
DACORUM BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT

17 DECEMBER 2020

Present:

MEMBERS:

Councillor Guest (Chairman) Councillors, C Wyatt-Lowe (Vice-Chairman), Beauchamp, Maddern, McDowell, Oguchi, Riddick, R Sutton, Uttley, Woolner and Tindall

Councillor also attended

OFFICERS:

Sultan (Lead Litigation Lawyer) and Fowell (Corporate & Democratic Support Officer)

The meeting began at 6.30 pm

1 MINUTES

The minutes of the meeting held on 26 November were confirmed by the Members present.
Hard-copy minutes will be signed by the Chair when restrictions are lifted

2 APOLOGIES FOR ABSENCE

Apologies were received from Cllr Durrant and Cllr Hobson, Cllr Madden arrived late

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 advised that members of public have registered to speak at this meeting and reminded any members of the public viewing the meeting about the rules of doing so.

5 INDEX TO PLANNING APPLICATIONS

- a 20/02519/MFA - Paradise Fields, St Albans Road, Hemel Hempstead Hertfordshire**

The report was introduced by the case officer James Gardner

It was proposed by councillor Beauchamp and seconded by Councillor Wyatt- Lowe that the application be delegated with a view to approval

Vote:

For: 9 against: 0 Abstained: 1

Resolved: DELEGATED WITH A VIEW TO APPROVAL

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:**

2392_PL_010_C - Proposed Site Plan
2392_PL_011_C - Proposed Landscape Site Plan

2392_PL_040_B - Proposed Site Section A-A
2392_PL_041_A - Proposed Site Section B-B

2392_PL_100_B - Block A: Proposed Ground Floor
2392_PL_101_B - Block A: Proposed First Floor
2392_PL_102_B - Block A: Proposed Second Floor
2392_PL_103_B - Block A: Proposed Third Floor
2392_PL_104_B - Block A: Proposed Fourth Floor
2392_PL_105_B - Block A: Proposed Roof Plan

2392_PL_110_C - Block B: Proposed Ground Floor
2392_PL_111_B - Block B: Proposed First Floor
2392_PL_112_B - Block B: Proposed Second Floor
2392_PL_113_B - Block B: Proposed Third Floor
2392_PL_114_B - Block B: Proposed Fourth Floor
2392_PL_115_B - Block B: Proposed Roof Plan

2392_PL_120_B - Block C: Proposed Ground Floor
2392_PL_121_B - Block C: Proposed First Floor
2392_PL_122_B - Block C: Proposed Second Floor
2392_PL_123_B - Block C: Proposed Third Floor
2392_PL_124_B - Block C: Proposed Fourth Floor
2392_PL_125_B - Block C: Proposed Roof Plan

2392_PL_300_B - Building A: Bin Store
2392_PL_301_B - Building B: Bin Store
2392_PL_302_B - Building C: Bin Store
2392_PL_303_B - Substation

2392_PL_400_B - Block A: Proposed Elevation 01
2392_PL_401_B - Block A: Proposed Elevation 02
2392_PL_402_B - Block A: Proposed Elevation 03
2392_PL_403_B - Block A: Proposed Elevation 04

2392_PL_410_B - Block B: Proposed Elevation 01
2392_PL_411_B - Block B: Proposed Elevation 02
2392_PL_412_B - Block B: Proposed Elevation 03
2392_PL_413_B - Block B: Proposed Elevation 04

2392_PL_420_B - Block C: Proposed Elevation 01
2392_PL_421_B - Block C: Proposed Elevation 02
2392_PL_422_B - Block C: Proposed Elevation 03
2392_PL_423_B - Block C: Proposed Elevation 04

2392_PL_500_B - Block A: Proposed Section A-A
2392_PL_501_B - Block A: Proposed Section B-B

2392_PL_510_B - Block B: Proposed Section A-A
2392_PL_511_B - Block B: Proposed Section B-B

2392_PL_520_B - Block C: Proposed Section A-A
2392_PL_521_B - Block C: Proposed Section B-B

2392_PL_600_B - Proposed Bay Section A & B

D8138.101 - Hardworks Plan (Sheet 1) Rev. A
D8138.102 - Hardworks Plan (Sheet 2) Rev. A
D8138.200 - Planting Schedule Rev. B
D8138.201 - Softworks Plan (Sheet 1) Rev. B
D8138.202 - Softworks Plan (Sheet 2) Rev. B
D8138.401 - Tree Pit Details
D8138.411 - Furniture & Boundary Details
D8138.412 - Play Details
D8138.413 - Habitat Features

19145 d3 Rev. B - Construction Traffic Management Plan
5012029-RDG-XX-XX-DOC-C-0520 - Foul and Surface Water Drainage Strategy
EBD0987 - Badger Survey

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

3. **The soft landscaping works shown on drawing nos. D8138.201 (Softworks Plan Sheet 1) Rev. A and D8138.202 (Softworks Plan Sheet 2) Rev. A shall be carried out within one planting season of completing the development in accordance with the planting schedule specified on drawing no. D8138.200 (Planting Schedule) Rev. B.**

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 2 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).

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 Core Strategy (2013) Policy CS32.

Informative:

Any submission made with the aim of discharging the Discovery Condition in place to address the potential for land contamination should include particular reference to the observations made of any fly-tipped materials within the woodland area of the application site and any subsequent clearance works required.

Identifying Potentially Contaminated Material

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

5. **Notwithstanding the details indicated on the submitted drawings, no development above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing number 2392_PL_010_C have been submitted to and approved in writing by the Local Planning Authority. These works shall include:**
- **Vehicle bellmouth access into the site from Wood Lane.**
 - **2m wide footpath fronting the site on the north side of Wood Lane.**
 - **Tactile paving and pedestrian dropped kerbs on either side of the proposed bellmouth access.**
 - **Tactile paving on either side of the existing pedestrian crossing point at the mouth of Wood Lane (on the existing A414 footway).**
 - **Appropriate lighting.**

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies...

