12</p> <p>Second response: Objection</p> <p>The Committee's view on this application had not changed from its previous objection in April. This is sensitive back-land development with many precedents and although the scheme conforms broadly with Appendix 3 with regard to distance and functional amenity space, its setting is not compliant with the space guidance for BCA12.</p> <p>BCA12</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. However, in the event that permission is granted it is recommended that</p>

	<p>the following informative is included on the planning decision.</p> <p>Contaminated Land Informative: In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed, because the safe development and secure occupancy of the site lies with the developer.</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> <p>CONDITIONS</p> <p>1. Swept Path Analysis Construction of the development hereby approved shall not commence until a properly scaled swept path diagram demonstrating that the proposed access /on-site turning /waiting area is accessible to Fire and utility vehicles in order to service the new property and enter and leave the highway in forward gear has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. Reason: To ensure the permanent availability of the access/manoeuvring area, in the interests of highway safety.</p> <p>2. Refuse Storage and collection Construction of the development hereby approved shall not commence until a detailed refuse collection plan in line with the regulations set out in Roads in Hertfordshire has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan Reason: In the interests of maintaining highway efficiency and safety.</p> <p>I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-</p> <p>INFORMATIVES</p> <p>1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public</p>

right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the website:

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or

other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

COMMENTS

This application is for AMENDED PROPOSAL Construction of new dwelling with access via existing driveway. Demolition of existing garage and construction of two new detached double garages.

This amendment submits drawing number 29518/12, which is exactly the same as drawing number 29518/12 submitted with the previous application on 20/03/2020, therefore the Highway response is exactly the same. Cross Oak Road is an unclassified local access road with a 30mph speed limit. there have been no accidents involving personal injury in the vicinity of the site in the last 5 years.

PARKING

The proposal is to provide a new double garage for each property.

ACCESS:

The existing property has an in-out access with two vxos onto Cross Oak Road. The proposal is to reuse these; one for each property. The access drive for the proposed new property would be over 60m in length and drawing no 29518/12 shows it to be over 5m in width for its length. This is sufficient for access by two-way traffic and also large vehicles.

	<p>EMERGENCY VEHICLE ACCESS:</p> <p>Although there is a turning head shown in drawing number 29518/12, it has not been demonstrated that fire engines or utility vehicles are able to use this in order to enter the site and turn to exit in forward gear.</p> <p>This is not in accordance with the guidance in MFS 6.7.2 The Building Regulation requirement B5 (2000)10 concerns 'Access and Facilities for the Fire Service'. Section 17, 'Vehicle Access', includes the following advice on access from the highway:</p> <ul style="list-style-type: none"> o there should be a minimum carriageway width of 3.7 m between kerbs; there should be vehicle access for a pump appliance within 45 m of single family houses; there should be vehicle access for a pump appliance within 45 m of every dwelling entrance for flats/maisonettes; a vehicle access route may be a road or other route; and', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'. The applicant is therefore required to provide properly scaled and computer generated swept path diagrams to show that large vehicles are able to enter, turn, and leave the site in forward gear. <p>WASTE COLLECTION:</p> <p>Provision needs to be made for an on-site bin/refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method would need to be confirmed as acceptably by Dacorum Borough Council as Waste Collection Authority.</p> <p>The distance recommended in Manual for Streets (DfT, 2007) and Dacorum Council's 'Refuse Storage Guidance Note' (February 2015) which recommend the following in relation to refuse collections for residential developments: maximum reverse distance of 12m for refuse collection vehicles, although longer distances can be considered if reversing routes are straight and free from obstacles or visual obstructions; residents should not be required to carry waste more than 30m to the storage point; and refuse collection vehicles should be able to get to within 25m of the storage point</p> <p>CONCLUSION: HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the conditions and informative notes above.</p>
Trees and Woodlands	<p>The information submitted advises there will be a small number of ornamental shrub species which will require removal to facilitate the development. These offer relatively low amenity value and should not pose a constraint to the development. Trees along the south eastern boundary of the development are protected by TPO 49. According to the Arb report they have been afforded appropriate protection to ensure any detrimental effects associated with the development are minimised. Consequently, I have no concerns and recommend approval of the application.</p>

Conservation and Design officer	The revised plans have taken heed of the pre-app comments, the design of the building is an improvement and remains well shielded from the neighbouring properties. I still consider that the footprint is large in relation to the amenity space, an inevitable result of tandem development, but as it sits on a lower level to the original house, its impact in this case is more muted.
Environmental Health Noise	No objection on noise or air quality grounds.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
12	3	0	2	0

Neighbour Responses

Address	Comments
The Spinney Cross Oak Road Berkhamsted Hertfordshire HP4 3NA	<p>We are the owners and occupiers of the Spinney, Cross Oak Road which adjoins the above application site.</p> <p>We wish to object most strenuously to this application.</p> <p>The application is for a tandem development with a new house to be constructed to the rear of the existing house and reached by a new driveway along the boundary of our property.</p> <p>We are aware that the council's Supplementary Planning Guidance, Development in Residential Areas 2004 states quite unequivocally at para 2.6.5 in respect of such tandem development that 'it is the Council's view that this is a generally unsatisfactory form of accommodating new housing'</p> <p>Although the document dates from 2004 the document is still current on the council's development plan website and is referred to as such at para 10.5 of the 2013 Core Strategy, which also states at para 10.4 that 'the Council recognises that residential gardens are not always suitable for development.'</p> <p>We believe therefore that the council cannot simply ignore this policy and as such should only grant permission for such 'a generally unsatisfactory' form of development where the applicant has shown grounds for an exception. We do not believe such grounds exist in this case. We believe we should be protected by the council's stated objective that development should respect the existing character, as set out in the Core Strategy policy CS11 saved local plan policy C10. This proposal is not compatible with either policy as the development does not reflect the character of the area. The applicant's own Design and Access statement acknowledges that the area is characterised by 'large detached individual houses'. Tandem development is not in keeping with that character and, if repeated on all similar properties, would eventually result in the character of the area being entirely lost. This proposal therefore represents the erosion of the established</p>

	<p>character.</p> <p>We are also aware that National Planning Policy Framework, para 122, states that planning decisions should take into account 'the desirability of maintaining an area's prevailing character and setting (including residential gardens).' We believe it would be wrong for the council to grant permission contrary to both the council's own planning policies and the NPPF.</p> <p>Other matters</p> <p>Should, despite this objection and contrary to your stated policies, the committee resolve to grant planning permission we would ask for the following matters to be regulated by conditions;</p> <ul style="list-style-type: none"> o First, that the windows on the flank elevation of the proposed house be obscure glazed and non-openable to a height of 1.8m above internal floor level so as to prevent overlooking. o Second, that to protect the mature hedge and trees along the boundary that the council stipulate a 'no dig' construction of the access road and require details of that construction prior to building work. This is, I am told, an established practice and uses a geogrid to spread the load and a permeable surface. <p>In this respect I would point out that construction vehicles are likely to lead to compaction of the soil and that temporary protection is necessary. We assume that root protection will be required to current British Standard.</p> <ul style="list-style-type: none"> o Third, that the Council require a construction management plan to include details of current ground water conditions and to confirm that existing soil drainage patterns will not be affected. <p>However, the above do not in any way diminish our objection in principle to development contrary to the Supplementary Planning Guidance 2004 and the Core Strategy.</p>
<p>2 Tower Close Berkhamsted Hertfordshire HP4 3NF</p>	<p>While our property is not immediately adjacent to Fullers, we are concerned that the proposed development would set a troubling precedent for the backland development of neighbouring properties. Both Charnwood and The Spinney adjoin our land and neither has yet to apply for permission to construct a new dwelling. Both these properties are set back further from the road than Fullers and therefore closer to the boundaries of 1 Tower Close and 2 Tower Close. We believe, however, it is reasonable to assume that the current or future owners of these properties may make such an application at some point and so the application by the owners of Fullers has the potential to set a precedent.</p> <p>The application is proposing that a very substantial building be constructed which would overdevelop the plot, impose on neighbouring houses and be visually obtrusive. Previous backland developments on Cross Oak Road have involved less imposing dwellings on larger plots (e.g.: Dellswood) or the demolition of the original dwelling and the construction of two new dwellings to ensure a more balanced development (e.g.: Mariners). The committee should not consider these developments comparable to what is proposed in this application, which is a substantial two-storey executive home on a cramped plot and closer to the boundaries of properties to the rear than any previous backland development on Cross Oak Road.</p> <p>Of relevance here are previous guidance:</p>

	<p>- Guidance arising from the 1999-2011 plan said "the positioning of usually one (but sometimes more) new houses behind an existing dwelling and sharing access arrangements is a common form of backland development but certainly the most inefficient, problematic and unsatisfactory. The area policy statements make no reference to tandem development. It is the Council's view that this is generally an unsatisfactory form of accommodating new housing", and</p> <p>- Appendix 3 to the Borough Plan says "larger houses or executive style homes will be expected to provide gardens of greater depth than 11.5m".</p> <p>In addition, we feel this development would have a detrimental impact on local ecology. The plot is adjacent to a band of trees that are under TPO protection. This band of trees extends from Fullers to Orchard End and is utilised by local wildlife including bats, owls and a variety of bird species. We are concerned that over development in the vicinity of these protected trees will result in loss of habitat to wildlife due to proximity and increase of human activity.</p> <p>We would ask that the committee reject this application on the grounds of its scale and size, and that it is visually intrusive and cramped in relation to its plot (over development). It will also have a detrimental impact on local ecology.</p>
3 Tower Close	<p>Thank you for your letter of the 23rd March 2020 notifying me of the above planning application. I am writing to advise you that I object to the proposed development and request that this application be refused on the following grounds as supported by the relevant planning policies. i.e. Core Strategy CS11, CS12, Saved Local Plan Policy 2004 Appx 3 and Saved Local Planning Guidance 2004 Area Based Policies 4, Development in Residential Areas Appx 3, Layout and Design of Residential Area.</p> <ol style="list-style-type: none"> 1. Summary of Objections. <ol style="list-style-type: none"> a. The accuracy of comment in the Design and Access Statement b. The backland development which detracts from the open environment and will cause noise and visual intrusion. c. The impact on neighbourhood amenity. 2. The Design and Access Statement. <ol style="list-style-type: none"> a. The applicant presented the plans as a fait accompli rather than a discussion. He stated that he had no idea when the build would take place, if at all, or whether it would be he or someone else who would live in it. I said that I did not welcome this proposal. At no time did I say I was 'happy and have no objections.' I have consulted with my neighbours in Dellswood and The Spinney and both deny saying they were happy with the proposal. I then went on to discuss with the applicant the very high Leylandii hedge that he planted against the original privet hedge bordering our properties which I have frequently asked to be kept trimmed. It now would be the main screen if the proposal is passed. It will, of course, be on the new owner's land and the height will be at his discretion.

b. The statement in paragraph 9 that the proposal is designed 'to make an assured addition to the existing character of the neighbourhood' is overstated. The building cannot be seen from Cross Oak Road nor from anywhere except the three main adjacent properties and it detracts from their neighbourhood amenity.

c. Housing Policy CS4 says 'Approach to new development and growth must recognise the Borough's environment and countryside and therefore it is appropriate to exercise some constraint.'

3. Backland or Tandem Development.

a. What the application is actually proposing is that a very substantial building should be set in the large garden of Fullers, one of a number of large gardens in the area, which reduces the size of the plots of both houses considerably. In doing so the plot becomes over developed and cluttered with more hard standing, a new garage in the front of Fullers, a garage for the new house, additional parking and the loss of grass. The supplementary planning guidance May 2004 carried over from the Local Plan refers to the practice of this form of development as Tandem Development. I quote, 'the positioning of usually one (but sometimes more) new houses behind an existing dwelling and sharing access arrangements is a common form of backland development but certainly the most inefficient, problematic and unsatisfactory. The area policy statements make no reference to tandem development. It is the Council's view that this is a generally unsatisfactory form of accommodating new housing.'

Furthermore, it is recognised in National Planning Policy that 'gardens are Greenfield rather than Brownfield sites and, generally development on them is not to be encouraged.'

b. Future occupants of Fullers will have a close, full in the face and overbearing view of the front of the new property, its garage and any parked vehicles, from all parts of the rear of Fullers. Some years ago the applicant planted the Leylandii referred to in Section 2 to reduce the visual impact of the roof line of my house, 3 Tower Close, which is well over 40m away to the east of Fuller's rear aspect. The decision to build in the garden seems at odds with this decision.

c. Similarly, the new house will face the rear of Fullers separated by a narrow garden and with a view dominated by Fullers. The view would be directly into the accommodation on both floors of Fullers. Thus the aspect from both facing properties is visually obtrusive and overbearing. I suspect this situation would be unsatisfactory to any future occupant of either house.

d. Appendix 3 to the Borough Plan says 'Larger houses or executive style homes will be expected to provide gardens of greater depth than 11.5m.' The rear garden of the proposed building looks to be minimal and unsuitable for such a residence. Most adjoining gardens are larger. The new build is very cramped in relation to its plot and presents an overbearing aspect to Dellswood as well as Fullers. Depending on the screening it will be visually obtrusive to me.

e. The application also quotes precedents such as the Chilterns and Dellswood saying that Dellswood was built 10 years ago (in fact 25 years ago.). The claims regarding precedent should be considered carefully e. g. Dellswood was objected to but allowed because it was shielded by a row of substantial trees between it and 3 Tower Close. As soon as the foundations were laid the developer removed the trees.

Subsequently he was forced to build a hedge and a fence. However the building is relatively unobtrusive as it is a bungalow not a substantial two storey house. However, a precedent within backland development doesn't make a new build any better.

4. Impact on Neighbourhood Amenity

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

b. The entrance will be at the side of Fullers and will result in considerable disturbance both day and night to the occupants of the Spinney and future occupants of Fullers as the owners of the new property exit and enter.

c. The nearest corner of my house to the border hedge is 3.5 meters. I have already mentioned the perceived problem of noise from the rear of the new property but there is also a potential problem of 'overlook' from the upstairs rooms of the new property.

d. The rear garden of the new property will be shaded by its roof in the late afternoon and evening sun and by the bordering hedge and trees in the morning and afternoon. This is not ideal and could create an oppressive environment. Appendix 3 of the Local Plan makes it 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.'

f. The sketches and photographs of the borders around my property are about right for summer but generous regarding the remainder of the year when the leaves fall. In spring and the late autumn I still enjoy sitting out. Also the main shielding will now be reliant on the Leylandii hedge within the curtilage of the new property. This cannot be guaranteed as I witnessed with Dellswood.

g. I will clearly hear conversation and sound from the new property when the occupants are in their rear garden or on their patio and they will hear me.

h. I would also urge you to consider The Human Rights Act, in particular Protocol 1, Article 1 which states that 'a person has the right to peaceful enjoyment of all possessions which include the home and other land.' PPS1 states that the 'Government is committed to making places better for people.....and that planning policies should endeavour to protect and advance the quality, character and amenity value of the countryside and urban areas.' The location of this large residence does nothing to further this concept.

5. Conclusion.

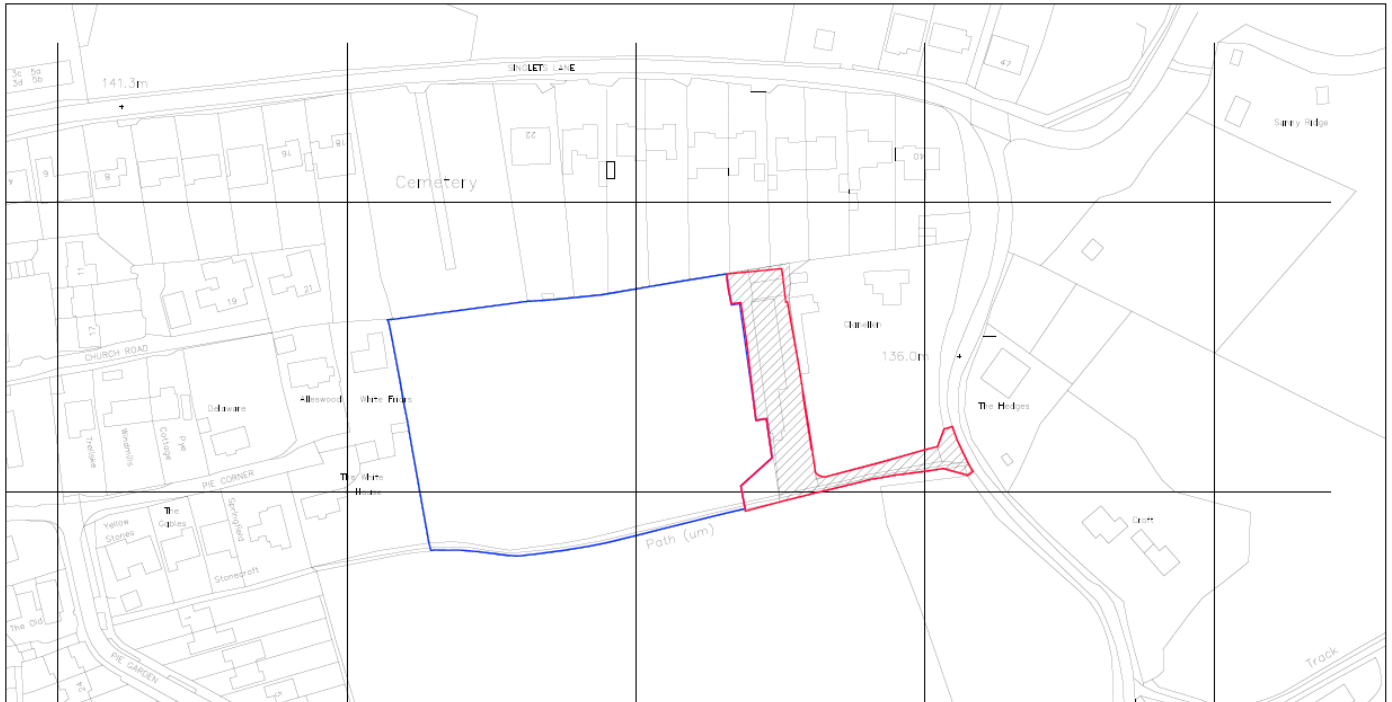
The proposed development will, by reason of its size, scale and plot coverage appear visually obtrusive and cramped and will have an adverse impact on adjacent properties. As such, it should be refused.