6. **Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Condition 5 shall be completed in accordance with the approved particulars.**

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies...

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

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies...

8. **The construction management of the development shall only be carried out in accordance with the approved Construction Management Traffic Plan (September 2020).**

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...

9. **Notwithstanding the submitted details, no development shall take place until full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure have been submitted to and approved in writing by the local planning authority.**

The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.

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

10. **The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and the following mitigation measures:**

1. **Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% of climate change event.**
2. **Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 1325m³ (or such storage volume agreed with the LLFA) of storage volume in an infiltration basin.**

3. Discharge of surface water from the private network into the ground.

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

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants, in accordance with Policy CS31 of the Dacorum Core Strategy (2013).

11. **No development shall take place until a detailed surface water drainage scheme for the site based on the Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and sustainable drainage principles and sent to the LPA for approval. The scheme shall also include:**

1. Detailed infiltration tests conducted to BRE Digest 365 Standards at the exact locations and depths of the proposed permeable paving and infiltration basin. The worst case result should be utilised in the drainage design.

2. Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.

3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy CS31 of the Dacorum Core Strategy (2013).

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

1. Provision of complete set of built drawings for site drainage.

2. Maintenance and operational activities.

3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with Policy CS31 of the Dacorum Core Strategy.

13. **No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:**

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

14. **Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 13.**

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 13 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

15. **No above ground development shall take place until a ventilation strategy to suitably protect future occupiers of the development from exposure to road transportation noise ingress, in conjunction with adequate ventilation and mitigation of overheating, has been submitted to and approved in writing by the local planning authority.**

The ventilation strategy should address, but is not restricted to, how:

The ventilation strategy impacts on the acoustic conditions and through the provision of any Mechanical Ventilation and Heat Recovery system to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade

Service and maintenance obligations for the MVHR

The strategy for mitigating overheating impacts on the acoustic condition and which includes a detailed overheating assessment to inform this.

Likely noise generated off-site through the introduction of mechanical ventilation, its impact on existing neighbours and any measures to be made to eliminate noise.

The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation of the development and retained thereafter.

Reason: In the interests of the amenity of future occupants of the development, in accordance with Policy CS12 of the Core Strategy and Paragraphs 127, 170 and 180 of the National Planning Policy Framework.

16. **Prior to first occupation of Building A and Building B, acoustic enclosures which meet or exceed the specification within Appendix B of the Environmental Noise Survey and Acoustic Design Statement Report (27680/ADS1 Rev3) dated 26 August 2020 shall have been fitted to the Air Source Heat Pumps located at roof level. The acoustic enclosures shall thereafter be retained.**

Reason: In the interests of the amenity of future occupants of the development, in accordance with Policy CS12 of the Core Strategy and Paragraphs 127, 170 and 180 of the National Planning Policy Framework.

17. **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).

18. **Notwithstanding the arbeco Woodland Management Plan dated 20 May 2020, no above ground development shall take place until an updated Woodland Management Plan that addresses the issues raised by the County Ecologist in his response dated 20 November 2020 have been submitted to and approved in writing by the local planning authority.**

The woodland shall be managed in accordance with the approved particulars unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure that ecological matters are satisfactorily addressed in accordance with Policy CS26 of the Dacorum Core Strategy (2013).

19. **Notwithstanding the Environment Partnership Landscape Management Plan dated May 2020, no above ground development shall take place until an updated Landscape Management Plan that addresses the issues raised by the County Ecologist in his response dated 20 November 2020**

have been submitted to and approved in writing by the local planning authority.

The landscaping shall be managed in accordance with the approved particulars unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure that ecological matters are satisfactorily addressed in accordance with Policy CS26 of the Dacorum Core Strategy (2013).

Informatives:

1. Extent of Highway:

The applicant is advised to obtain confirmation as to the extent of the highway boundary in order to clearly illustrate the works that would be required on highway land. Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

Agreement with Highway Authority:

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements.

The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessand-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

2. 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 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.

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. 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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>This is an open area of ground adjacent to the dual carriageway. It is on a sloping site is currently grassland and has hedging to the road. The proposals have been discussed over time with the applicants and developed as issues were addressed.</p> <p>The proposal is for three blocks of flats with associated landscaping. These would be set within a landscaped area. The blocks step up reflecting the topography of the area. The design is contemporary and of a regular formal appearance. The buildings have a pre cast stone frame which is then infilled with various bricks and gold coloured metal fittings including window surrounds and balconies.</p> <p>We believe that the proposals have been carefully considered through the pre application process and all of our concerns with regards to design and landscaping have been debated, discussed and where possible addressed. Therefore we welcome the scheme as it follows the guidance in the national design guide and would create a pleasant environment to live in. The views of the buildings from the dual carriageway would be the biggest impact in within the wider area. We consider that it has successfully addressed the road, steps up successfully and would enhance the architectural quality of the St Albans road. The spaces between the buildings appears generous and the landscaping and planting well considered. The design detail would give the building a contemporary feel whilst reflecting the regular rhythm of more historic developments and in essence respond to the pattern book style architecture promoted in the governments new proposals with regards to design quality.</p> <p>Recommendation We believe that this would be a high quality scheme and therefore support the proposals and recommend approval. External materials and landscaping details subject to approval.</p>
Trees & Woodlands	<p>Arb Impact Assessment ARTET8386.1</p> <p>Removal of trees / hedges is mostly restricted to low quality, category C specimens so no objection would be raised in this regard. Woodland W1 will be partially affected but overall the amenity of the woodland will be improved by proposed mitigation mentioned below.</p> <p>Three Ash are to be removed, these being B cat trees, due to the impact of Ash Dieback (Chalara). This disease is to be found all</p>