Agenda Item 5e

Item 5e **4/02072/19/FUL**

Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling.

Chequers Hill Nurseries, Delmer End Lane, Flamstead, AL3 8ER



Item 5e 4/02072/19/FUL

Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling.

Chequers Hill Nurseries, Delmer End Lane, Flamstead, AL3 8ER



ITEM NUMBER: 5e

4/02072/19/FUL	Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling.	
Site Address:	Chequers Hill Nurseries Delmer End Lane Flamstead St Albans AL3 8ER	
Applicant/Agent:	Mr F. Porthouse	
Case Officer:	Colin Lecart	
Parish/Ward:	Flamstead Parish Council	Watling
Referral to Committee:	Objection received from Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED

2. SUMMARY

2.1 The site can be considered previously developed land due to its previous equestrian use and the proposal would not have a greater impact on the openness of the Green Belt than the existing development. The new dwelling would be lower in footprint and volume than the existing structures on site. The site is not prominent from the surrounding area and as such the new residential use would not be widely perceived from the surrounding countryside.

3. SITE DESCRIPTION

3.1 The site lies on the edge of the settlement of Flamstead to the rear of existing residential properties. The site is bounded by residential properties to the north, which front Singlets Lane, and to the east which are accessed off Delmer End Lane.

3.2 The site itself contains a number of buildings spread over the site. These buildings consist of a block of stables to the northern end and another block of stables extends north to south with an open ended pole barn attached to the southern elevation. Three metal containers are also present on site. To the west lies paddock land.

4. PROPOSAL

4.1 The application seeks planning permission for the demolition of barn and stable buildings and construction of a 4 bedroom single storey detached dwelling. The dwelling would be largely set on the footprint of the existing structures and comprise varying roof heights and slopes with a mixture of brickwork, render and timber cladding. Three car parking space would be provided and an existing access off Delmer End Lane would be utilised.

5. PLANNING HISTORY

Planning Applications (If Any):

4/00684/12/FUL - Construction of one 4-bed dwelling
REF - 14th June 2012

4/01086/91/FUL - Retention of stable building
GRA - 26th September 1991

6. CONSTRAINTS

Green Belt
SSSI Impact Risk Zone
Source Protection Zone

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
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS31 – Water Management

Saved Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Saved Policy 100 – Tree and Woodland Planting
Saved Appendix 3 – Layout and Design of Residential Areas
Saved Appendix 5 – Parking Provision

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 highway safety and car parking.
Ecology, Trees and Landscaping
Drainage

Principle of Development

9.2 The application site is located within the Green Belt where Policy CS5 of the Core Strategy (2013) seeks to protect the openness of the Green Belt in accordance with national policy. Paragraph 145 of the National Planning Policy Framework (NPPF) 2019 lists a number of exceptions to development within the Green Belt, one of which is:

Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- *Not have a greater impact on the openness on the Green Belt than the existing development; or*
- *Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

9.3 The applicants have submitted evidence which shows that the site was of an equestrian use. This evidence includes a signed statutory statement from the applicants and letters from the previous land owner, suppliers of hay and horse feed, and the neighbours, photographs, and old lease information as well as legal advice. This evidence is considered satisfactory and the LPA has no evidence to hand which would go against this. Thus, the site can be considered previously developed land in terms of the definition contained within Annex 2 of the NPPF (2019).

9.4 As a result of the above, the development would not constitute inappropriate development as can be assessed against the previously developed land exception contained within Paragraph 145 of the NPPF (2019). The proposal would not be affordable housing and so it should be assessed whether or not the development would have a greater impact on the openness of the Green Belt.

Impact on the openness of the Green Belt

9.5 The existing structures on site have a total floor area of approximately 359.3m² which does not include the various areas of hardstanding on site. The existing structures have a total volume of 1059.8m³. The proposed development would introduce a dwelling with a floor area of 241.2m². In terms of volume, the proposed development would introduce a dwelling with a volume of 975.8m³. Thus, there would be a reduction in built development on the site.

9.6 A number of storage containers have been included in the calculations of the existing structures. However, from viewing satellite imagery, it appears these containers have been on the site in excess 10 years and therefore immune for enforcement action. It is considered these containers splay the footprint of the site further, with two being located towards the front of the existing building, and one being located behind. They therefore have a material effect on the visual and spatial layout of the existing site and can be included within the calculations of the existing structures on site.

9.7 The boundary of the development would be drawn tightly around the new building and exclude the wider paddock land to the west. The garden of the property is proposed to the north and east of the building, and would be contained between it and other residential garden land of existing properties. A condition will be placed on the permission which would state the boundary treatment on the western boundary shall be retained permanently. This would enforce a clear distinction between the residential land and the paddock land to be retained and ensure no future encroachment onto the paddock land is encouraged.

9.8 The site is located in a position where it would not be completely divorced from the existing envelope of development that comprises Flamstead. There would be a slight increase in height as a result of the new building, approximately a 1.6m increase at the highest point. However, the site is accessed from a long track off Delmer End Lane, and the building would be located behind

existing boundary vegetation and the dwellings to the north and north east. Therefore, the new residential use will not be widely perceived from the surrounding area, limiting the visual impact of the development on the Green Belt.

9.9 The existing track is overgrown and would be resurfaced in Hoggin Track, a binded gravel surface which would provide a softer appearance than tarmac. The resurfacing off the track would come under the engineering operation exception contained within Paragraph 146 of the NPPF (2019) and thus not be inappropriate development. There are existing tarmac accesses located along Delmer End Lane to both the north east and south east.

9.10 Due to the above, it is considered the proposal would not have a greater impact on the Green Belt than the existing structures in both spatial and visual terms.

Quality of design and impact on visual amenity

9.11 Policies CS12 and CS11 relate to the design of buildings and their scale and state that developments should integrate with the character of the local area and respect adjoining properties.

9.12 The overall design and layout of the proposed dwelling has been informed by the existing buildings on site. Like the existing structures, the proposed has been informed by the north/south change in levels, utilising these changes to break up the form of the dwelling.

9.13 The proposed would be contained with part of the footprint of the existing buildings and would be one storey in height. Differing roof profiles would feature to break up the mass and bulk of the linear building. The positioning, design and scale of the development would ensure that minimal built form is seen from the southern boundary, which borders the open countryside. This combined with the presence of existing boundary vegetation means that the site is not widely perceived from both the south and off Delmer End Lane to the north east.

9.14 Due to both the individual design and positioning of the proposed dwelling, it would not have a detrimental impact on the character and appearance of the surrounding area.

Residential Amenity

9.15 The proposal would not have an adverse impact on the residential amenity of the surrounding properties by way of light, privacy and outlook due to its proximity from them.

9.16 The new property would have a rear garden depth of approximately 12m, exceeding the 11.5m required by Saved Appendix 3 of the Local Plan (2004). Amenity areas would also be accessible to each side of the building. The fenestrations of the property are based mainly on the western and eastern elevations, with the internal layout of rooms inside taking advantage of either morning or evening sunlight.

9.17 The proposal would not have an adverse impact on the amenity of the surrounding properties and is considered to provide an acceptable living arrangement for future occupants.

Impact on Highway Safety and Parking

9.18 Hertfordshire Highway have no objection to the proposal, noting that the proposed access width is acceptable and that the turning head within the site would allow large vehicles such as fire tenders and refuse lorries are able to enter and leave the highway in forward gear.

9.19 The proposed dwelling would have 4 bedrooms, meaning it would need to provide three car parking spaces under the standards set out in Saved Appendix 5 of the Local Plan (2004). 3 car parking spaces are proposed and this is considered acceptable. There would be further space to park on the driveway should the site receive visitors.

Ecology, Trees and Landscaping

9.20 Twelve trees are to be removed to facilitate the dwelling. However, the trees concerned are all fairly small hedgerow trees that are of low individual quality. Adding to this, they have low amenity value as they are not very visible from the public road or from the public footpath located to the south that runs perpendicular to the site. Both the tree and ecology officers had no objection to this.

9.21 Four new orchard trees will be planted as part of the proposal and a new hedge will be planted along the western boundary as a result of suggestions received by the ecology officer. These would introduce fruiting and pollinating benefits ecological benefits to the site. The species type of these will be controlled by condition. Bird and bat boxes will also be placed throughout the site.

9.22 A preliminary ecology appraisal has been submitted which has shown that no evidence of bats were found within the buildings. The ecology officer is satisfied with the reports. A Landscape and Ecological Management Plan will be conditioned to provide details of the species of new planting, as well as details of bat and bird boxes to be installed on site.

Drainage

9.23 The drainage strategy for the site will include a BioDisc treatment unit for foul water and soakways for surface water, the proposed area of hardstanding serving the parking area will also be porous.

Community Infrastructure Levy and Affordable Housing

9.24 The development would be CIL liable and so contributions would be sought with regards to this in accordance with Policy CS35. The proposal does not constitute a major application and is not located within a designated rural area and so affordable housing provision is not required.

10. CONCLUSION

10.1 The proposal would not pose greater harm to the openness of the Green Belt above the existing development in both spatial and visual terms. The layout and design of the building means that it would not be prominent from the surrounding area nor have a detrimental impact on character. The dwelling would maintain acceptable private acceptable amenity space and not impact upon the amenity of other nearby dwellings, As such, the development is considered acceptable.

11. RECOMMENDATION

11.1 That planning permission be GRANTED

Condition(s) and Reason(s):

- 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:**

Application form (section 7 - Materials)
3818_L3F (Proposed Site Layout)
3818_P2D (Proposed Plans and Elevations)

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

3. **Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.**

Reason: In the interest of highway safety in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004).

4. **Prior to the commencement of the use hereby permitted the proposed onsite car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.**

Reason: To ensure the permanent availability of the parking area, in the interests of highway safety in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004).

5. **The development shall not be brought into use until the altered vehicle crossover has been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.**

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004).

6. **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 (heights)**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- **position (tree and height) and details (box model) of bird/bat boxes to be placed on the site or building**

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 similar 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), Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 170 (b & d) of the NPPF (2019).

- 7. The boundary treatments to the western side of the development, as shown on plan 3818_L3F, shall erected/planted prior to occupation of the new dwelling and be permanently retained thereafter. Changes to the boundary treatments shall not be made without the written permission of the Local Planning Authority.**

Reason: To maintain a clear distinction between the residential use and the open land to the west in order to protect against further encroachment into the Green Belt and maintain its openness in accordance with Policy CS5 of the Core Strategy (2013).

- 8. 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:**

A, B and E

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt in accordance with Policy CS5 of the Core Strategy (2013). Also, to enable the Local Authority to retain control of the development to safeguard the outdoor amenity space of the development and safeguard against spatial pressure to the retained trees on site in accordance with Policy CS12 of the Core Strategy (2013) and Saved Policy 99 of the Local Plan (2004)

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

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway

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

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

The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

- 5.
3. In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost - nesting sites.

Any vegetation should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Thames Water	There are no comments for this application on record as we generally only comment on developments of 10 dwellings and above. I have just reviewed the application myself and there will be no impact to Thames Water assets, therefore we have no comments to make.
Hertfordshire Highways (HCC)	Decision

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

CONDITIONS:

1. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

2. Prior to the commencement of the use hereby permitted the proposed onsite car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking area, in the interests of highway safety.

3. The development shall not be brought into use until the altered vehicle crossover has been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use.

The Highway Authority would ask that the following note to the applicant be appended to any consent issued by the local planning authority:-

INFORMATIVES:

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

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

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

4. The Highway Authority requires the alterations to or the construction of the vehicle crossovers to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>

COMMENTS:

This application is for Demolition of converted farm building and replacement dwelling

This amendment submits drawing no 3818 - L4 Rev C.

PARKING

The proposals allow for three parking spaces on site. Sufficient space is retained within the site to enable vehicles to manoeuvre in order to leave the site in forward gear.

ACCESS

	<p>There is a current access onto Delmerend Lane. and the proposal is to widen this as shown in drawing no 3818/L3A. I notice that there is a public footpath in the immediate vicinity of the entrance, which must be kept clear of all obstructions at all phases of the development. There have been no accidents involving personal injury in the vicinity of the access in the last five years.</p> <p>Delmerend Lane is an unclassified local access road with a speed limit of 60mph, reducing to 30mph in the vicinity of the access.</p> <p>Emergency and utility access</p> <p>Drawing no 3818 - L4 Rev C indicates the turning head will allow large vehicles such as fire tenders and refuse lorries are able to enter and leave the highway in forward gear.</p> <p>CONCLUSION</p> <p>Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highways, subject to the conditions and informative notes above.</p>
Trees & Woodlands	<p>I have no objections to proposals.</p> <p>It is stated that twelve trees are to be removed to facilitate the dwelling. However, the trees concerned are all fairly small hedgerow trees that are of low individual quality. Adding to this, they have low amenity value as they are not very visible from the public road or from the public footpath located to the south that runs perpendicular to the site.</p> <p>There's little space for planting trees, but low level landscaping would be appropriate.</p>
Flamstead Parish Council	<p>The PC objects strongly to this application because:</p> <p>It is inappropriate development in the green belt and there are no special circumstances to allow for a dwelling to be built on this site. It will have an impact on the character and appearance of the countryside as a few flimsy structures will be replaced by a solid building which resembles a run of hotel rooms. The dwelling will not support the rural economy and maintenance of the wider countryside as specified in CS5.</p> <p>The site currently has containers on it which are not buildings and should not be included in the footprint calculation.</p> <p>Furthermore the stables have not been used for equestrian purposes for at least 10 years and no horses have been kept on this site so there is no basis for a change of use from agricultural to residential.</p>

	<p>It would affect the openness of the countryside and further deter the bat population which are seen in this part of the village.</p> <p>It would set a precedent in the Green Belt to encourage infill where currently such pockets of open land maintain the rural aspect of the village.</p> <p>Access to the site is on a dangerous corner on Delmer end Lane, a site of many near misses.</p>
Hertfordshire Ecology	<p>Thank you for consulting Herts Ecology on the above. I apologise for the delay in replying, but would like to make the following comments:</p> <ol style="list-style-type: none"> 1. There is no existing ecological information on the site, although its location and boundary vegetation would suggest bats are highly likely to use the area. 2. The Ecology Report is a Preliminary Ecological Appraisal and includes a Preliminary Roost Assessment for bats. I am satisfied that the background work and site surveys are sufficient for the LPA to make an adequately informed decision in respect of ecological matters. 3. No evidence of bats was found within the buildings. Whilst I consider the buildings are accessible to bats, their condition and nature was considered not likely to support a bat roost, and no further surveys were considered necessary. I have no reason to object to this assessment based on the photographic evidence within the report. 4. The site has no other intrinsic ecological interest in itself, but features such as brash and rubbish piles I consider could provide cover for reptiles or other small mammals including hedgehogs. These are not highlighted as providing habitats but I consider they should be cleared carefully as a precaution to avoid any such animal which may be present. Clearance would best be undertaken in the spring when such animals become active and can move away from disturbance. 5. The buildings and adjacent boundary trees are used by birds - evidence of nests in the buildings was present. Any clearance or demolition should be undertaken to avoid the potential for disturbance or destruction of active nests, and should follow the recommendations as outlined in 5.1.3 of the Ecology Report. 6. The report states that the site cannot be properly evaluated but clearly it is of little significant value other than providing some features which can be used by common wildlife, and in this respect is of some value at the site level.

7. Enhancements as outlined in 5.2 are acceptable but lack detail and are limited. I would like to see further net gain in the form of provision of bat boxes, either on trees or incorporated within the new building. Whilst there is limited room on site for much landscaping, no landscaping proposals have been submitted. We previously advised a new hedge should be planted along the western boundary, and I consider this still to be necessary as compensation for the loss of existing boundary vegetation. I support the kitchen garden but this will be very shaded given the two 'mature' trees either end. Whether any of the trees will survive in the longer term being all ash is another matter. The multi-stemmed tree has been cut down once already. In some ways the creation of an orchard on the kitchen garden area could be another option, or within the adjacent grass field. This would also provide / recreate the landscape buffer currently present as scrub, and be consistent with the sites semi-rural location.

To demonstrate such net biodiversity gains, I advise that a landscape /ecology management plan (LEMP) be provided as a condition of any approval. In the circumstances this really needs only to be an annotated plan to show what features etc. will be provided and where, or what existing features will be retained any how they will be managed. This should consider some of the suggestions I have outlined above.

8. As previously advised, I suggest the following Infomatives are attached to any permission:

"In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England."

"Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost - nesting sites."