	<p>across Dacorum and is likely to result in the loss of 80+% of Ash nationally. Once infected, trees in proximity to property will require frequent pruning to remove defects that affect public safety, and then complete removal. It is prudent therefore to remove these trees now, whilst infection is low, to facilitate the scheme with better landscaping in the longer term.</p> <p>Planting Schedule D8138.200</p> <p>Mix of tree and shrub species proposed is acceptable. The use of trees such as Ostrya and Cercis will give visual interest within a more usual selection of species such as Cherry, Birch and Maple. Planting locations are largely away from car park areas, reducing the potential for conflict. Additionally, no heavy fruiting or nutting trees have been proposed.</p> <p>Woodland Management Plan ART8386.1</p> <p>No objections to proposed works. The removal of Ash trees and dense understorey through selective thinning will improve the overall quality of the woodland, by allowing other species to flourish.</p> <p>The re-coppicing of Hazel is a traditional management technique that provides a variation of usable habitat for wildlife.</p> <p>Removal of invasive species will enhance the woodland and its use in the longer term.</p>
Hertfordshire Property Services (HCC)	<p>Thank you for your email regarding the above mentioned planning application.</p> <p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p> <p>We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p>

	<p>Please note this does not cover the provision of fire hydrants and we may contact you separately regarding a specific and demonstrated need in respect of that provision.</p> <p>I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit.</p>
<p>Crime Prevention Design Advisor</p>	<p>Thank you for your email, I have been in discussions with Studio Partington , any concerns I had relating to this project have now been mitigated , please find notes below:</p> <p>Physical Security (SBD)</p> <p>Layout / Boundary The site is open and has good surveillance throughout , with a public footpath running from East to West towards the Town Centre, the footpath will be 2metres width with low level planting to the boundary to retain passive surveillance.</p> <p>Entrance Some concern over the entrance and the possibility of providing a hiding area , however after looking more closely at the drawings and discussion , t was agreed that the entrance would be open with good surveillance .</p> <p>Communal door sets: Certificated to BS PAS 24: 2016, or LPS.1175</p> <p>Access Control to block of flats: Audio Visual. Tradespersons release buttons are not permitted.</p> <p>Postal delivery for communal dwellings (flats): Communal post boxes within the communal entrances (preferably covered by the CCTV) .</p> <p>Individual front entrance doors of flats Certificated to BS PAS 24:2016</p> <p>Windows: Flats Ground floor windows and those easily accessible certificated to BS PAS 24:2016 or LPS 1175 French doors for balconies:</p> <p>Dwelling security lighting : Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points. (Dusk to dawn lighting).</p> <p>Bin stores : Detail to be confirmed , bins must be secure</p> <p>Car Park: Barrier to be installed , parking is situated in front of the flats with good surveillance . Car Park lighting - well-lit car parking areas , bollard lighting is not acceptable as it is not fit for purpose , raises the fear of crime and is easily damaged.</p> <p>CCTV</p>

	<p>Owing to the location and size of the build CCTV will be included on this site - details to be provided at a later date.</p> <p>Compartmentalisation of Developments incorporating multiple flats.</p> <p>Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised :</p> <ul style="list-style-type: none"> . Controlled lift access, Fire egress stairwells should also be controlled on each floor , from the stairwell into the communal corridors. . Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift <p>Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.</p>
Thames Water	<p>Waste Comments</p> <p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p>

	<p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p> <p>You should be aware that the proposed development site is located near an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to Marlowes Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>If you are minded to approve the Application, it is essential that appropriate conditions are imposed to protect the public water supply, which would need to address the following points:</p> <p>1. Contamination including turbidity</p> <p>Any works involving excavations that penetrate into the chalk aquifer below the groundwater table (for example, piling or the installation of a geothermal open/closed loop system) should be avoided. If these are necessary, then the following condition needs to be implemented:</p> <p>A) No works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in conjunction with Affinity Water:</p> <p>i An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.</p> <p>ii A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.</p> <p>A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.</p> <p>The applicant or developer shall notify Affinity Water of excavation</p>

works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants including turbidity. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. This can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

2. Contamination during construction

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the chalk aquifer.

B) If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a Remediation Strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority in conjunction with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

Of the above we are particularly interested in any details that can be provided to us as early as possible regarding piling and a commencement date due to the increased amounts of developments occurring around our abstraction in recent years.

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures.

	<p>This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.</p> <p>In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply. Being within a water stressed area, we would encourage the developer to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p> <p>Thank you for your consideration.</p>
Hertfordshire Highways (HCC)	<p>Interim Response / requesting amendments and further information.</p> <p>Comments / Analysis</p> <p>The proposal comprises of the construction of 58 residential dwellings (25 one bed; 33 two bed) on land at Paradise Fields, Hemel Hempstead. The site is located adjacent to the north boundary of the A414/St Albans Road, which is designated a classified A main distributor road, subject to a speed limit of 40mph and is highway maintainable at public expense. Public footpath Hemel Hempstead 47B runs adjacent to the north boundary of the site.</p> <p>A Transport Statement (TS), Travel Plan Statement (TP), Road Safety Audit - Stage 1 (RSA) and Construction Traffic Management Plan (CTMP) has been submitted as part of the application.</p> <p>Vehicle access to the site is proposed to be via Wood Lane, an unclassified local access road, subject to a speed limit of 30mph and highway maintainable at public expense.</p> <p>The proposals include a new simple priority junction with a kerbed bellmouth entrance leading to an internal access road with a width of between 7.6m at the entrance to the site and 6.3m within the site, the layout of which is shown on submitted drawing number</p>

2392_PL_010_B. HCC as Highway Authority would not have any objection to the general location of the access and the overall scale of the proposals.