"Any vegetation should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest."

9. Further than these comments, I do not consider ecology represents any constraints to the development, which can be determined accordingly.

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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
10	0	0	4	0

Neighbour Responses

Address	Comments
24 Singlets Lane Flamstead St Albans AL3 8EP	My property backs onto the back on the field in which this will be built in. I object on the following grounds: - Noise and pollution during the building process. - View from my property will be obscured. - The area is Green Belt
26 Singlets Lane Flamstead St Albans AL3 8EP	We object to this development for the following reasons: 1) The site is in the Green Belt and therefore building development is not acceptable. There appear to be no 'special circumstances' that might permit such a development 2) The house would encroach on the agricultural surrounds of Flamstead. The house cannot be considered 'infill', as it occupies part of a larger field 3) The application states that the site was used for equine purposes. As we remember, horses have not been present on the site since 2010 4) The design and structure of the planned house is in no way in keeping with other properties in the neighbouring areas. Indeed, the layout with four bedrooms all in a line (all with en-suite) does not look like a domestic residence 5) Access to the site is narrow and on a blind bend in Delmerend Lane and so repeated vehicle movements associated with a large house would be very hazardous 6) It is our concern that if this house was approved it would set a precedent for the further development of the rest of the field, which would be even more detrimental to the environment of Flamstead.
34 Singlets Lane Flamstead St Albans AL3 8EP	This further application for a 4 bedroomed house remains unacceptable and contrary to planning policy. Firstly do not be confused by the description of the land, it has not been a nursery for at least 30 years. The site has been vacant for 10 years, that is, not used for any purpose including grazing horses. I understand that it was let for this purpose until the licence was not renewed,

	<p>approximately 10 years ago. Therefore it is not in 'equestrian' use by the applicant or any other.</p> <p>The site is within the Metropolitan Green Belt and no Very Special Circumstances have been proposed.</p> <p>The areas of existing buildings include old freight containers which surely do not qualify as buildings?</p> <p>Finally the proposed access is clearly intended to serve future development (beyond this application) yet is narrow and with level differences at the point it meets Delmer End Lane. That road is narrow and suffers from overgrown border hedges with no pavements. Visibility is not good.</p> <p>The design proposed is described as vernacular, yet I see nothing which reflects local styles. It is a simple bungalow with hotel style en suite bedrooms and varying floor levels.</p> <p>Accordingly I object to the granting or permission for this application.</p>
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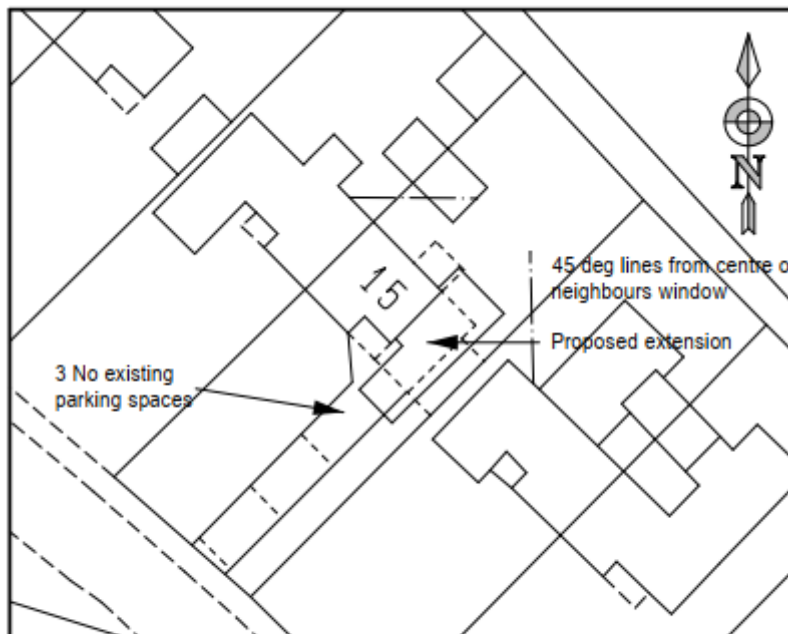
Item 5f **19/02521/FHA**

Single storey front extension, two-storey side and rear extension

15 New Road, Wilstone, Tring, HP23 4NZ



Location Plan 1:1250

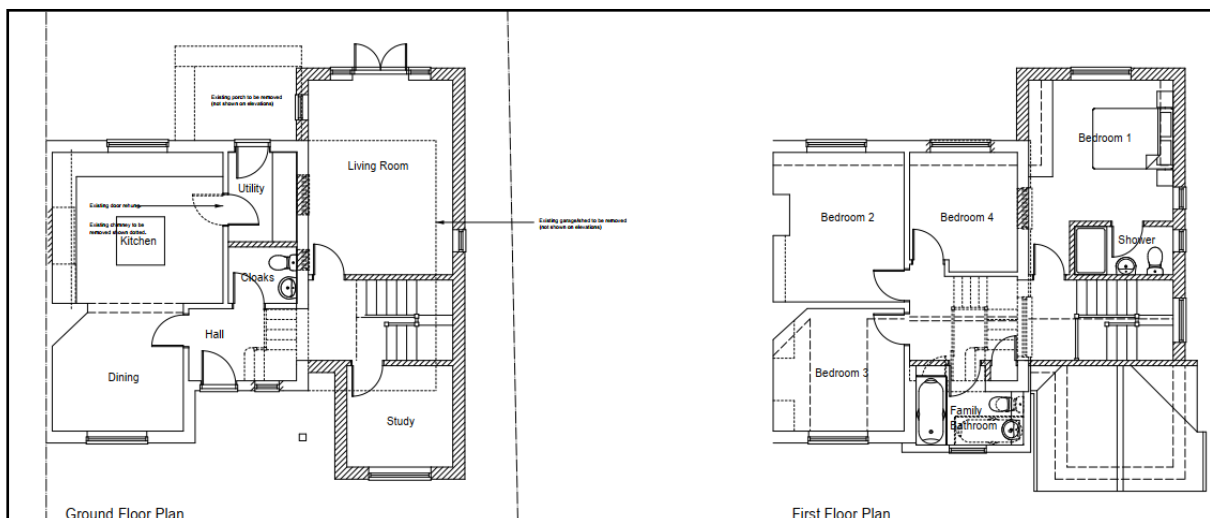
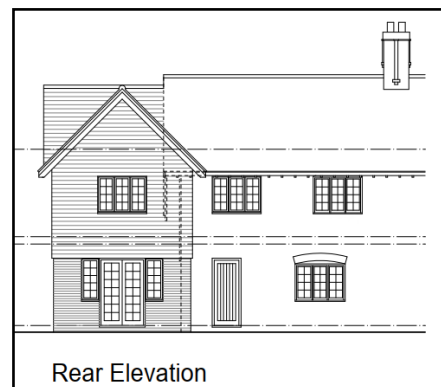
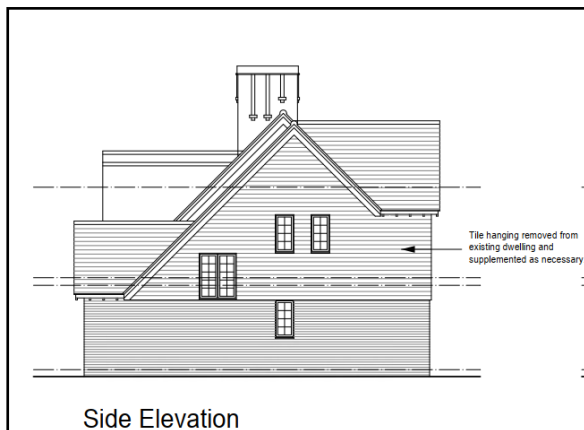
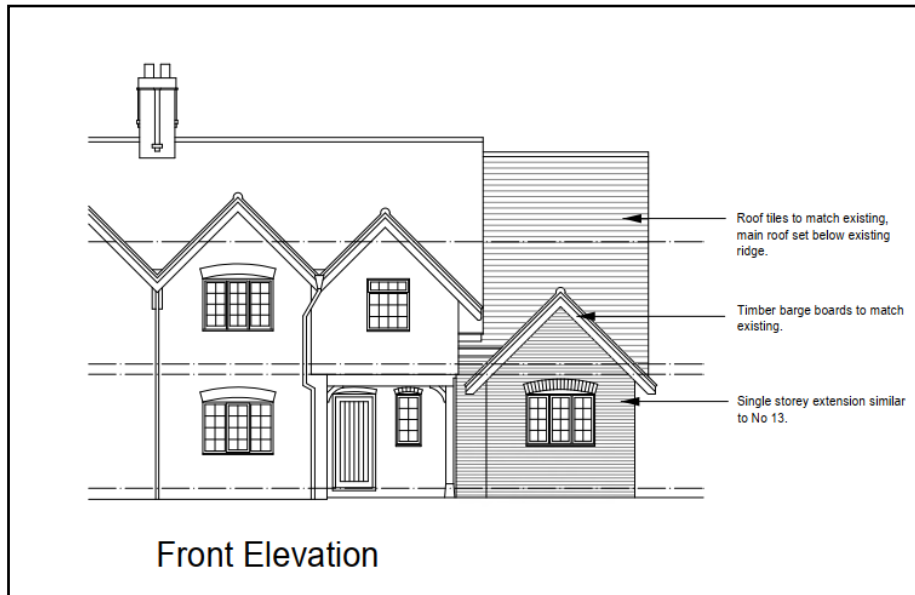


Site Plan 1:500

Item 5f 19/02521/FHA

Single storey front extension, two-storey side and rear extension

15 New Road, Wilstone, Tring, HP23 4NZ



ITEM NUMBER: 5f

19/02521/FHA	Single storey front extension, two storey side and rear extension	
Site Address:	15 New Road Wilstone Tring Hertfordshire HP23 4NZ	
Applicant/Agent:	Mr Trotter	
Case Officer:	Jane Miller	
Parish/Ward:	Tring Rural Parish Council	Tring West & Rural
Referral to Committee:	Contrary to the views of Tring Rural Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED subject to conditions.

2. SUMMARY

2.1 The application seeks permission for a householder extension to a dwelling within the Rural Area. The site is located within the Wilstone Conservation Area. The principle of extensions in this location is acceptable subject to being in accordance with Policy CS7. The extensions are considered to be acceptable and would not have a significant impact upon the Rural Area, Conservation Area, character and appearance of the surrounding area or residential amenity of surrounding properties. The proposed development therefore complies with the National Planning Policy Framework (2019), Policies CS7, CS27, CS11, CS12 of the Core Strategy (2013).

3. SITE DESCRIPTION

3.1 The application site is located on the north east side of New Road within the Wilstone Conservation Area and designated Rural Area. The site comprises a Rothschild style two storey semi-detached dwelling with off-street parking to the front. The dwelling is set back from the front boundary by approximately 17m.

3.2 The immediate character on the north east side of that part of New Road comprises similarly designed semi-detached dwelling houses, many of which have been extended, some rather dominant in their design and scale. The overall character of the area is evident.

4. PROPOSAL

4.1 This application seeks permission for a single storey front extension, two storey side and rear extension.

5. PLANNING HISTORY

5.1 None

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
Special Control for Advertisements: Advert Spec Control
Area of Archaeological Significance: 13
CIL Zone: CIL2

Conservation Area: WILSTONE
Former Land Use (Risk Zone): Former Animal Feed Mill, Tring Road, Wilstone
Former Land Use (Risk Zone): Infilled Pit, Tring Road, Wilstone
Former Land Use (Risk Zone): Former Smithy, Tring Road, Wilstone, Tring
Parish: Tring Rural CP
RAF Halton and Chenies Zone: Yellow (45.7m)
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
Rural Area: Policy: CS7
Small Village: Wilstone

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

Supplementary Planning Guidance/Documents:

Saved Policy 22 of the Local Plan
Saved Appendix 5 – Parking Provision

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
Impact on the Rural Area
Impact on the Conservation Area;
The quality of design and impact on visual amenity; and
The impact on residential amenity;

Principle of Development

- 9.2 The application site is located within the rural area wherein policy CS7 of the adopted Core Strategy allows for small scale development including limited extensions to existing buildings provided that it has no significant impact on the character and appearance of the countryside.
- 9.3 Saved Policy 22 of the Local Plan is also relevant, which states that extensions to dwellings in the rural area will not be permitted unless they are limited in size. Policy 22 goes on to say that extensions should be less than 150% of the floor area of the original dwelling.
- 9.4 Whilst the proposal may result in a floor area over 150% of the original dwelling, the key consideration is whether or not the proposal would have a significant impact on the character and appearance of the countryside in accordance with Core Strategy (2013) Policy CS7.
- 9.5 The main issues of consideration relate to the impact of the proposal's character and appearance upon the rural area, conservation area, the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

Impact on the Rural Area

- 9.6 In design terms the extension relates to the existing dwelling and surrounding rural area in terms of materials, scale and form. It is considered that the proposal would not have an unacceptable impact on the character and appearance of the countryside and is in accordance with Core Strategy (2013) Policy CS7.

Impact on the Character of the Conservation Area

- 9.7 The Conservation and Design Officer's comments are set out below.
- 9.8 The Conversation Officer had various concerns in respect of the initial submission, including that it would unbalance the pair of semi-detached dwellings. Further comments included that any side extension should be set down from the ridge, and back from the front elevation and the importance of retaining a gap between the dwellings. She also commented that the existing gable over the front door, whilst a later addition, should be retained, as many of the dwellings in that location had previously added similar gables and that they had in themselves become a feature of this row of Rothschild style dwelling houses.
- 9.9 After much discussion between the agent, planning officer and the conservation officer, revised plans were received for discussion which retained the front gable, set down the side extension from the ridge, removed the two storey front gable thereby balancing up the pair of semi-detached dwellings (Nos. 13 and 15) as requested.
- 9.10 The revised plans introduced a single storey front extension, with a depth of approx. 2.2m, under a dual pitch roof. Overall this sits only slightly forward of the existing front elevation to the dining room (by approx. 0.8m). Further, in order to achieve the space required internally, the two storey side extension was extended out to the rear.

Following further discussion with the agent, a revised plan with the depth of the rear element reduced to approx. 1.8m was received and re-consultations took place.

- 9.11 In respect of the inclusion of a single storey front extension, whilst it is acknowledged that this is not ideal in this setting, it is important to note the adjoining neighbour, at No. 13, has previously been granted and built a very similar front extension (under planning reference 4/01063/97). Further, the revised plans have balanced the two adjoining neighbours, which formed part of the conservation officer's initial concerns. See details of other nearby extensions in section below.
- 9.12 A further consultation response from the Conservation Officer was received on the 2nd April 2019 (see below) which notes that if the application is approved, a condition requiring all external construction materials to match existing (and samples/details to be submitted) is recommended. Bricks should match in terms of colour, finish, brick bond and mortar colour / finish). Hung tiles to side elevation to be re-used or matched on a like-for-like basis.
- 9.13 Overall, it is considered that the proposal would not give rise to concerns in terms of the character and appearance of the Conservation Area subject to conditions. The proposed materials to the extensions at the rear of the dwelling would be acceptable. The proposal therefore accords with Policies CS27 of the Core Strategy.

Effect on appearance of building and street scene

- 9.14 Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.
- 9.15 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 130 states permission should be refused for development of poor design that fails to improve the character and quality of an area.
- 9.16 Whilst the initial proposal was not acceptable (see Conservation section above), it is considered that the revised proposal, which would result in a single storey front extension, two storey side and rear extension, has been designed to balance with the adjoining neighbour at No. 13, and echo the main features of the Rothschild design. With red brick; under a clay tile roof with low eaves; the re-hanging of tiles to the new side elevation, and an appearance considered to be subservient to the existing dwelling in the streetscene.
- 9.17 The existing single storey side extension/storage (to be demolished) is built up to the boundary with No.17 and whilst the perceived gap between No.15 and No.17 may appear reduced from the two storey side extension, the width of the proposal is less than the existing, and there will now be room for a side pedestrian access to be created at No.15. The width of the access is approx. 1m near the front elevation and approx. 1.3m at the rear. It should be noted that the neighbours at No.17 have

previously constructed a two storey side extension under reference 4/02090/14/FHA, thereby previously reducing the gap. Whilst the two together are not ideal, a gap of approximately 2.4m will be retained thereby avoiding a terracing effect.

- 9.18 The existing conservatory and side extension to be demolished has a combined footprint of approx. 35 sq m and the proposed footprint would be approx. 38.6 sq m.
- 9.19 Further many of the properties along that side of New Road have previously been altered, including some relatively dominant in their design and scale. Examples of development include No.23 (4/01453/99), No.9 (4/01090/91), and Nos. 13 and 17 (adjacent to No.15).
- 9.20 Overall, it is considered that the proposal does not appear unduly dominant in terms of bulk, scale and height to the parent building and streetscene and it will use sympathetic materials to match existing.
- 9.21 Therefore it is considered that the proposal would be generally sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual and residential amenity. This accords with local and national policies mentioned above.

Effect on Residential Amenity

- 9.22 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.23 Objections have been received from both adjoining neighbours at No.13 and No.17, and No.10. The assessment for CS7 has been dealt with above, and bats under ‘other considerations’ below.
- 9.24 It is noted that the rear gardens of Nos.13, 15 and 17 face north-east compromising the amount of direct sunlight received. The front of the properties therefore receiving most sunlight throughout the year.
- 9.25 In respect of No.17 (non adjoining neighbour), the proposal would result in a gap of approximately 2.4m between the dwellings closest side elevations, and approximately 5.14m between the proposed rear elevation and the side elevation of the single storey rear projection at No.17. It is understood that the nearest windows/doors at the rear ground floor level service a store and utility area and that the single storey rear projection contains a multi aspect kitchen/diner with numerous rooflights, windows and doors.

- 9.26 Further, the proposed two storey rear element has a relatively shallow depth of 1.8m and there is no breach of the 45 degree angle from the corner of the proposed rear extension to the middle of the nearest habitable windows at No.17 as shown on Drawing 19/0088/02 Rev E. The new side windows in the flank elevation servicing the first floor and stairwell would be conditioned to remain obscured glazed and non-opening below 1.7m from ground level to avoid any potential overlooking issues.
- 9.27 In respect of the objection from No. 13 New Road (adjoining semi), the proposed rear projection is set well away from the boundary with No.13 by approx. 6.17m, and from the plans it is understood that there is approx. 9.76m to the rear projection at No.13. The 45 degree line will not be breached from the corner of the proposed two storey rear extension to the middle of the nearest habitable windows at No. 13 as shown on drawing 19/0088/02 Rev E.
- 9.28 Overall, it is considered that the proposal would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other considerations

- 9.30 PARKING : The proposed front extension will reduce the length of the driveway, however according to the site plan and Design and Access Statement adequate off-street parking for three vehicles will remain on the current driveway. The officer has taken measurements. Overall it is considered that the proposal would not result in an unacceptable impact on highway safety.
- 9.31 A neighbour's objection has mentioned that they feel the existing entrance would need to be widened including for construction vehicles. The officer has passed this on to the Agent, however please note that any such alteration does not form part of this current application. Any future proposals to widen the entrance / increase the width of the cross over may require planning permission.
- 9.32 BATS - It is noted that neighbour objections included concern in respect of the possible presence of Bats. Hertfordshire Ecology have been consulted on this application and their consultation response recommended an informative be added to the decision notice in respect of Bats.

Community Infrastructure Level (CIL)

Not liable (below 100 sqm)

10. CONCLUSION

- 10.1 Based on the above assessment the proposal is considered acceptable.

11. RECOMMENDATION

11.1 That planning permission be granted subject to the following 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 materials to be used in the construction of the external surfaces of the development, including brick bond, hereby permitted shall match the existing building in terms of size, colour and texture. No development (excluding demolition/ground investigations) shall take place until details of the materials and brick bond 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).

Reason: To preserve or enhance the character and appearance of the designated heritage asset in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CS27 of the Dacorum Borough Core Strategy (2013).

3. **No construction of the superstructure shall take place until details of how the existing hung tiles are to be re-used and/or matched on a like for like basis in the new side elevation hereby permitted have been submitted to and approved in writing by the Local Planning Authority.**

These details shall include:

- **A plan showing how the re-used tiles will be placed on the approved side elevation and how they relate to any new tiles; and**
- **Details and photos of the matching tiles.**

Development shall be carried out in accordance with the approved plan and details.

Reason: To preserve or enhance the character and appearance of the designated heritage asset in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CS27 of the Dacorum Borough Core Strategy (2013).

4. **Notwithstanding the details shown on Drawing 19/0088/02 Rev E proposed plans and elevations, the new first floor side window within the gable end side elevation of the development hereby permitted shall be permanently fitted with obscure-glazing and non-opening below a height of 1.7m from finished floor level.**

Reason: In the interests of safeguarding residential amenity in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

19/0088/01 existing floor plans and elevations

19/0088/02 Rev E proposed floor plans, elevations, and site plans

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

Informatives:

1. Ecology Informative

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

2. 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.

In accordance with the Council's adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07:30am to 17.30pm, Saturdays 08.00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.

3. Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or 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.

4. 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. 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
Tring Rural Parish Council	TRPC OBJECTION Proposed extension at the front protrudes beyond existing wall Should be kept back to line with existing frontage
Local Parish	Confirmation received by email from Tring Rural Parish Council on 23.03.2020 that there was no objection to the original scheme (originally consulted 22.10.2019).
Tring Rural Parish Council	No comment
Conservation & Design (DBC)	<p>15 New Road is a semi-detached dwelling, dating to the early 20th century and of a typical 'Rothschild' estate cottage design. It forms a wider group with other, similarly designed, semi-detached pairs of properties all set back from New Road (nos. 9 - 27). The properties are of red brick construction with areas of hung tile, traditionally pitched clay tile roofs, projecting gables with deep eaves and white casement windows. Both nos. 13 and 15 (the pair) have an additional (later) projecting gable to the front, there are several examples of this type of gable - seemingly added to create first floor bathrooms. A number of these properties have been altered / extended but generally the pairs of cottages make a strong positive contribution towards the character and appearance of the Wilstone Conservation Area. The established pattern of development and the gaps / space between the pairs of properties is also of importance.</p> <p>The proposed two storey side extension is considered overly dominant and to detract from the existing symmetry of the semi-detached pair. The existing gabled bathroom projection should be retained. A two storey side extension may be feasible but it should be set down from the ridge line, set back from the front elevation and be of reduced width. Any side extension should not feature a front gable or dormer (the proposed projecting gable is wider than those existing on nos. 13 and 15 so is in no way subordinate).</p> <p>A street scene view, showing the extension to no. 15 in relation with no. 17 and the boundary between the properties would be helpful. Ensuring a sufficient gap is retained to the side, to respect the separation that exists between the pairs of properties is important.</p> <p>Recommend the application is amended, or refused. The current proposals detract from the design and appearance of 13 and 15 New Road and will therefore fail to preserve the character and appearance of the Wilstone Conservation Area.</p> <p>21.11.2019</p>

	<p>Yes, I have visited the site (viewed from New Road, I did not go on to the property) and the site / street is also visible on 'google street view' although this is not up to date and does not show the extension to no. 17.</p> <p>13 New Road has been extended to the side (approved in 1997) with a two-storey side extension which is set down slightly at ridge level and includes a forward extension at ground floor so yes, this has slightly disrupted the symmetry of the pair and this was not acknowledged in my initial comments. However the early 20th century properties themselves have a front gable each with a later front gable adjacent added to provide a first floor bathroom to each and these paired gables are now a feature of the semi-detached nos. 13 and 15 and do give them a level of symmetry.</p> <p>Introducing an extension of the design proposed to no. 15 will be visually more intrusive as a larger / wider front gable will be introduced to the side extension which also continues the existing ridge height, in my view the proposal lacks a desirable level of subservience. The existing later gable to the bathroom would be removed which, in my view, would disrupt the current design of the semi-detached pair. Whilst the details proposed are sympathetic (matching materials / window design / barge boards etc) the design / scale of the proposed extension is considered to harm the character and appearance of the property / pair of properties and therefore fail to preserve the character / appearance of the Wilstone CA.</p> <p>It is not the case that the property cannot be extended to the side but some alteration to the design and reducing the bulk / size of any side extension as suggested in my previous email would, in my view, provide a more sympathetic / proportionate addition to the pair of properties, and it is suggested this is given further consideration.</p> <p>Could I also request that a street scene view is provided, showing the proposed extension in relation to no. 13 and no. 17. It is important the extensions to no. 15 are considered in relation to the adjoining / adjacent properties and that there is sufficient gap retained between 15 and 17.</p>
<p>Conservation & Design (DBC)</p>	<p>I still have concerns regarding the proposed substantial side extension to 15 New Road but welcome the omission of the two-storey front extension. I would like to see the single storey front projection omitted - I consider it to detract from the character / appearance of no. 13 but will look more closely at the planning history for no. 13 (if there is any relating to this). However before commenting further I would really like</p>

the applicants to provide a proposed street scene view showing 15 New Road in relation to nos. 13 and 17 - I think this is really important to have in this case.

02.04.2020 - amended plans

19/02521/FHA

15 New Road, Wilstone

2-storey side, 2-storey rear and single storey front extension

15 New Road is a semi-detached dwelling, dating to the early 20th century and of a typical 'Rothschild' estate cottage design. It forms a wider group with other, similarly designed, semi-detached pairs of properties all set back from New Road (nos. 9 - 27). The properties are of red brick construction with areas of hung tile, steeply pitched clay tile roofs with low deep eaves, projecting gables and white casement windows - the shared central stack is a focal point within the roof. Both nos. 13 and 15 (the pair) have an additional (later) projecting first floor gable to the front, there are several examples of this type of gable - seemingly added to create first floor bathrooms to these estate cottages. A number of these 'Rothschild' cottages properties have been altered / extended to the side, some with 2 storey and some with single storey extensions, but generally the pairs of cottages make a strong positive contribution towards the character and appearance of the Wilstone Conservation Area. The established pattern of development and the wide gaps / space between the pairs of properties is also of significance. 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.'

Previous proposals for a full height 2-storey side extension with 2 storey front gable were considered overly dominant in design / visual terms and to detract from the existing symmetry of the semi-detached pair. The proposals have undergone a number of amendments since the original submission and the 2-storey projecting front gable to the side extension omitted and the two-storey side extension set down giving it a small amount of subservience. The proposal now reflects the design of the extension to no. 13 New Road (the other property in this semi-detached pair) and includes a single storey gabled front projection.

Whilst there are concerns relating to the overall scale of the 2-storey side extension with single storey front projection and gabled rear extension it is noted that a number of properties in this group have been extended in a similar way and with extensions of a similar scale.

	<p>Concerns also remain relating to the resulting narrower gap which will remain between no. 15 and 17 (resulting in an unfortunate terracing effect between these distinct pairs). As previously advised the scheme would benefit from the omission of the single storey front extension in particular.</p> <p>The NPPF (para. 193) 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' The proposed extensions to 15 New Road, despite the improvements to the scheme, are considered to result in less than substantial harm to the character and appearance of the property and the street scene / wider Conservation Area. In accordance with NPPF para. 196 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'</p> <p>If the application is approved, a condition requiring all external construction materials to match existing (and samples / details to be submitted) is recommended. Bricks should match in terms of colour, finish, brick bond and mortar colour / finish). Hung tile to side elevation to be re-used or matched on a like-for-like basis.</p>
Contaminated Land (DBC)	<p>With reference to the above planning application, please be advised Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for dust.</p> <p>See Noise on Construction/Demolition Sites Informative / Construction Dust Informative / Noise on Construction / Demolition Sites Informative - on decision</p> <p>11.03.2020</p> <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>
Archaeology Unit (HCC)	<p>In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.</p> <p>25.03.2020</p>

	<p>Thank you for re-consulting us on the amendments to the above application. Our apologies for the delay in responding.</p> <p>We have no additional comments to make; our advice remains unchanged from that sent on 12/11/19.</p>
Archaeology Unit (HCC)	<p>Thank you for re-consulting us on the amendments to the above application. Our apologies for the delay in responding.</p> <p>We have no additional comments to make; our advice remains unchanged from that sent on 12/11/19.</p>
Hertfordshire Ecology	<p>The proposed works will require the removal of the tile hung extension and bargeboards as well as the loss of the existing side gable end. There are known bat roots within a 100m of the dwelling. However, the proportion of the existing roof that is being removed and replaced, the existing side extension, is a dormer so without an unutilised attic space. In addition the hung tiles as shown in photos in the DAS appear to be relatively new and tightly sealed.</p> <p>Given apparent characteristics of the building and limited impact on the roof of the proposed works, on this occasion I do not consider there is sufficient likelihood of bats being present and affected for the LPA to require a formal survey. However, in the unlikely event that bats are found, given the proposal will involve removal of the hung tiles and modification of the existing roof. I advise a precautionary approach to the works is taken and recommend the following informative is added to any permission granted.</p> <p>informative if bats, or evidence for them, are discovered during the course of works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.</p> <p>I do not consider there to be any other ecological issues with this proposal.</p>
Hertfordshire Ecology	as previous

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	3	0	3	0

Neighbour Responses

Address	Comments
17 New Road Wilstone Tring Hertfordshire HP23 4NZ	<p>The owners have not lived in the property for over 15 years.</p> <p>We are concerned about the application and in particular the dominant impact of the proposed extension.</p> <p>The proposal will increase the width of the front elevation by more than 60% and bring an over powering two storey structure to less than one metre from our mutual boundary.</p> <p>We note that the owners of the adjoining property No. 13 have carried out a much more sympathetic extension, without the use of the high gable in this application.</p> <p>No 15 is in a relatively wide plot and we think that a redesigned extension could be accommodated that did not extend so close to the boundary and which had a more sympathetic roof line.</p> <p>Bats are present in the current eaves of the property and would be significantly impacted on by the proposed works. The proposed extension would remove most natural light from my garden. When we applied for planning permission 5 years we were told an extension to the front of the property had to remain within the current boundaries. I am unaware of any changes to planning laws which results in this application being viewed any differently</p>
Huckvale 13 New Road Wilstone Tring Hertfordshire HP23 4NZ	<p>The proposed development does not comply with the Dacorum core planning policy CS7 that allows 'limited extensions to existing buildings'. The proposed extension is a huge two storey to the front, side and rear of the property and cannot be described as 'limited' in any sense.</p> <p>There are bats visible every evening in the gardens of numbers 13 and 15 and I believe they are resident in the eaves of outbuildings of both properties as well as the existing side extension to number 15.</p> <p>The proposed rear two storey extension would lead to a significant loss of light to our north east facing kitchen, utility room and living room and would affect our right to light.</p>

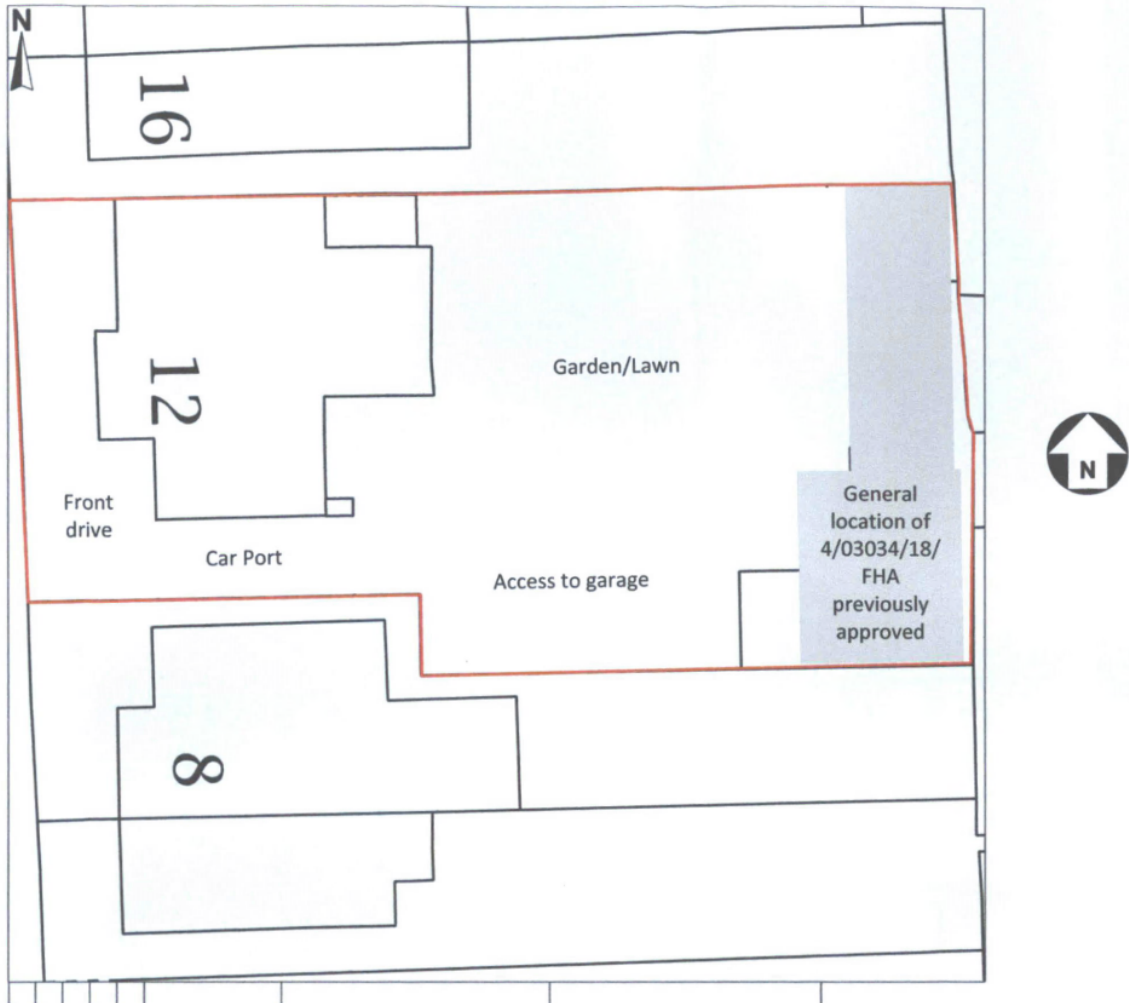
	<p>Similarly, there would be considerable overshadowing especially in the winter months, together with loss of sunlight. This would affect residential amenity to a seating area outside the kitchen. There would be comparable loss of light etc to number 19 New Road, given its proximity</p> <p>The style (2 storey) of the development would also detract from the appearance of pairs of Rothschild cottages at 13 and 15 new road and the conservational area of wilstone.</p> <p>We therefore object to the application.</p> <p>13 New Road</p> <p>i would like to reiterate my previous comments. In particular the extension to the side front and rear is not 'limited' as permitted under the dacorum core strategy for rural areas-policy CS7.</p> <p>In addition, I reiterate the comments made by 10 tring road in relation to parking. Current parking in number 15 is a narrow driveway with limited access. Since the proposed development will have 4 bedrooms there will likely be 2 or 3 cars that will need to park behind each other; this is unlikely to be practicable and there is no scope or room for more parking on new road. We have enlarged our driveway as a necessity and believe it will be essential for number 15 to do the same whatever development is permitted.</p>
<p>10 Tring Road Wilstone Tring Hertfordshire HP23 4PB</p>	<p>We have received the invitation to comment. The existing extension to the original Rothschild cottage appears to be listing and may be structurally unsound. So it is likely that modification will be required. We are too far away to be directly affected by the proposed extension to the house itself so this comment should not be interpreted as a comment on the extension to the house itself.</p> <p>New Road has a parking problem which has recently been exacerbated by Dacorum's decision to permit the construction of the house to the rear of 12 Tring Road (plot B 12 Tring Road). Number 15 Tring Road suffers from restricted access and New Road narrows at this point. Whatever happens to the house as a consequence of this or subsequent applications the dropped kerb and gate should be increased in width both to allow access for construction of traffic during the build (as the owners of number 13 New Road have done), to facilitate access for the residents, and to minimise the likelihood of damage to neighbouring properties.</p>