Nevertheless in order for the access arrangements to be acceptable from a highways/transport perspective, HCC as Highway Authority is recommending amendments and further information including:

1. A 2m wide pedestrian footway on the north-east side of the carriageway for the full length of the site fronting onto Wood Lane - from the entrance to the public footpath (Hemel Hempstead 047B) to the existing footway on A414/St Albans Road and then leading into the site and joining with any other proposed internal site footpaths. There is a strip of land which is part of the highway adjacent to the north side of the carriageway of Wood Lane at this location (and also shown within the red line plan of the application). Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx.

It is acknowledged that this recommendation has been accepted as part of the designers response to the RSA although this would need to be clearly shown on an amended site plan.

2. A reduction in width of the access and access road from 7.6m/6.3m to 6m (rather than the normally recommended 5.5m) and with a kerb radii of 6m on either side of the proposed bellmouth vehicle access into the site from Wood Lane. The reduction in width would be required to reduce the width for pedestrians to cross the bellmouth opening into the site whilst also being sufficiently wide enough to support the use of the car parking spaces along the internal access road.

3. Appropriate lighting fronting the site on Wood Lane and tactile paving on either side of the proposed bellmouth access on the recommended footway as detailed above and at the existing pedestrian dropped kerb / pedestrian crossing point across the mouth of Wood Lane (to accord with the recommendation in 2.3.3 and 2.4.1 of the RSA). The detailed design can be provided as part of the S278 agreement process with HCC as Highway Authority, nevertheless the tactile paving and lighting should be indicated on the plans at the planning application stage. It is acknowledged that this recommendation has been accepted as part of the designers response to the RSA.

4. Swept-path analysis / tracking to illustrate that the largest anticipated vehicle to use the site (most likely a waste collection vehicle) would be able to safely use any rearranged access

	<p>arrangements.</p> <p>5. Confirmation within the proposed CTMP that no parking or stopping would be permitted on the A414 at any time during the construction period. All construction vehicles would have to be able to pull off the A414 and directly into the site without stopping as there is little or no stacking room for larger construction vehicles between the A414 and the site entrance and any waiting vehicles would likely overhang lane one of the A414. The other details submitted as part of the CTMP are generally considered to be acceptable although it should be noted that the speed limit for the A414 is 40mph (whereas in section 2.1.3 it is referred to as being the national speed limit).</p> <p>Following consideration of the size of the development and the submission of the Fire Safety Strategy for the development, the application would benefit from input from Herts Fire and Rescue. Therefore, details of the proposal and strategy have been passed to them for attention and for any comments which they may have.</p> <p>HCC as Highway Authority is recommending these amendments and further information as outlined above is provided and approved in order for the proposals to be acceptable from a highways and transport perspective.</p> <p>Comments from Fire Officer (23/09/20):</p> <p>Hertfordshire Highways sent us the Fire Safety Strategy document for the above planning application to comment on. Access for firefighters appears adequate and if we have any further comments to make, this will most likely be at Building Control level.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application, specifically the RSK Geo-Environmental Report (April 2019) and considered the information held by the ECP Team in relation to the application site I am able to confirm that there is no objection to the proposed development. Furthermore, on the basis of the findings of the above referenced Geo-Environmental it is only considered necessary to recommend the inclusion of the following planning condition.</p> <p>Contaminated Land - Discovery Condition: 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</p>

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 Core Strategy (2013) Policy CS32.

Informative:

Any submission made with the aim of discharging the Discovery Condition in place to address the potential for land contamination should include particular reference to the observations made of any fly-tipped materials within the woodland area of the application site and any subsequent clearance works required.

I have reviewed the noise report and based upon the findings I am objecting on noise grounds.

The noise survey has applied various sources of guidance including ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise to undertake the initial site risk assessment. The predicted worst case internal noise levels place the site at high risk. ProPG recognises that high noise levels indicate there is an increased risk that development may be refused on noise grounds, but may be reduced by following a good acoustic design process that is demonstrated in a detailed acoustic design statement. There is limited information this process has been followed.

The acoustic report details that an acceptable internal sound environment can be achieved where the site is reliant upon a closed window situation and alternative ventilation. This does not follow the principle of good acoustic design. ProPG advises that solely relying on sound insulation of the building envelope to achieve acceptable acoustic conditions in new residential development, when other methods could reduce the need for this approach, is not regarded as good acoustic design. Any reliance upon building envelope insulation with closed windows should be justified in supporting documents.

Whilst ProPg is regarded as guidance and can be played off other sources of guidance the Planning Practice Guidance on noise (GOV.UK) does advise that good acoustic design does need to be considered early in the design process. Ventilation forms an important part of the design, and general advice is that internal design should be met with windows open, but in noisy locations this is unlikely to be achievable. The acoustic report has specified a higher criteria for