Agenda Item 5g

Item 5g 20/01038/FHA

Single storey rear extensions, front porch canopy and alterations to front, rear and side fenestration (amended scheme)

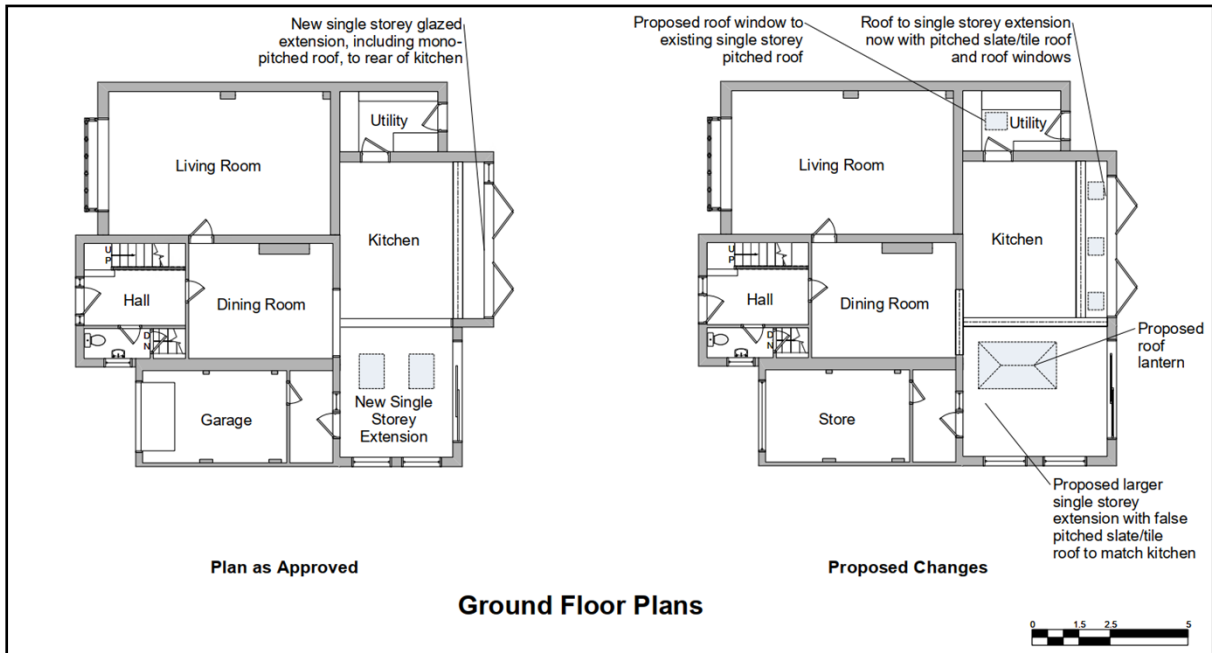
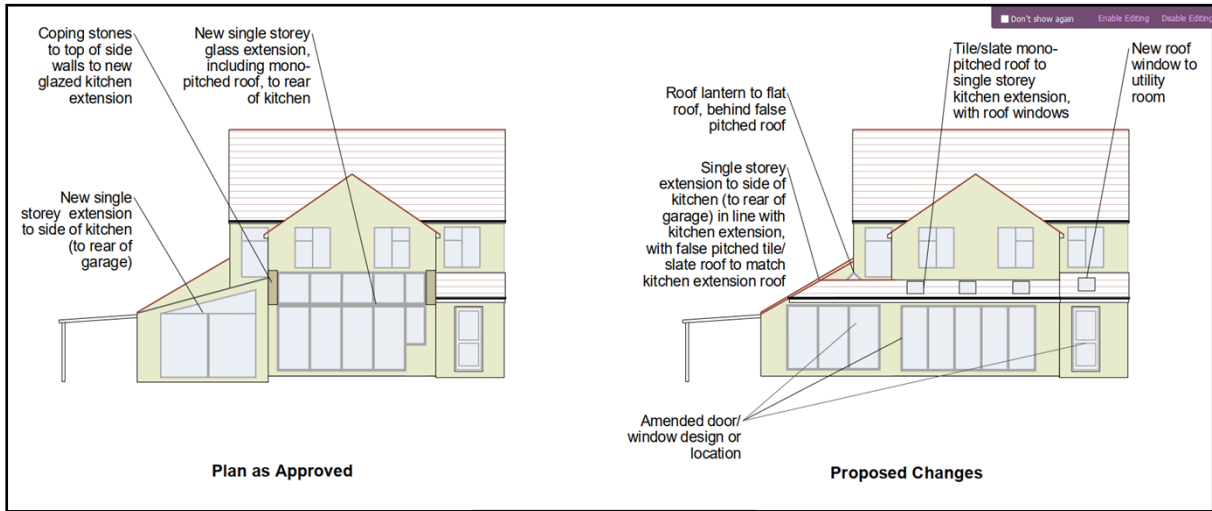
12 Puller Road, Hemel Hempstead, HP1 1QL



Item 5g 20/01038/FHA

Single storey rear extensions, front porch canopy and alterations to front, rear and side fenestration (amended scheme)

12 Puller Road, Hemel Hempstead, HP1 1QL



Ground Floor Plans

ITEM NUMBER: 5g

20/01038/FHA	Single storey rear extensions, front porch canopy and alterations to front, rear and side fenestration (amended scheme)	
Site Address:	12 Puller Road Hemel Hempstead Hertfordshire HP1 1QL	
Applicant/Agent:	Mr Rhoden	
Case Officer:	Briony Curtain	
Parish/Ward:		Boxmoor
Referral to Committee:	Applicant is married to employee of the Council	

1. RECOMMENDATION

That planning permission be granted.

2. SUMMARY

2.1 The site lies within a well-established residential area of the town of Hemel Hempstead wherein residential extensions are acceptable in accordance with Policy CS4. Puller Road and the surrounding streets are varied in their character with many properties having been extended and altered in a variety of ways over the years. Many surrounding properties feature single storey rear extensions which are considered to have a similar overall impact. The extension would not be visible from public vantage points so will successfully integrate into the street scene and would not adversely affect the residential amenities of adjacent properties or highway safety.

2.2 Moreover Planning Permission for a very similar scheme (4/00881/19/FHA) has already gained planning permission and this application merely seeks consent for minor amendments.

3. SITE DESCRIPTION

3.1 No.12 is a detached property located at the end of a terrace on Puller Road, just off of St John's Road, in Boxmoor. The street contains mostly residential properties from a similar period. The house is set back from the highway with garaging and outbuildings to the eastern edge of the site. The site is accessed via Puller Road. The property has a two storey rear extension built in the 1970s.

4. PROPOSAL

4.1 Planning permission is sought for the construction of single storey rear extensions, front porch canopy, and alterations to the front, rear and side fenestration. This is an amended scheme. The amendments can be summarised as follows;

- Mono-pitch tiled roof in place of glazed extension with three rooflights
- New rood light to utility
- Enlargement of single storey side extension to align with rear extension, dummy pitch roof with raised roof lantern behind
- Amended pattern of rear fenestration

5. PLANNING HISTORY

Planning Applications :

20/00380/NMA - Non material amendment to planning permission 4/00881/19/FHA - single storey glass rear extension, single storey side/rear extension with rooflights, new front porch canopy,

replacement of front bay window, enlarged 2nd floor window in side flank wall and insertion of rear access door in place of existing window.

REF - 9th March 2020

20/00870/NMA - Non Material Amendment to Planning Permission 4/00881/19/FHA (Single storey glass rear extension, single storey side/rear extension with rooflights, new front porch canopy, replacement of front bay window, enlarged 2nd floor window in side flank wall and insertion of rear access door in place of existing Window.)

REF - 30th April 2020

4/00881/19/FHA - Single storey glass rear extension, single storey side/rear extension with rooflights, new front porch canopy, replacement of front bay window, enlarged 2nd floor window in side flank wall and insertion of rear access door in place of existing Window.

GRA - 9th July 2019

4/03034/18/FHA - Demolition of existing garage and sheds and construction of a new garden studio, workshop and garage

GRA - 1st February 2019

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 3

CIL Zone: CIL3

Former Land Use (Risk Zone): Former Coal Yard, Thorne Close, Hemel Hempstead

Former Land Use (Risk Zone): Old Gravel Pit, Northridge Way, Hemel Hempstead

Former Land Use (Risk Zone): Former Brickfield, Horsecroft Road, Hemel

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)

Town: Hemel Hempstead

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

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

Supplementary Planning Guidance/Documents:

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)

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 the residential area of Hemel Hempstead wherein the principle of household extensions is acceptable subject to compliance with all other policies of the plan.

Quality of Design / Impact on Visual Amenity

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

9.4 The proposed front bay replacement and new front porch canopy are minimal changes and raise no concerns in terms of design impact. In addition it is important to note that these elements already benefit from planning permission so could be undertaken at any time.

9.5 The proposed side/rear extensions, whilst amended and enlarged very slightly they remain subordinate in scale and bulk and are largely hidden from public vantage points in the street scene. As such there would be no harm to the character or appearance of the property or the street scene.

Impact on Residential Amenity

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

9.7 The overall impact of the proposals remains largely as previously approved. Whilst the side/rear extension is very slightly deeper it would have no adverse impact on the neighbouring property.

9.8 The high level windows and rooflights in the side of the side/rear extension do not raise

concerns regarding privacy. The enlarged 2nd floor bedroom window in the flank wall faces opposite the blank flank wall of No. 8 and is not considered to cause a level of overlooking that would be significantly more harmful than the existing bedroom window and is therefore considered acceptable. It should be noted no objections have been received on this matter and moreover permission has already been granted for these elements.

Impact on Highway Safety and Parking

9.9 The proposal does not seek to alter the parking or access arrangements and as such there will be no adverse impact on the safety or operation of the adjacent highway network.

Response to Neighbour Comments

9.10 No comments received.

Community Infrastructure Levy (CIL)

9.11 The development is not CIL liable.

10. RECOMMENDATION

10.1 That planning permission be granted.

Condition(s) and Reason(s):

- 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:**

**02A - 12PR - Block Plans
03A - 12PR - Proposed Ground Floor Plan
04A - 12PR - Proposed Front Elevation
05A - 12PR - Proposed Rear Elevation
06A - 12PR - Proposed South Elevation
07A - 12PR - Proposed North Elevation
08A - 12PR - Proposed roof Plans**

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

- 3. The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

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).

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
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> <p>Noise; With reference to the above planning application, please be advised Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for 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: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</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>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
9	0	0	0	0

Neighbour Responses

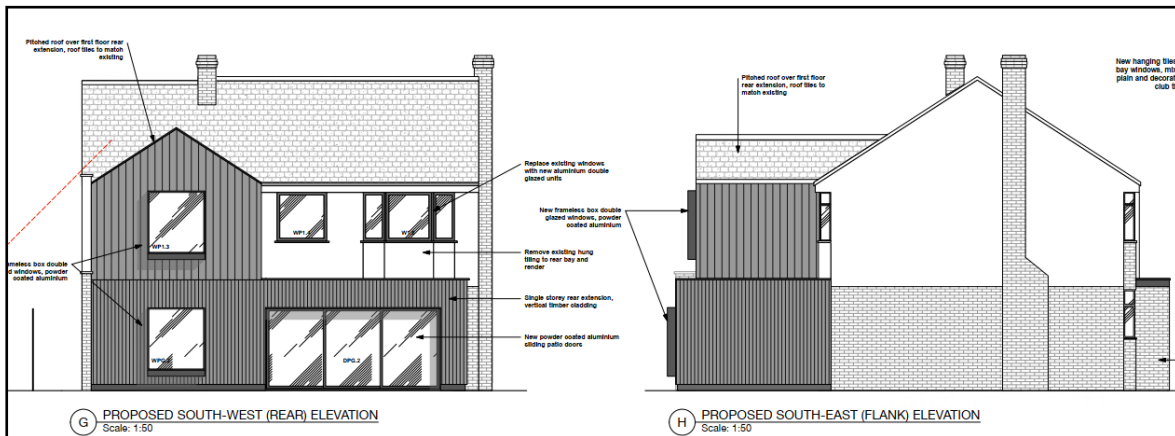
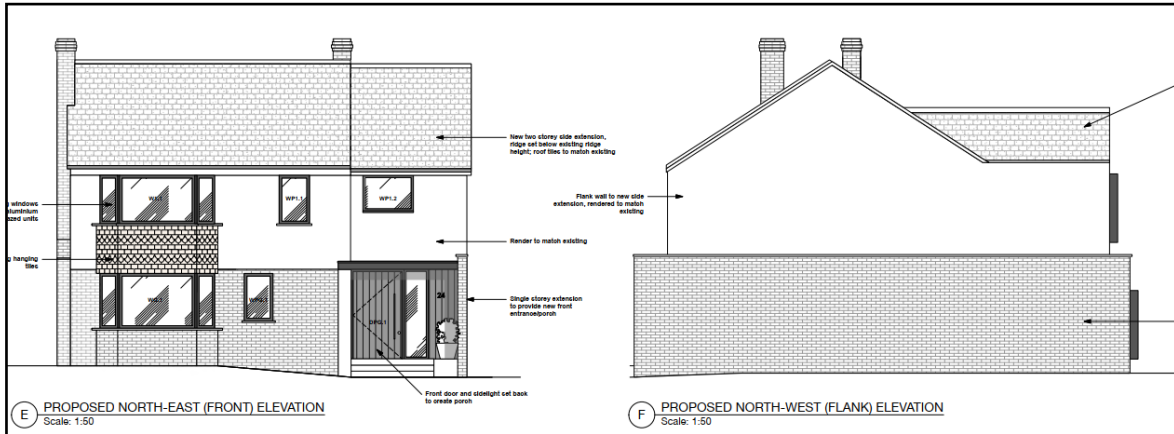
Address	Comments
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Agenda Item 5h

Item 5h 20/00758/FHA

Two storey side and single storey rear extensions

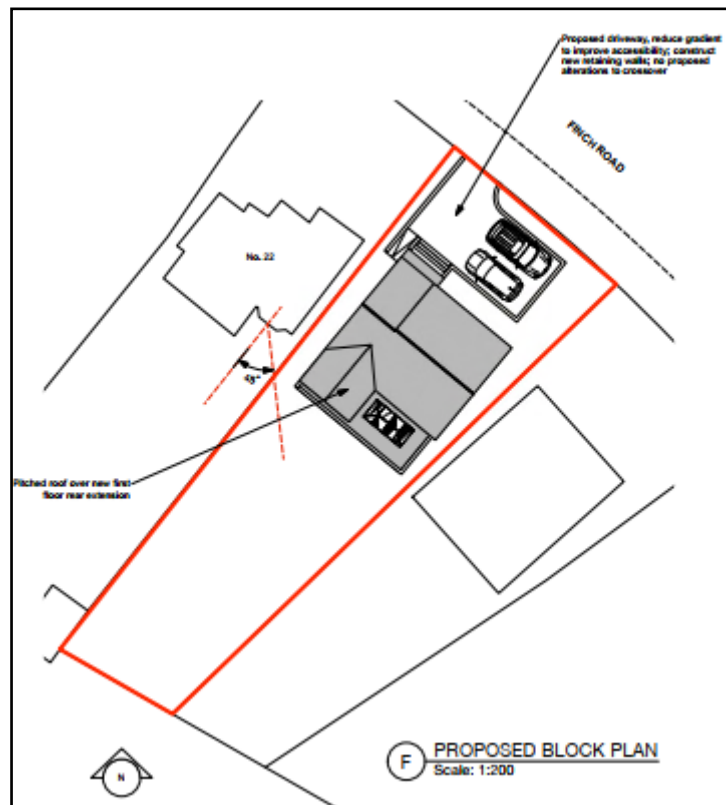
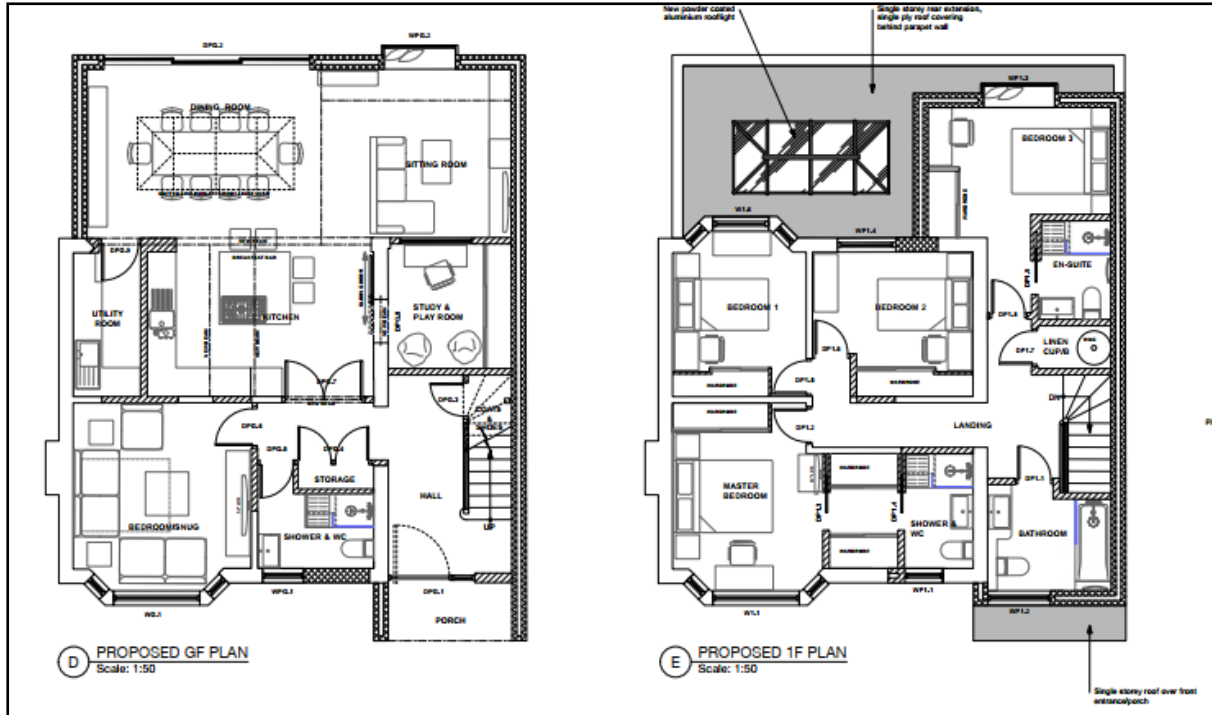
24 Finch Road, Berkhamsted, HP4 3LH



Item 5h 20/00758/FHA

Two storey side and single storey rear extensions

24 Finch Road, Berkhamsted, HP4 3LH



ITEM NUMBER: 5h

20/00758/FHA	Two storey side and single storey rear extensions	
Site Address:	24 Finch Road Berkhamsted Hertfordshire HP4 3LH	
Applicant/Agent:	Anneke Laux / Chris Hlaing	
Case Officer:	Natasha Vernal	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	Contrary view of Berkhamsted Town Council	

1. RECOMMENDATION

1.1 That planning permission be granted with conditions.

2. SUMMARY

2.1 The principle of residential development in this location is acceptable. The proposed two storey side extension with a single storey rear extension and a single storey front extension will integrate with the existing dwelling and surrounding area by virtue of its sympathetic design and scale. Whilst visible from the surrounding area, the proposal will not detrimentally impact upon the living conditions of surrounding properties nor will it impact upon local parking provision.

2.2 The proposal is therefore in accordance with Saved Appendices 3 and 5 of the Dacorum Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013), the NPPF (2019) and the Durrants (BCA16) Residential Character Appraisal Supplementary Planning Guidance (2004).

3. SITE DESCRIPTION

3.1 The site is occupied by a two storey detached dwelling located on the south side of Finch Road in Berkhamsted. The site is predominately residential in character. Finch Road is characterised by detached dwellings but hosts a variety of styles, designs and finishes such that there are no common design features or uniformity to the street scene.

4. PROPOSAL

4.1 The proposal seeks full householder planning permission for the construction of a two storey side extension with a single storey rear extension and a single storey front extension.

4.2. The original plans 3068.02.01 (existing and proposed elevations) and 3068.02.01 (existing and proposed floor plans) consisted of a flat roof first floor rear extension that extended approximately 3.6 metres from the rear elevation and featured timber cladding across the north-west flank elevation. Although the first floor rear extension would not be visible from the public realm, it was considered to be out of keeping with the existing dwelling and the surrounding area when viewed along the adjoining neighbouring properties at Nos. 20, 22, 26 and 28 rear elevations. Furthermore, the depth of the first floor rear extension was considered to be visually overbearing when viewed from the neighbouring property at No.22's rear garden. Due to the orientation of the application site, the proposed first floor rear extension would likely cause overshadowing to the neighbouring property at No.22 in the morning. Therefore, the agent was advised to set the first floor rear extension back to 3 metres to reduce impacts on loss of sunlight/daylight. The timber cladding located to the north-west flank elevation of the subject property was considered to be unduly prominent and not in uniform with the adjacent neighbouring property at No.22's side elevation and therefore was considered to have a detrimental impact on the character and appearance of the existing dwelling and the surrounding environment. These plans have now been superseded.

4.3 The agent was advised by the case officer to make amendments to the original scheme, amended plans was received on 4th May 2020. The amended scheme 3068.02.03 and 3068.04.03 show a pitched roof first floor rear extension extending approximately 3 metres from the original rear elevation reducing the overshadowing and loss of light impacts when viewed from the neighbouring property at No.22's rear elevation. Amendments has been made to the north-west flank elevation showing render in white to the proposed two storey side extension. The plans also show a 45 degree rule from the subject property and the neighbouring property at No.22 resulting to the proposal complying with the 45 degree rule. The agent submitted further additional plans 3068.05.01 and 04820-001 received on 18th June 2020 showing a detailed site plan with a topographical survey. These additional plans further justify the proposal complying with the 45 degree rule.

5. PLANNING HISTORY

None

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
CIL Zone: CIL1
Parish: Berkhamsted CP
RAF Halton and Chenies Zone: Green (15.2m)
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
RAF Halton and Chenies Zone: Red (10.7m)
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)
EA Source Protection Zone: 3
EA Source Protection Zone: 2
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

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
CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Supplementary Planning Guidance/Documents:

Durrants (BCA16) Residential Character Appraisal (2004)
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)

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 application site is located in a residential area of Berkhamsted. Core Strategy (2013) Policy CS4 states that appropriate residential development is encouraged in the towns and large villages.

Quality of Design / Impact on Visual Amenity

9.3 Core Strategy (2013) Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area, seeking to ensure that developments are in keeping with the surrounding area in terms of scale, mass, height and appearance. This guidance is supported by Saved Appendices 3 and 7 of the Local Plan (2004). In addition, the Durrants (BCA16) Residential Character Appraisal (2004) states that extensions should normally be subordinate in terms of scale and height to the parent building and the use of architectural features be simple, with a general lack of detailing on buildings to provide a strong design pattern characterised by red brickwork and hipped roofs.

9.4 The surrounding area is characterised by detached dwellings but hosts a variety of styles and designs, many of which show evidence of extension / alteration.

9.5 The existing garage would be demolished. The proposal seeks the erection of a two storey side extension and a single storey rear extension with a single storey front porch extension. The proposal would comprise a pitched roof to the two storey side extension and a flat roof to the rear extension and front porch. It is noted that properties within the street scene such as Nos.7, 17, 19, 21, 26 and 35 benefit from two storey side extensions.

9.6 The proposed two storey side extension would extend approximately 2.9 metres from the existing side elevation of the house, a length of 10.6 metres and a height of 7.7 metres. The proposed two storey side extension would extend approximately 0.4 metres from the front elevation and 3 metres from the rear elevation creating a first floor rear extension. The proposed two storey side extension would be set below the original roof ridge by approximately 0.08 metres. The proposed first floor rear extension would be pitched roof and would extend approximately 3 metres from the rear elevation, a width of 4.4 metres and a height of 3.7 metres measured from the ridge board to the base of the first floor rear extension. The proposed first floor rear extension would be set below the original roof ridge by approximately 2.2 metres.

9.7 The Durrants (BCA16) Residential Character Appraisal states that spacing within the medium range (2 m to 5 m) should be maintained. The proposed two storey side extension would be sited approximately 1.4 metres from the north-west boundary and the neighbouring property at No.22 would be sited approximately 0.6 metres from the common boundary resulting in a 2 metres separation distance between the two properties. It is considered that there would be adequate separation between the subject property and the neighbouring property at No.22 to avoid a terraced effect in the street scene. There is also adequate space on the eastern side of the existing dwelling and the neighbouring property at No.26 to avoid it appearing cramped within the street scene. Therefore the proposed two storey side extension complies with the Durrants (BCA16) Residential Character Appraisal (2004).

9.8 The proposed single storey rear extension would extend approximately 3.8 metres from the rear elevation, have a width of 9.4 metres and a height of 2.8 metres. One roof light would be inserted within the proposed flat roof.

9.9 The proposed single storey front extension would extend approximately 1.2 metres from the principal elevation, a width of 3.2 metres and a height of 2.8 metres. Alterations to fenestration is proposed to the existing dwelling with external works to the front elevation involving the infilling of the existing front door and window with brickwork to match the existing dwelling and the insertion of a window to the ground floor front elevation.

9.10 The proposed front and west flank elevation would be rendered at first floor to match the existing dwelling. The proposed rear elevation would feature timber cladding in black. A parapet wall is proposed on the ground floor west flank elevation and would have facing brickwork to match the existing dwelling and the surrounding environment.

9.11 It is noted that the proposal introduces contemporary materials at the rear elevation, however these materials would not be visible from the public realm and therefore it is not considered to have a detrimental impact on the character and appearance of the existing dwelling or the surrounding area.

9.12 Although some elements of the proposed development would be visible from the public realm, the proposal would be set back from the public highway by approximately 7 metres and therefore the proposal would be less prominent when viewed along Finch Road. Furthermore, the proposal is considered to harmonise with the existing dwelling and the surrounding street scene as the proposed two storey side extension and front porch allows visual reading of the original front elevation and therefore it is not considered to result in a massing that would be unduly prominent or out of keeping within the character and appearance of the existing dwelling or the surrounding area.

9.13 It is considered that the design, layout and scale of the proposed development respects that of the existing and surrounding dwellings. The architectural style is sympathetic to the surrounding area and the proposal will not have a detrimental impact upon the character and appearance of the area. The proposal therefore complies with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS10, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2019).

Impact on Residential Amenity

9.14 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy, seek to ensure that new development does not result in detrimental impact upon the neighbouring properties and their amenity space.

9.15 The neighbouring property at No.26 benefit from a two storey side and single storey front extension and pitched roof over existing rear extension granted under LPA ref. 4/00331/11/FHA.

9.16 The proposed front extension would extend beyond the neighbouring property at No.26's principal elevation by approximately 1.2 metres. However the proposed extension would be on the opposite side of the existing dwelling and would be sited approximately 7.5 metres from the east boundary. The proposed two storey side extension and single storey rear extension would not project beyond No.26's rear elevation. The proposed first floor extension would be sited approximately 5.8 metres from the east boundary and the proposed single storey rear extension would be sited approximately 0.7 metres from the east boundary. Due to the position of No.26, the orientation is favourable and therefore this neighbour would experience no loss of sunlight. Furthermore, due to the orientation being favourable to No.26 and the absence of side fenestration towards No.26 there are no concerns in terms of overlooking, loss of light or overshadowing.

9.17 It is noted that formal objections have been received from neighbouring property at No.22. The neighbouring property at No.22 has objected on the grounds of the proposed development causing potential overshadowing, loss of light and not in keeping with the surrounding area. However following the neighbour objection, the agent confirmed the accuracy of the plans and submitted an amendment plan adding the correct scale bars to clarify the correct measurements as well as indicating the distance from the middle of No. 22's patio doors to the fence, and from the fence to the line of the proposed extension. A topographical survey was submitted which shows the levels across the site. Furthermore, the applicant's agent had signed a declaration stating that, to the best of their knowledge, the facts stated are true and accurate.

9.18 Although the proposed front extension would project beyond the neighbouring property at No.22's principal elevation, the proposed extension would be on the ground floor and would be sited approximately 1.7 metres from the north-west boundary. The proposed two storey side extension and single storey rear extension would extend beyond the neighbouring property at No.22's rear elevation by approximately 3.8 metres at ground floor level and 3 metres at first floor level. Whilst the proposed first floor rear extension may result to some loss of light from No.22's first floor rear elevation, the proposed development would not breach the 45 degree rule and would be sited approximately 1.4 metres from the north-west boundary. Furthermore, the scheme has been reduced in scale during the course of the application in order to address some of the neighbour's concerns. Overall the proposed extensions would not cause a significant loss of sunlight to No.22 due to the separation distance and absence of side fenestration there are no concerns in respect of visual intrusion or loss of privacy.

9.19 The proposed first floor extension may result in overlooking towards the rear elevations of neighbouring property at Nos 14 and 16 (Orchards Close). However the proposed first floor rear extension would be sited approximately 24 metres from Nos. 14 and 16 and therefore there are no concerns regarding overlooking.

9.20 Taking the above into account, it is considered that the proposal will be acceptable with respect to the impact on the residential amenity of neighbouring properties in accordance with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004) and the NPPF (2019).

Impact on Highway Safety and Parking

9.21 Policy CS12 of the Core Strategy (2013) seeks to ensure developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) states that when setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policy CS8 of the Core Strategy (2013) and Saved Policies 57, 58 and Appendix 5 of the Local Plan (2004) promote an assessment based upon maximum parking standards.

9.22 The existing dwelling comprises three bedrooms, the maximum parking requirement for which is two off-street parking spaces, according to Saved Appendix 5. As a result of the proposed development there would be five bedrooms. The existing garage would be demolished and therefore the proposal would result in the loss of one internal parking space. However, the loss of the parking space will not affect the local parking capacity as this five bedroomed detached dwelling has a substantial area of hardstanding located to the frontage of the subject property that can accommodate at least two vehicles. The block plan on drawing "3068.02.03" show that the existing driveway would be extended to accommodate at least three vehicles. However a landscaping condition requiring the hardstanding materials within the site will be imposed to ensure no adverse impact on the safety or operation of Finch Road. In addition, there are local public transport routes situated in close proximity to the application site.

9.23 It is considered that the proposed development will not have a detrimental impact on local parking provision, nor will it have a severe impact to the safety and operation of the adjacent highway. Thus, the proposal meets the requirements of Policy CS8 and CS12 of the Core Strategy (2013) and Saved Appendix 5 of the Local Plan (2004).

Berkhamsted Town Council Objection

9.24 Berkhamsted Town Council has objected on the grounds of the scale, mass and bulk of the first-floor extension being overbearing and would adversely impact the amenity of the neighbour at number 22. The objector's photos show the disparity between the actual dimensions and those in the application.

9.25 The proposed first floor rear extension is considered to be modest in scale. The width of the first floor allows visual reading of the original rear elevation and therefore it is not considered to result in a massing that would be unduly prominent or out of keeping within the character and appearance of the existing dwelling or the surrounding area. In regards to impacts on neighbour amenity, the first floor rear extension demonstrates subservience by setting back the rear walls to 3 metres. Furthermore, the proposed first floor rear extension would not breach the 45 degree rule and therefore it is not considered that the proposal would read as a visually intrusive form of development when viewed from the neighbouring property at No.22's rear elevation. In terms of the comments regarding the objector's photo, the case officer has no reason to believe that the scaled drawings submitted as part of the application are inaccurate; these concerns have been addressed earlier in the report.

Response to Neighbour Comments

9.26 The neighbouring property at No.22 has objected on the grounds of the proposed development causing potential overshadowing, loss of light and not in keeping with the surrounding area. These points have been addressed in the impact on residential amenity assessment.

Community Infrastructure Levy (CIL)

9.27 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. The application is not CIL liable as it would result in less than 100 square metres of additional residential floor space.

10. CONCLUSION

10.1 The proposed development through its design, scale and finish will not adversely impact upon the visual amenity of the immediate street scene or the residential amenity of neighbouring

occupants. The proposal is therefore in accordance with Saved Appendices 3 and 5 of the Dacorum Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2019).

11. RECOMMENDATION

11.1 That planning permission be granted with conditions.

Condition(s) and Reason(s):

- 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:**

- **3068.02.03**
- **3068.04.03**
- **3068.05.01**
- **04820-001**
- **Site Location Plan**

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

- 3. The development hereby permitted shall be constructed in accordance with the materials specified on the application form.**

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).

- 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:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure;**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs; and**
- **front garden parking arrangement.**

The planting must be carried out within one planting season of completing the development. Any tree or shrub forming 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 similar 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).