	<p>window design to protect occupiers (when closed) and use of whole dwelling ventilation. Whilst whole dwelling ventilation can satisfy the requirements of building regulations this will only address background ventilation. Purge ventilation is achieved by an openable window and may be regarded as short-term so that it does not affect acoustic character. This can be to remove odours from cooking, water vapour from showering or smell after painting.</p> <p>However purge ventilation may be used to improve thermal comfort meaning windows will be open. As a result of climate change there is an overheating risk and how use of opening windows will be avoided and suitable alternative ventilation can be achieved for the development. This has not been presented as part of the application.</p> <p>The development also proposes balconies to be provided with flats. The guidance on acceptable noise limits for external amenity spaces is not so strong. The British Standard is suggestive that where development is desirable and guideline values are not achievable a compromise may be required between elevated noise levels and other factors (convenience of living in a city centre). It is suggestive that at 55dB LAeq,16h people will be seriously annoyed by noise. The worst case reported level is 75 dB LAeq,16h. This would equate to be four times as loud as the level at which people are seriously annoyed. Guidance on outdoor spaces in the PPG on noise identifies noise is more relevant to outdoor spaces where it forms an intrinsic part of development. The PPG also helps to identify where noise effect is not adverse, slightly adverse or significantly adverse. At 55 dB, LAeq,16h this has been argued as being the point of a significant adverse effect level, and so at 75 dB LAeq,16h we have reached the unacceptable adverse effect level and the recommended action is 'prevent'.</p>
<p>Lead Local Flood Authority (HCC)</p>	<p>Thank you for consulting us on the above application for the Construction of 58 apartments, external amenity spaces and communal garden/play area at Paradise Fields, St Albans Road, Hemel Hempstead, Hertfordshire.</p> <p>Following a review of the Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020, we can confirm that we Hertfordshire County Council as the Lead Local Flood Authority are now in a position to remove our objection on flood risk grounds.</p> <p>The drainage strategy is based upon permeable block paving areas and an infiltration basin and discharge of surface water into the ground. We note surface water calculations have been updated and ensure that the drainage strategy caters for all rainfall events up to</p>

and including 1 in 100 plus 40% for climate change with 1325m³ of storage provided in an infiltration basin.

We understand infiltration testing to BRE365 standards has been completed (Appendix E of the Foul and Surface Water Drainage Strategy prepared by Ridge, ref: 5012029, dated: 02.06.2020) and the average of the worst infiltration rates recorded in each of the trial pits has been utilised within the design calculations. We would like to highlight that the worst case result as opposed to the average should always be used and would recommend the necessary amendments to be made to the drainage strategy as well as the microdrainage calculations.

In addition, we note that a number of the infiltration tests conducted indicate that the hole was backfilled to make safe overnight and re-excavated on the second day in order to complete the 3 tests in each location required by BRE365 standards. Please note that the updated infiltration tests as required by the conditions recommended below should be completed consecutively at the specific locations and depths of the proposed infiltration basin and permeable paving.

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

LLFA position

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and the following mitigation measures:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 1325m³ (or such storage volume agreed with the LLFA) of storage volume in an infiltration basin.
3. Discharge of surface water from the private network into the ground.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period

as may subsequently be agreed, in writing, by the local planning authority.

Reason

1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.

Condition 2

No development shall take place until a detailed surface water drainage scheme for the site based on the Foul and Surface Water Drainage Strategy prepared by Ridge, reference 5012029, dated 02.06.2020 and sustainable drainage principles and sent to the LPA for approval. The scheme shall also include:

1. Detailed infiltration tests conducted to BRE Digest 365 Standards at the exact locations and depths of the proposed permeable paving and infiltration basin. The worst case result should be utilised in the drainage design.
2. Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

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

Condition 3

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

The scheme shall include;

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

	<p>operation of the scheme throughout its lifetime.</p> <p>Reason</p> <p>1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p> <p>Informative to the LPA</p> <p>Please note if the LPA decides to grant planning permission, we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1. Full details would need to be submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <p>a. Clarification of the highway boundary to clearly illustrate works which would be required on highway land (this is not specifically necessary as part of the planning process but would be needed prior to applying to enter into a Section 278 Agreement with the Highway Authority in relation to the necessary highway works).</p> <p>b. Travel Plan. At least three months prior to the first use of the development hereby permitted, the details of a suitably qualified person/organisation to act as travel plan co-ordinator at the site would need to be submitted. Further free cycle training would be recommended to be provided to all occupants in addition to the provision of high speed internet to promote homeworking as a feasible option.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. A Highway Improvements - Offsite (Design Approval) Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as</p>

indicated on drawing number 2392_PL_010_C have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- o Vehicle bellmouth access into the site from Wood Lane.
- o 2m wide footpath fronting the site on the north side of Wood Lane.

- o Tactile paving and pedestrian dropped kerbs on either side of the proposed bellmouth access.
- o Tactile paving on either side of the existing pedestrian crossing point at the mouth of Wood Lane (on the existing A414 footway).
- o Appropriate lighting.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

B: Highway Improvements - Offsite (Implementation / Construction)

Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

3. Provision of Internal Access Roads, Parking & Servicing Areas

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

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

4. Construction Management Plan

The construction management of the development shall only be carried out in accordance with the approved Construction Management Traffic Plan (September 2020).

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

Highway Informatives

	<p>HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx</p> <p>AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.</p>
Archaeology Unit (HCC)	<p>Thank you for consulting me on the above application.</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>The proposed development comprises just over 1ha of undeveloped land. Much of the housing and other development to the west was constructed in the late 19th century and the earlier half of the 20th century. The housing to the east and south was all constructed in the second half of the 20th century, as part of the New Town. A small area of undisturbed grassland, with significant hedgerows, survives immediately to the north.</p> <p>No archaeological remains are known from within the proposed development site, other than a 19th century or earlier gravel pit (named 'Old Gravel Pit' on the 1878 Ordnance Survey map) which survives in the wooded area at the north eastern end of the site. There is also little evidence of settlement nearby, other than the site of Wood Farm [Historic Environment Record No 30117], a post-medieval farmstead, with probable medieval origins, c.200 metres to the north</p>

east. It appears from historic mapping (from Dury and Andrews 1766 map of Hertfordshire onwards) that it has been in agricultural use throughout the later post-medieval period, and it is currently undisturbed grassland.