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
Berkhamsted Town Council	<p>Objection to amended scheme dated on 3rd June 2020.</p> <p>The scale, mass and bulk of the first-floor extension is overbearing and would adversely impact the amenity of the neighbour at number 22. The objector's photos show the disparity between the actual dimensions and those in the application.</p> <p>CS12</p>
Berkhamsted Town Council	<p>Objection to the original scheme dated on 15th April 2020.</p> <p>Although the front porch is acceptable, the proposed scale of the rear and second storey extensions would result in an overbearing development which would cause loss of amenity to the adjacent neighbour.</p> <p>CS12</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	1	0	0	0

Neighbour Responses

Address	Comments
<p>22 Finch Road Berkhamsted Hertfordshire HP4 3LH</p>	<p>Objection to the original scheme dated on 8th April 2020.</p> <p>I write in regards to the above planning application. I firstly like to highlight a discrepancy in the proposal letter to the planning view: the proposal letter states a "two storey side and single storey rear extension", however in 3068.04.01 existing and proposed elevations (View F) proposed north-west (flank elevation) states "two storey rear extension vertical timber cladding with horizontal joint detail." This is misleading to those who may wish to view and respond to the planning application unless they view the plans in detail online.</p> <p>Also compass direction on the plans is misleading, it is NOT "N" for North but should be "S" for South and the view F above should read "south-west" (flank)...</p> <p>Secondly, I wish to OBJECT strongly to the two storey rear extension as indicated on the plan (View F), for the below reasons.</p> <p>1. Loss of light and overshadowing A double storey rear extension would lead to an unacceptable loss of light and overshadowing for 22 Finch Road. The particular concern is that the neighbouring property, 22 Finch Road, does not have an extension all the way along the back of the house (see 'F' Proposed Block Plan' on '3.68.04.01 existing and proposed plans'). Notably, there is a pond and small patio in the area (see picture 1 and 2) that will be over-shadowed and double doors to the dining room which is the main source of natural light for the room (see picture 3 and 4).</p> <p>A few further points:</p> <p>The light has been uninterrupted in this way for a period of over 30 years, I understand a right to light is acquired when there has been an uninterrupted period of 20 years.</p> <p>The orientations of both 22 and 24 Finch Road mean that the rear of each plot is South West facing, so this would significantly impact natural light when the sun rises.</p> <p>The site is on a hill, so 24 Finch Road is higher than 22 Finch Road which exasperates the situation. Whilst I appreciate that the house is in need of refurbishment, we feel that the development take unacceptable amount of light from our property, number 22 Finch Road. Please refer to the two photos attached (picture 3 and 4). I would like to request that a planning officer come to the site and inspect it from our property during the site visit to understand our concerns.</p> <p>2. Visual intrusion</p> <p>The proposed extension would be out of keeping with the design of</p>

neighbouring properties. For example, 26 Finch Road was recently developed with a single storey rear extension only (see picture 5), the proposed extension for 24 Finch Road differs as it has the addition of a double storey element to the rear extension which is not in keeping with the neighbouring properties (see picture 6) and as mentioned above this to an unacceptable loss of light to 22 Finch Road.

3. New single storey front extension/porch

The proposed extension would be out of keeping with the design and of neighbouring properties in front. The porch will extend beyond the line of sight to other houses towards the front of the grass verge (see picture 7).

Finally, please note that the objection is for the two storey rear extension, vertical timber cladding with horizontal joint detail at 24 Finch Road only and new front porch.

If this application is to be decided by councillors, please take this as notice that I request a planning officer to meet with us to inspect the site. Please let us know as soon as possible the date of a meeting.

Objection to the amended scheme dated on 26th May 2020.

Following my Letter dated 1 April 2020 on the above planning application, I write in regards to the amended plans dated 20 May 2020 which do not address our concerns and would continue to result in an overbearing development which would cause a loss of amenity to our property, as per the decision of the local parish dated 15 April 2020.

I wish to OBJECT strongly to these amended plans regarding the proposed two storey rear extension as indicated on View F, G and the front porch as indicated on View F, H in "3068.02.03 Existing and Proposed Elevations".

I would like to highlight a number of discrepancies in the amended plans:

In "3068.4.03 existing and proposed elevations" (view G):

At the rear of 22 Finch Road, adjacent to the proposed two storey rear extension, the total distance measured between the middle of the patio door to the fence is 2.95m (2.15m from middle of patio door to edge of house and

0.8m from edge of house to fence, see pic a7 for authenticity of measurement). The diagram at view G shows this distance as almost 6m.

In our opinion the distance between the fence and 24 Finch Road is also over-stated.

We understand it is not possible to show the relative height of the houses in a plan of this nature, however we would like to highlight that 24 Finch Road is slightly higher than 22 Finch Road as the site is on a

hill.

This means that the 45 degree test that is being demonstrated in the proposed plans is not being met due to the inaccurate measurements on the proposed plans. In fact in view G, taking the scale shown, the distance between the middle of the patio door and the wall of extension is 802m. The true distance is 4.4m (2.95 between the middle of the patio door to the fence and 1.45m between the fence and the wall of extension). Applying the true distance to view G, pic a8line B shows the true 450 view angle.

We are concerned about the inaccurate measurements on the plans and would welcome a planning officer to inspect the site to determine accurate measurements.

In my letter dated 1 April 2020, I highlighted the discrepancy in the proposal letter to the planning view: the proposal letter states a "two storey side and single storey rear extension", however in '3068.04.03 existing and proposed elevations' (View F) proposed north-west (flank) elevation states "first floor rear extension." This continues to be misleading to those who may wish to view and respond to the planning application unless they view the plans in detail online.

I wish to OBJECT strongly to the two storey rear extension as indicated on the plan (View F and G), for the below reasons.

1. Loss of light and overshadowing

A double storey rear extension would lead to an unacceptable loss of light and overshadowing for 22 Finch Road. The particular concern is that the neighbouring property, 22 Finch Road, does not have an extension all the way along the back of the house (see IF Proposed Block Plan' on '3068.04.03 existing and proposed plans'). Notably, there is a pond and small patio in the area that will be over-shadowed and double doors to the dining room which is the main source of natural light for the room. See pic a1 and pic a2.

A few further points

The light has been uninterrupted in this way for a period of over 30 years, I understand a right to light is acquired when there has been an uninterrupted period of 20 years.

The orientations of both 22 and 24 Finch Road mean that the rear of each plot is South West facing, so this would significantly impact natural light when the sun rises.

The site is on a hill, so 24 Finch Road is higher than 22 Finch Road which exasperates the situation.

The measurements on the amended plans significantly overstate the distance between 22 and 24 Finch Road. This clear inaccuracy in the plan creates the misleading impression that loss of light would be minimal with reference to a 45 degree test (as referred to above and referenced in View F of

the amended plans and view G of the amended elevations).

Whilst I appreciate that the site at 24 Finch Road is in need of refurbishment, we feel that the development takes an unacceptable amount of light from our property, number 22 Finch Road.

Please refer to the photos attached.

2. Visual intrusion

The proposed extension would be out of keeping with the design of neighbouring properties. The house at 26 Finch Road (see pic a3), for example, was recently developed with a single storey rear extension only. The proposed extension for 24 Finch Road is materially different as it has the addition of a double storey element to the rear extension which is not in keeping with neighbouring properties (see pic a4) and as mentioned above this leads to an unacceptable loss of light to 22 Finch Road.

If this application is to be decided by councillors, please take this as notice that I request a planning officer to meet with us to inspect the site and take appropriate measurements as required. We would of course be happy to allow full access to a planning officer to our property at 22 Finch Road to verify the points made in this letter. Please let us know as soon as possible the date of a meeting.

Agenda Item 5i

Item 5i 20/00771/FHA

Ground floor rear and side infill extension, floor plan redesign and all associated works.

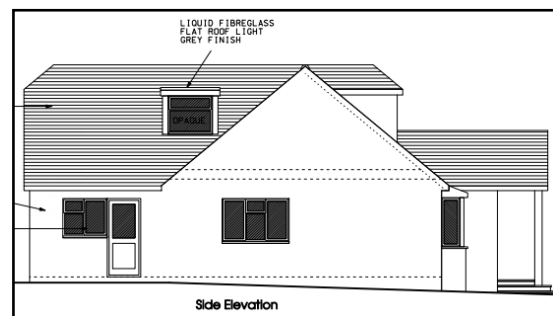
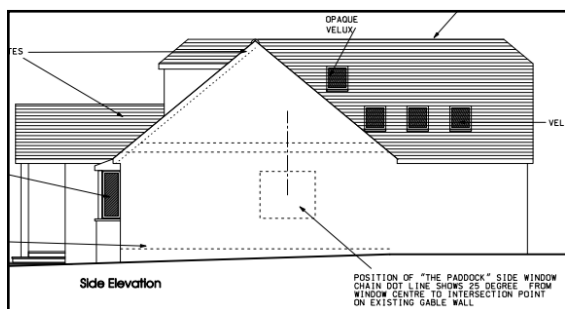
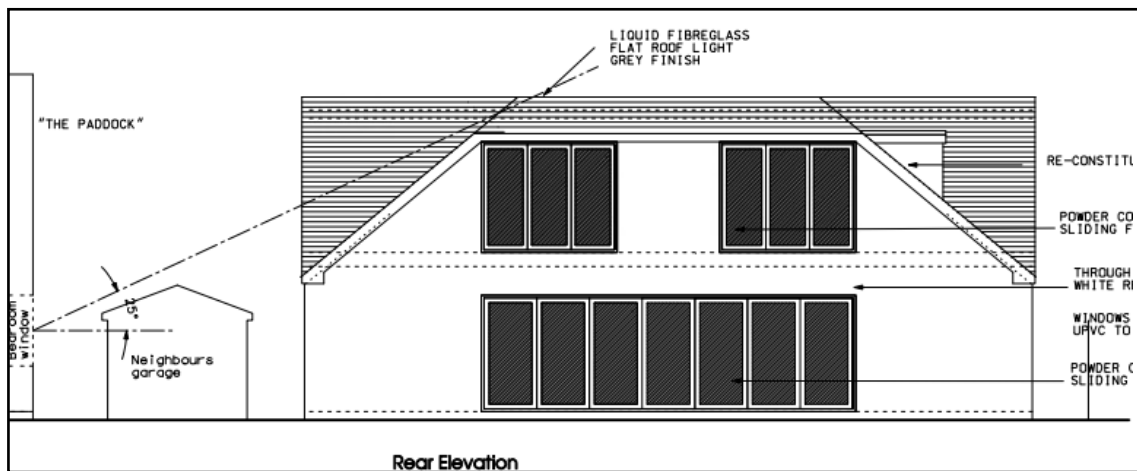
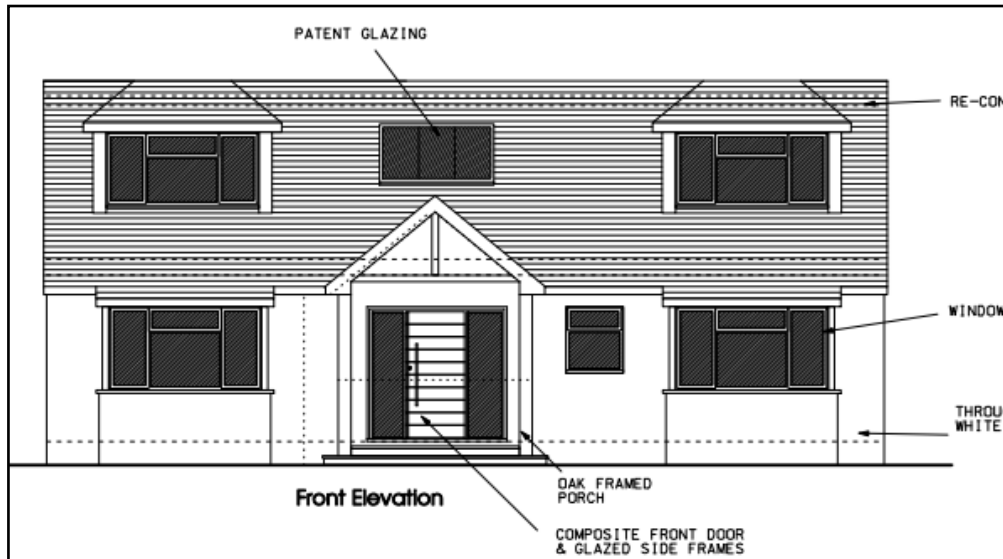
Autumn Tints, 4 Rambling Way, Potten End, Berkhamsted, HP4 2SE



Item 5i 20/00771/FHA

Ground floor rear and side infill extension, floor plan redesign and all associated works.

Autumn Tints, 4 Rambling Way, Potten End, Berkhamsted, HP4 2SE



ITEM NUMBER: 5i

20/00771/FHA	Two storey side and rear extensions and new front porch	
Site Address:	Autumn Tints 4 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE	
Applicant/Agent:	Mr & Mrs D O'Keefe / Mr Rowe	
Case Officer:	Elsbeth Palmer	
Parish/Ward:	Nettleden With Potten End Parish Council	Ashridge
Referral to Committee:	Due to applicant being a DBC employee.	

1. RECOMMENDATION

That planning permission be granted.

2. SUMMARY

- 2.1 The application seeks permission for a householder extension to a dwelling within a Small Village in the Green Belt, Potten End. House extensions are permitted subject to being in accordance with CS 6 of the Core Strategy. The development does not result in a loss of character within the street scene or a loss of amenity for the immediate neighbours. The provision of two parking spaces for the proposed 4 bedroom dwelling is considered acceptable.

3. SITE DESCRIPTION

- 3.1 The site is located on the southern side of Rambling Way within the village of Potten End. The site comprises a small bungalow with attached garage and vehicular access from the road. There is adequate driveway space for at least 3 vehicles to park off street.

4. PROPOSAL

- 4.1 The proposed development is for a two storey side, two storey rear extension and new front porch. The proposal will include two large dormers to the front elevation and a medium sized dormer to the side elevation facing north-east towards the neighbour "Kenjoy".
- 4.2 Amended plans were requested to correct an inconsistency within the plans and the agent added another velux window.

5. PLANNING HISTORY

None.

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4

Special Control for Advertisements: Advert Spec Contr

CIL Zone: CIL1

Former Land Use (Risk Zone): Old Clay Pits, Rambling Way, Potten End

Former Land Use (Risk Zone): Former Brickworks, The Laurels, Potten End

Former Land Use (Risk Zone): Former Garage, Water End Road, Potten End

Former Land Use (Risk Zone): Former Saw Mills, Water End Road, Potten End

Green Belt: Policy: CS5

Parish: Nettleden with Potten End CP

RAF Halton and Chenies Zone: Red (10.7m)
Small Village
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:

NP1 - Supporting Development
CS1 - Distribution of Development
CS6 - Selected Small Villages in the Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

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)

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 Para 130 of the NPPF states:

“where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.”

- 9.3 Core Strategy (2013) Policy 6: Selected Small Villages in the Green Belt states that house extensions will be permitted.

“Each development must:

- i. be sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and
- ii. retain and protect features essential to the character and appearance of the village.”

- 9.4 Core Strategy (2013) Policies CS11 and CS12 state that development within settlements should respect surrounding properties, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties and integrate with the streetscape character.

- 9.5 The main issues of relevance to the consideration of this application relate to the impact of the proposed two storey side and rear extensions on the character and appearance of the existing building, street scene and residential amenity of surrounding properties.

Quality of Design / Impact on Visual Amenity

- 9.6 Rambling Way is made up of two areas. The one within which the site is located runs parallel with Water End Road and is heavily screened from the main road by thick vegetation. The residential character of this area is predominantly bungalows some with loft conversions and others still in their original bungalow form. The loft conversions vary from small box dormers set well in from the flank elevations to roof slopes with larger pitched roof dormers.
- 9.7 At the western end of Rambling Way near to the access to Water End Road the demolition of the existing bungalow and construction of a contemporary designed wooden dwelling with large windows was approved under planning application 4/00160/19/FUL on 22.5.2019. This building “Thimbles” is currently under construction.
- 9.8 The immediate neighbour to Thimbles, "Orchard House" had been significantly changed with large front and rear dormers.
- 9.9 The character along the part of Rambling Way (Upper Rambling Way) that runs south and forms a cul-de-sac is predominantly large two storey dwellings some with mock Tudor features, attached and detached garages to the front and side of the dwellings and approx. three bungalows – two of these closer to Water End Road.
- 9.10 The proposed extensions would significantly alter the character and appearance of the original dwelling. The original bungalow is small in scale with traditional simple design. The proposed scheme is modern with larger features and will be filling in the area above the existing garage. The ridge height will not be increasing in height but the overall appearance of the proposed development will be a building of greater scale and bulk.
- 9.11 The proposed materials will be different to those of the existing dwelling but the proposed white render and reconstituted slate tiles will be in character with the surrounding area. There are many dwellings with white render along Rambling Way.
- 9.12 Overall, it is considered that the proposed extensions would significantly alter the appearance of the host dwelling. However there is a wide range of character along Rambling

Way and within the village as a whole. Also the dwelling is not a Listed Building and it's not located within a Conservation Area. As such, the proposal will not have a detrimental impact on the character and appearance of the area, in accordance with the NPPF (2019), Saved Appendix 7 of the Dacorum Local Plan (2004), Policy CS12 of the Core Strategy (2013).

Impact on Residential Amenity

Kenjoy – neighbour to the east

- 9.13 There is only one obscure glazed glass door in the side elevation facing Autumn Tints and the proposed scheme will align with the rear elevation of this dwelling. Based on this it is not considered that there will be a significant loss of sunlight and daylight as a result of the proposal.
- 9.14 In terms of overlooking there will be one dormer window facing this dwelling. This dormer window, which serves a bathroom, could be obscure glazed and top hung to remove any possible overlooking. It is recommended that this be a condition of any approval.