The applicant has submitted an archaeological desk-based assessment (L-P: Archaeology, Archaeological Desk Based Assessment. Paradise Fields Hemel Hempstead). This provides a comprehensive account of the existing information relating to this site and its vicinity, and concludes that it has low potential to contain archaeological remains, given the lack of evidence for prehistoric and Roman activity within the 'study area' and its agricultural use in later periods.

However, this absence of archaeological evidence from the study area is not conclusive. No archaeological investigations took place during the construction of any of the housing that nearly surrounds the development site, or during that of the adjacent A414 St Albans Road (the closest recorded archaeological interventions are over 800m from Paradise Fields), since their construction pre-dated the existence of any planning policy or guidance relating to the historic environment.

Furthermore, the proposed development site is in a location that is topographically favourable for settlement, particularly that of prehistoric date, on high ground overlooking the valley of the River Gade.

Important prehistoric archaeological sites have been found in similar topographic locations in the more general vicinity, such as the significant Late Bronze Age domestic settlement, with a round house, four-post structures, and cremations, on the brow of the hill at Gadebridge Road, Hemel Hempstead [HER 7981], and Middle Iron Age settlement at the Manor Estate at Apsley [HER 16589], where settlement features found on high ground overlooking the river valley included two round houses, a rectangular post-built structure, and two small four-post structures, as well as pits, post holes and substantial ditches.

The proposed development site therefore has potential for prehistoric archaeological remains to be present, and given its long term use as agricultural land, any such remains may be well preserved, other than in its north eastern corner. In this context, the Desk Based Assessment of the site notes (para 6.2.2) that 'it is assumed that the sloped topography of the site will require significant amounts of earth removal to create the envisaged stepped layout (see APPENDIX II). Thus, this construction would have significant impacts on underlying archaeological deposits, if present.'

I believe that the position and details of the proposed development are

such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest. I recommend that the following provisions be made, should you be minded to grant consent:

1. The archaeological field evaluation, via trial trenching, of the proposed development area, prior to development commencing;

2. such appropriate mitigation measures indicated as necessary by the evaluation. These may include:

a) the preservation of any archaeological remains in situ, if warranted, by amendment(s) to the design of the development if this is feasible;

b) the appropriate archaeological excavation of any remains before any development commences on the site;

c) the archaeological monitoring and recording of the ground works of the development, including foundations, services, landscaping, access, etc. (and also including a contingency for the preservation or further investigation of any remains then encountered);

3. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, a publication of these results;

4. such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

	<p>No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:</p> <ol style="list-style-type: none"> 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>Condition B</p> <ol style="list-style-type: none"> i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A. ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. <p>If planning consent is granted, then this office can provide details of the requirements for the investigation and information on archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.</p>
Rights Of Way (DBC)	<p>The entire northern flank of this site is crossed by Hemel Hempstead public footpath 47b. This is a busy footpath linking residential areas, via a green space, to the town centre, hospital and/or Heath Park. Clearly the proposal will put increased pressure on the public rights of way in the vicinity.</p> <p>Currently the path is bounded by a hedgerow on the proposed sites northern boundary but is has open grassland for much of its length on the southern side. As much as possible the current 'open' feel needs to be retained, primarily by avoiding fencing/walling the path out of the</p>

	<p>proposed development. Better to include the path as an artery of the developments, and wider areas, sustainable travel approach. To this end upgrading this path to a wider cycle track would be desirable, as has been agreed on other routes around the Maylands area - the idea being to create as much safe cycling as possible leading through to the town centre (colleagues in St Albans are working on a cycle route linking the city to HH). This would require a minimum width of 3m of tarmac to HCC standard along the entire length of the route. Ideally a way could be found of funding a similar approach to footpath 60, that links to the HH hospital site. Or, at the very least providing funding for less formal upgrading.</p> <p>If the site is too constrained to integrate a cycle path the option of diverting the public right of way to the northern side of the hedgerow could be an option as long as it links up the network in the same way.</p> <p>Any upgrading works should be undertaken by the developer, i.e. we don't want to end up with an agreed sum of money to undertake works.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
181	0	0	0	0

Neighbour Responses

Address	Comments
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b 20/02738/FUL - Land Rear Of Southern Wood, 12 Trowley Hill Road, Flamstead, Hertfordshire, AL3 8EE

The report was introduced by the case officer James Gardner

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Sutton that the application be Granted

Vote:

For: 9 against: 0 Abstained: 1

Resolved: GRANTED

- 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:**

C4T5/FOU/FLA2-P02 Rev. C

C4T5/FOU/FLA2-P04 Rev. G

C4T5/FOU/FLA4 - S03/1 Rev. N

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

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

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 57 of the Dacorum Borough Local Plan.

4. **No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.**

The Construction Management Plan shall include details of:

- a. **Construction vehicle numbers, type,**
- b. **Access arrangements to the site;**
- c. **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- d. **Siting and details of wheel washing facilities;**
- e. **Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;**
- f. **where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.**

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

5. **No development shall take place until full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure have been submitted to and approved in writing by the local planning authority.**

The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.

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

6. **No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:**

1. **The programme and methodology of site investigation and recording**
2. **The programme for post investigation assessment**
3. **Provision to be made for analysis of the site investigation and recording**
4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
5. **Provision to be made for archive deposition of the analysis and records of the site investigation**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

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

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 6 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

8. **No development (excluding demolition/ground investigations) 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;
minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.).**

The hard landscape works and means of enclosure shall be carried out in accordance with the approved particulars and prior to first occupation of the development.