The Paddock – neighbour to the west

Sunlight and daylight

- 9.15 Saved Appendix 3 of the Dacorum Borough Local Plan 1991-2011 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. Significant overshadowing should be avoided (see the Building Research Establishment’s report “Site Layout Planning for Daylight and Sunlight” 1991).
- 9.16 Core Strategy Policy 12 states that “on each site development should: avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.”
- 9.17 The side elevation of “The Paddock” facing the subject site has 4 windows – 3 of which serve a lobby and/or bathroom. The main window of concern is a bedroom window which is the sole source of light for this room.
- 9.18 The proposed two storey rear extension will project back from the existing rear dormer by 5.5 metres at a height of 5.9 metres. The rear roof slope is pitched away from the side boundary. The window will be approx. 4.5 metres from the side elevation of the proposed development. There is a single storey detached garage located to the rear/side of “The Paddock”.
- 9.19 A 25 degree test was completed to establish the effect the proposed building will have on “The Paddock” with regards to obstructing daylight to the existing windows/rooms. This test is usually carried out when the proposed building is opposite the existing building. The 25 degree test has been done for the existing situation and the proposed. The test shows that the window currently suffers from a loss of sunlight and daylight as a result of the existing bungalow. The test also shows that this will remain if the proposed scheme is built.
- 9.20 A solar study was prepared by the agent which shows that shadowing would not be significant despite the loss of some morning sunlight in the summer months. This study does not however show the impact on the internal space ie. the % of light lost for this habitable room which has only one primary window.
- 9.21 In order to assess the impact of the rear extension on this bedroom the neighbour was asked to send photos from within the bedroom looking out showing morning and evening shots at a

range of 180 degrees. The room already overlooks the side elevation of “Autumn Tints” and their own single storey garage. The room also has a wardrobe on either side of the window reducing the useable area close to the window. These photos demonstrate that the proposal will not be overbearing or visually intrusive for this room. There will be some loss of sunlight in the summer months but this will not be significant. Based on the above it is considered that the proposal complies with Saved Appendix 3 and Policy 12 c) of the Core Strategy 2013.

Overlooking

9.22 The proposed scheme has 4 small velux windows in the elevation facing this neighbour. These windows will need to be obscure glazed and non-opening to remove any possible overlooking. It is recommended that a condition be placed on any approval granted to ensure that there is no overlooking.

Impact on Highway Safety and Parking

9.23 There are no changes proposed to the existing access.

9.24 Policy CS12 of the Core Strategy seeks to ensure that developments have sufficient parking provision. Paragraph 105 of the NPPF (2019) states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport, local car ownership levels and the overall need to reduce the use of high emission vehicles. Policy CS8 of the Core Strategy and Saved Appendix 5 of the Local Plan promote an assessment based upon maximum parking standards. As such, each application is assessed on its own merits.

9.25 The Council’s Parking Standards within Saved Appendix 5 of the Local Plan requires 3 off street parking spaces for a 4 bed dwelling in this location (Residential Zone 4 as defined in Dacorum Borough’s Supplementary Planning Guidance “Accessibility Zones for the Designation of Car Parking Standards”).

9.26 The submitted floor plans show that there would be an increase in the number of bedrooms from 2 to 4, which would result in an increase in parking requirement. Car parking for 2 vehicles would be retained on the existing driveway. One space would be lost as a result of the loss of the garage.

9.27 There are no parking restrictions evident on Rambling Way with room to park adjacent to the vegetation which screens the dwellings from Water End Road and also the width of Upper Rambling Way allows for cars to park on both sides of the road. There would be room within the site for the parking of an additional vehicle but it would be in a tandem style.

9.28 Taking all of the above into account, it is not considered that the proposal would detrimentally impact upon local parking provision. Therefore, the proposal meets the requirements of Policy CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan.

Ecology

9.29 As the proposal includes significant changes to the existing roof a Preliminary Bat Roost Assessment was requested and has been submitted.

9.30 This assessment stated the following:

- the building “provides low habitat value for roosting bats, with minor features present externally that could support low numbers of common crevice dwelling species. A

single bat emergence or re-entry survey is required during the optimal bat season (mid-May to August) to confirm the presence or likely absence of roosting bats.”

- the building “contains evidence of roof nesting birds, and a bird box is also present on the side of the garage. Works affecting the roof of the building or bird box should take place outside of the period 1st March – 31st August to avoid impacts on nesting birds. If this is not possible, a nesting bird check should take place immediately prior to works commencing, with active nests retained until the young have fledged.”

9.31 A Bat Emergence and Re-entrance Survey was completed on 19/06/20. The aim of the assessment was to confirm the presence/likely-absence of a bat roost, to provide an assessment of the current status of all the survey features and gain an understanding of how the bats use the site in the context of the local landscape. Evidence is provided for species, numbers and activity levels, as well as any entrance and egress points. The survey concluded that no roost was confirmed.

The report recommended enhancements as per the NPPF to include:

- The developed site can be enhanced for the bat species observed to be foraging and commuting across the site during the surveys by installing of a minimum of two bat boxes on mature tree or the retained building e.g. Schwegler 2F Bat Box Schwegler 1FF Bat Box Schwegler 2FN Bat Box Improved Cavity Bat Box.
- Bat boxes should be positioned 3-5m above ground level facing south or south-westerly with a clear flight path to and from the entrance. Bat boxes should also be positioned away from any artificial light sources.

9.32 As there is no evidence of bat activity in the site it is not considered that these proposed enhancements meet the test of ‘reasonableness’ required for all conditions. Nevertheless, these recommendations will be added as an informative. Furthermore, no comments have been received from HCC – Ecology but based on the report and survey prepared by Arbtech the Council has sufficient information to be sure that the proposed development would not result in an unacceptable impact on roosting bats. An informative regarding Bats will be added to any approval.

9.33 The proposals therefore comply with Policy CS26 of the Dacorum Borough Core Strategy (September 2013), as well as national planning policy as set out in the National Planning Policy Framework.

Other Material Planning Considerations

Contaminated Land

9.34 The Contaminated Land Officer has no objections to the proposal.

Impact on Trees and Landscaping

9.35 No significant trees will be affected by the proposed development.

Environmental Health

9.36 There are no noise or air quality concerns regarding the proposed development.

Response to Neighbour Comments

9.37 One neighbour comment was received which raised no concerns.

Community Infrastructure Levy (CIL)

9.38 Policy CS35 of the Core Strategy 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 1 July 2015. This application is not CIL liable due to resulting in less than 100m² of additional floor space.

10. CONCLUSION

10.1 The application seeks permission for a householder extension to a dwelling within a Small Village in the Green Belt, Potten End. House extensions are permitted subject to being in accordance with CS 6 of the Core Strategy. The development does not result in a loss of character within the street scene and will not result in a significant loss of amenity for either of the immediate neighbours and the provision of two parking spaces for the proposed 4 bedroom dwelling is considered acceptable.

11. RECOMMENDATION

11.1 That planning permission be granted.

Condition(s) and Reason(s):

- 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 constructed in accordance with the materials specified on the application form.**

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).

- 3. The 4 new velux windows in the western roof slope of the extension hereby permitted shall be non-opening and permanently fitted with obscured glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

- 4. The dormer window on the east elevation of the new roof extension hereby permitted shall be permanently fitted with obscured glass and top hung.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2019).

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

Proposed Location and Site Plan PL/001 Rev A
Proposed Floor Plans PL/004
Proposed Elevations PL/005 Rev B

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.
2. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
3. Dust from operations on the site should be minimised by spraying with water or 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.
4. 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 - 07:30 to 18:30 on Monday to Saturday, no works are permitted at any time on Sundays or bank holidays.
5. 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.
6. Works affecting the roof of the building or bird box should take place outside of the period 1st March - 31st August to avoid impacts on nesting birds. If this is not possible, a nesting bird check should take place immediately prior to works commencing, with active nests retained until the young have fledged."
7. The developed site can be enhanced for the bat species observed to be foraging and commuting across the site during the surveys by installing of a minimum of two bat boxes on mature tree or the retained building e.g. Schwegler 2F Bat Box Schwegler 1FF Bat Box Schwegler 2FN Bat Box Improved Cavity Bat Box.

Bat boxes should be positioned 3-5m above ground level facing south or south-westerly with a clear flight path to and from the entrance. Bat boxes should also be positioned away from any artificial light sources.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Local Parish	No objection
Environmental And Community Protection (DBC)	<p>With reference to the above planning application, please be advised Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for 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: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</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>CONTAMINATED LAND:</p> <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
7	1	0	0	1

Neighbour Responses

Address	Comments
The Paddocks Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE	Thank you for the clarification, we are now happy with the proposal and have no objections.

Agenda Item 6

6. APPEALS UPDATE

APPEALS LODGED

Appeals received by Dacorum Borough Council between 01-06-2020 and 23/06/2020

Our reference: 19/02925/MFA

PINS Reference: APP/A1910/W/20/3251407

Land R/O 38 Rambling Way

Potten End

Hertfordshire

HP4 2SF

Procedure: Written Representations

Our reference: 4/01828/19/MFA

PINS Reference: APP/A1910/W/20/3250417

Nash Mills Methodist Church

Barnacres Road

Hemel Hempstead

HP3 8JS

Procedure: Written Representations

Our reference: 19/03276/FHA

PINS Reference: APP/A1910/W/20/3249405

6 Highcroft Road

Felden

HEMEL HEMPSTEAD

HP3 0BU

Procedure: Written Representations

Our reference: 19/03228/OUT

PINS Reference: APP/A1910/W/20/3249252

Land Between Bremhill and South Winds

The Common

Potten End

HP4 2QF

Procedure: Written Representations

Our reference: 4/02335/19/FUL

PINS Reference: APP/A1910/W/20/3247825

Land Adj 1 Laurel Bank

Laurel Bank

Felden

Hemel Hempstead

HP3 0NX

Procedure: Written Representations

APPEALS DISMISSED

Our reference: 4/01853/19/FUL

PINS Reference: APP/A1910/W/20/3246014

Sharlowes Farmhouse,

Flaunden HP3 0PP

Procedure: Written Representations

Main Issues

The main issues are:

- Whether the proposal would be inappropriate development in the Green Belt 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 purposes of including land within it; and
- If the development would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

4. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the Framework makes it clear that new buildings are inappropriate in the Green Belt, subject to a number of exceptions. One exception, set out in paragraph 145(e), concerns 'limited infilling in villages.' There is no dispute between the main parties that Flaunden comprises a village; but there is disagreement as to whether or not the appeal site is within the village.

5. The appeal site comprises an area of grassland which is well screened from Birch Lane by a substantial hedgerow. It lies in between a row of modest sized dwellings to the south, and a larger detached dwelling to the north. On the opposite side of Birch Lane is a detached dwelling alongside a property with an ecclesiastical style and appearance, intimating a historic religious use. Further to the south along Birch Lane the pattern of buildings is generally more concentrated around the convergence of several streets.

6. My attention has been drawn to a fairly recent appeal decision² concerning a proposal at 'Hogpits Bottom', an area which is physically separated from the historic core of Flaunden, lying an appreciable distance from the appeal site to the north. In that case the Inspector concluded that the appeal site was within

the village of Flaunden, and he also remarked that a village may comprise of more than one built-up area separated by an undeveloped gap. I concur with the previous Inspector's view. As far as this appeal is concerned, whilst I appreciate that the built form close to the appeal site is loose-knit in comparison with the compact arrangement of housing which lies to the south along Birch Lane, and accepting that the appeal site falls within an open area of countryside, I nevertheless find that it is functionally and visually related to the historic core of the village. The appeal site's rural aspect is one of the characteristics of Flaunden, and its relationship with several properties and the historic core of the village, along with its street facing position, reinforces its affinity with the village. Consequently, I am satisfied that the appeal site is located in a village.

7. Notwithstanding the Council's contention relating to the proposal's location in relation to the village, paragraph 145(e) also requires that development constitutes 'limited infilling'. Whilst the Council are satisfied that the number of units proposed would accord with the term 'limited infill', the number of units is just one factor to consider. To my mind, regard should also be had to the size of the gap as it exists now, along with its prevailing characteristics, as well as the extent to which the proposed development would affect the gap, taking into account scale, appearance and context.

8. There is no definition of 'limited' or 'infilling' in the Framework. However, I have had regard to the definition provided by the appellant, which is reflected in the supporting text of Policy CS5 of the Dacorum Core Strategy 2006 – 2031 (2013) (Core Strategy), which states that 'infilling' will be taken to mean the infilling of small gaps between existing development. Whilst I appreciate that this definition appears to relate to 'major developed sites' in the borough's Green Belt, I am satisfied that the definition is encompassing and can be applied to the appeal scheme. Moreover, the inclusion of the word 'limited' immediately before 'infilling' implies that the amount of infilling should be curtailed or restricted in some way.

9. In this regard, the appeal site occupies a substantial gap in between an existing row of properties to the south, and a large detached property to the north. On my site visit I was able to ascertain that, when stood centrally within the plot, properties on either side were an appreciable distance away, with the appeal site and the surroundings to the west being eminently open. When viewed from within the site itself, and when travelling along Birch Lane in a northerly direction, the appeal site has a rural character. This is exhibited by the lack of built form beyond the neighbouring detached dwelling to the north, which means that there is not a continuous run of buildings present along this side of Birch Lane. Consequently, the appeal site comprises a large gap set in an area with a verdant and rural character and appearance.

10. The proposed dwellings would be large, bespoke buildings, built in a traditional style. I acknowledge that they would be set back from the road, partly screened from the road by vegetation, and would not project beyond the front and rear elevations of existing properties on either side. However, the dwellings taken together would occupy a large proportion of the plot's width

and have an appreciable overall scale and mass, being visible from the immediate surrounding countryside and the street. Whilst there are other comparably large residential plots and buildings nearby, the plot as it stands is a substantial width, and this width would be significantly diminished by the proposal. The gap that exists is not limited in size, and neither would the proposal be limited, taking into account its overall scale and visual intrusion. Consequently, even though the appeal site is within a village, I find that the proposal would not constitute limited infilling.

11. I conclude that the proposed development would not meet any of the exception criteria for new buildings in the Green Belt. Therefore, it would be inappropriate development in the Green Belt. It would conflict with paragraph 145 of the Framework and Policy CS5 of the Core Strategy which seeks to protect the Green Belt from inappropriate development.

Openness and purposes

12. Paragraph 133 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. The term 'openness' is essentially a three-dimensional concept which effectively denotes an absence of buildings and development above the ground.

13. The appeal site comprises existing open grass land which, aside from the presence of a telegraph pole and several overhead lines, is devoid of built form. Each of the dwellings would occupy approximately 10% of their respective plots, but they would be considerable in terms of their overall scale and mass. Proposed 'Plot A' would involve a building with an elongated form and notable depth. 'Plot B' would be more consolidated in its form but would nevertheless be readily apparent due to its height and overall mass. Both dwellings taken together would be visible from the surroundings and would markedly diminish the appeal site's openness. The sizeable footprint of the development means that it would also result in the encroachment of built form into an area of open countryside. As a result, I conclude that the development would lead to a significant loss of openness and would conflict with the purposes of including land in the Green Belt.

Other considerations

14. The Framework requires me to come to a view as to whether or not, in Green Belt terms, there are other considerations that clearly outweigh the totality of the identified harm so as to amount to very special circumstances. In this regard, the proposed development would provide two large family homes, thus contributing towards the Council's housing targets. The development would deliver rural employment opportunities through construction with indirect benefits to the local economy from future occupiers of the dwellings. Furthermore, the scheme would constitute housing with a high standard of architecture and efficiency. In connection with the limited number of dwellings proposed, these matters carry moderate weight in favour of the proposal.

15. The Council has not raised concerns, subject to planning conditions, to various other matters including with regard to the general character and appearance of

the Flaunden Conservation Area, the living conditions of the occupiers of nearby properties, highway safety, and ecology. Whilst I have no reason to take a different view, these are essentially neutral considerations that do not affect the overall planning balance.

Other Matters

16. The appellant has drawn my attention to a number of other appeal cases in different parts of the country which deal with 'limited infilling in villages'. Whilst some similarities may be drawn between those schemes and the proposal before me, the circumstances of each differ and, in any event, I do not have the full details of each case. As set out in my decision, it falls to me as the decision maker to make a determination based on the specific circumstances of the scheme having regard to the Core Strategy and the site's context. Consequently, the referenced appeals do not warrant me reaching a different conclusion on the main issues, and I have assessed the proposal on its planning merits.

Conclusion and planning balance

17. The proposal would be inappropriate development in the Green Belt which is harmful by definition. According to the Framework, substantial weight should be attributed to any harm to the Green Belt. In addition, I have found that the development would lead to significant harm to the openness of the Green Belt and would conflict with the purposes of including land in the Green Belt by reason of encroachment.

18. In terms of benefits, I attach modest weight to the contribution the scheme would make to local housing supply, in line with the aim of significantly boosting the supply of homes, as advocated by the Framework. Other material factors that weigh in favour of the proposal include modest economic, social, and environmental benefits. However, in combination, these benefits are not sufficient to clearly outweigh the harm I have identified.

19. Therefore, the material considerations do not indicate that this case should be determined other than in accordance with the development plan and the Framework.

20. I therefore conclude that the harm by reason of inappropriateness, and any other harm, is not clearly outweighed by other considerations, such that the very special circumstances necessary to justify the development do not exist. Thus, the appeal should be dismissed.

APPEALS ALLOWED

None

APPEALS WITHDRAWN

None