The soft landscape works shall be carried out in accordance with the approved particulars and 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 2 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).

9. **No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To 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).

10. (a) **No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**

(b) **If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**

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

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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

- i. All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
- ii. A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

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

11. **Any contamination, other than that reported by virtue of Condition 10 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

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

Informative:

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

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

12. **The development hereby permitted shall not be occupied or the use commenced until a private refuse collection service has been arranged and implemented. Thereafter, all refuse and recyclable materials associated with the development shall be continuously collected by a private waste service contractor in perpetuity. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement on Trowley Hill Road.**

Reason: To ensure a satisfactory means of access for refuse collection service to safeguard the residential and visual amenities of the locality, and prevent obstruction to vehicular and pedestrian movement in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policy 54 of the Dacorum Local Plan.

13. **No demolition of the buildings on the eastern boundary of the application site shall take place until a demolition method statement has been submitted to and approved in writing by the local planning authority. The method statement shall include details of the following:**

- i. manner of demolition,
- ii. how any damage to the curtilage listed buildings will be made good; and
- iii. time-scales for carrying out the remedial works, where appropriate.

The demolition / remedial works shall be carried out in accordance with the approved particulars.

Reason: In order to ensure that the demolition of the existing buildings on the site will not impact upon the curtilage listed buildings or prejudice their structural integrity / future maintenance, in accordance with Policy CS27 of the Dacorum Core Strategy, Policy 119 of the Dacorum Local Plan and paragraph 193 of the NPPF.

14. **The brickwork of the dwellings hereby approved shall be constructed using Flemish bond.**

Reason: To preserve or enhance the character and appearance of the Flamstead Conservation Area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Policy 120 of the Dacorum Local Plan (2004).

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. 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. Ecological Informatives

Roofing materials should be stripped by hand during demolition. If at any point bats or evidence of bats (droppings) are discovered, works should stop and an ecologist called for advice;

Any new proposed external lighting should be minimised. Where external lighting is required it should be warm white LED lamps with glass glazing, rather than plastic, as these produce the least amount of UV light possible, minimising the attraction effects on insects and minimising disturbance to local bats;

Any external lighting proposed for the development should be aimed carefully, to minimise illumination of boundary habitats and avoid light spillage into the sky, or horizontally out from any buildings, by using hoods or directional lighting;

External lighting should be set on short timers and be sensitive to large moving objects only, to prevent any passing bats switching them on.

To prevent harm to nesting birds demolition should commence outside of the main bird nesting season (March until the end of August). If this timescale is not possible then an ecologist should survey the site for active bird nests just prior to the commencement of works within the nesting season. If an active bird nest is found, it would be necessary to protect the nest from harm or disturbance until the bird had finished nesting.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	
Environmental And Community Protection (DBC)	No comment.
Conservation & Design	The application site lies within the Flamstead Conservation Area.

(DBC)	<p>Conservation areas are areas that have been designated as being of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. The Planning (Listed Building and Conservation Areas) Act 1990 creates special controls for areas designated as conservation areas.</p> <p>Consent has recently been granted for the redevelopment of part of a builders yard to the rear of 12 Trowley Hill Road but between this builders yard and the rear boundaries of 12 Trowley Hill Road and adjacent properties is a narrow plot with single storey linear outbuildings along the west, north and east boundaries with a gravelled yard between, used as a builders yard / offices. The site is accessed from Trowley Hill via a narrow track which runs past the side of no. 12 and is not immediately visible within the street scene.</p> <p>There are several listed buildings to the east of the site (fronting Trowley Hill Road) and others, including the grade I St Leonards Church which forms a focal point within the village and is at the core of the Conservation Area.</p> <p>The application proposes demolition of the existing outbuildings and the construction of 2 3-bed dwellings.</p> <p>The application has been accompanied by a Heritage Statement in accordance with NPPF, para. 189. This Heritage Statement confirms that the existing buildings date to the 1940's onwards and are of no architectural or historic merit. In its present form the site does not make a positive contribution towards the character and appearance of the Flamstead Conservation Area.</p> <p>As initially advised at the pre-application stage, it would have been preferred if this site had been incorporated into the adjoining site (which has approval for residential development) however the existing proposed plans are a distinct improvement on those submitted at the pre-app stage.</p> <p>The new semi-detached pair of dwellings are 1 ½ storeys with modest scale gabled dormers to the front roof slopes and a shared rear wing, they have similar detailing to the approved development next door. The shared rear wing is slightly wider than would be ideal and with a lower roof pitch giving it a slightly squat appearance which is not ideal but due to its discrete position this is not a great issue. The choice of materials (brick laid in Flemish bond, lead dormers, timber windows) seem appropriate to the Conservation Area.</p> <p>There are several listed buildings immediately to the east of the site (fronting Trowley Hill Road) including Southernwood, Bell House and</p>
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	<p>C Merit Butchers. Further to the east lies the grade I St Leonards Church which forms a focal point within the village. The development will be closer to the rear of the listed buildings fronting Trowley Hill Road (Southernwood, Bell House and C Merit Butchers) and whilst the new dwellings will be seen in context with the rear of these listed buildings in views of the site from the west / south-west it is considered that the significance of these designated heritage assets (through development within their setting) will not be harmed under the current proposals.</p> <p>There is little relationship between the application site and the grade I listed St Leonards Church and as such it is considered the key aspects of the Church's setting and significance (the churchyard, surrounding roads and historic properties fronting the road) will not be impacted under the proposed scheme.</p> <p>The application has undergone amendment since the pre-application stage and in their present form the proposed semi-detached pair of dwellings are considered to preserve the character and appearance of the Flamstead Conservation Area and preserve the significance of statutory listed buildings in the vicinity. The proposal accords with relevant conservation based policies within the NPPF and policy CS27. Recommend approval.</p> <p>It is not clear whether the outbuildings to be demolished along the west side of the site adjoin or abut the rear / west elevations of the curtilage listed outbuildings to the properties fronting the High Street. For this reason it is recommended that as a condition of any consent it is ensured that the demolition of the existing buildings on the site will not impact upon these buildings or prejudice their structural integrity / future maintenance.</p> <p>All landscaping / boundary treatment should be sympathetic to the semi-rural location of the site and should be a condition of any consent.</p> <p>Details of all external construction materials (including details of brick bond) to be submitted for approval.</p>
National Air Traffic Services	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they</p>

	<p>be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
Archaeology Unit (HCC)	<p>Thank you for consulting me on the above application.</p> <p>Flamstead, meaning 'place of refuge', is first documented in AD 990, and it is believed that it grew up in the Late Saxon and early medieval period as a place of safe accommodation for travellers along Watling Street (Historic Environment Record no. 2637). The parish church of St Leonard has a Norman tower and nave, and Roman brick was reused and incorporated into the former (HER nos. 864 & 1372). It is Grade I listed and contains, according to the list description, the 'second most important wall paintings in the county' after St Albans Abbey.</p> <p>The church and accompanying medieval settlement were situated on a hilltop overlooking Watling Street. The proposed development site is on the same hilltop, circa 80m to the west of the church, and may be within the extent of the Saxon/medieval settlement. There is therefore potential at this location for encountering and negatively impacting on buried heritage assets dating to those periods.</p> <p>This office recently recommended that an archaeological evaluation take place prior to a larger housing development to the west. That evaluation has not yet taken place.</p> <p>The proposed development site for the current development has buildings on site, and is therefore more difficult to evaluate prior to development. Archaeological monitoring of groundworks is therefore a preferable approach.</p> <p>I believe that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest. I recommend that the following provisions be made, should you be minded to grant consent:</p> <ol style="list-style-type: none"> 1. The archaeological monitoring of all groundworks related to the development, including foundation trenches, service trenches,

grubbing out of foundations/removal of slab, hard landscaping, piling and any other ground impact. This should include a contingency for preservation or further investigation of any remains encountered;

2. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, publication of these results

3. such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

- i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.
- ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance

	<p>with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>If planning consent is granted, then this office can provide details of the requirements for the investigation and information on archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations.</p> <p>Please do not hesitate to contact me should you require any further information or clarification.</p>
Parish/Town Council	<p>The PC objects to this application as it did for the other development on the same site for 6 dwellings due to the following:</p> <p>Access and vehicle trip numbers: The width of the access is a real bone of contention - it states on the plans that it is several centimetres wider than it actually is and although the correct width was given by a DBC councillor and the Parish Council at the Development Committee meeting, it was ignored. In the PC's opinion, it does not comply with planning law. There will be huge implications for the neighbouring properties as large vehicle access is extremely difficult especially when negotiated by drivers unfamiliar with the entrance.</p> <p>2 further dwellings would seriously impact on the vehicle trips made as each three bedroomed house could have up to 3 children, going to different schools in different places, so the graph which makes a guess at the number of daily trips is unrealistic.</p> <p>Furthermore, it has made the assumption that the builders' yard made up to 40 trips a day which if you speak to the neighbours, is simply not true. There were in fact very few movements of traffic and none at the weekend - this information has been disregarded.</p> <p>Fire appliance access: This was proven to be impossible when an independent test was carried out with a fire appliance, which made a number of unsuccessful attempts at reversing in. It would not in an emergency even consider entering the site, so the location of an adequate fire hydrant is key, but either way the main road would definitely be blocked by the fire appliances that are unable to enter the side road. This trial information was disregarded as it presented a different picture to the one presented by the Fire Officer who did not visit the site.</p> <p>Parking spaces: The plans state that each new dwelling has 2 x spaces and a "shared" space for visitors. This shared space is not indicated on the plans nor</p>

	<p>cannot it be seen where it could be located. Any reversing of the cars to exit in a forward gear, would mean encroaching on the neighbouring site and there would most likely be a serious visibility issue and danger to children.</p> <p>Loss of privacy: There is no information given as to how the removal of the current buildings will be dealt with in regard to the neighbouring property whose garden ends with the wall of the building due to be demolished - thus exposing their garden. This property on Trowley Hill Road will be directly overlooking the proposed dwelling and vice versa which is not acceptable. The replacement dwellings will be higher than the current buildings thus reducing the openness which they currently enjoy.</p> <p>Egress on to Trowley Hill Rd: Despite the many swept path analyses that have been done to prove the ease of exit, it is indeed very difficult to exit the site without jutting past the line of permanently parked cars to see if anything is coming along Trowley Hill Rd. With the potential for 16 cars on the site, with no parking capacity on the road, and with a pavement of less than 2 feet wide, this will become an accident-prone zone.</p> <p>The PC will consider taking this application to the ombudsman because DBC has disregarded key information by choosing to ignore where errors have been pointed out.</p> <p>Object</p>
Hertfordshire Ecology	<p>Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:</p> <ol style="list-style-type: none"> 1. This application is for the last developable section of this site. A Preliminary Ecological Appraisal has been undertaken for the application site which was surveyed for evidence for protected species and habitats. 2. Several relatively modern buildings are present on this site which is otherwise wholly developed. External and internal surveys found no evidence of bats and were considered to have negligible potential to support a bat roost. 3. No other evidence of protected species was found. The developed nature of the site was considered to have no potential for birds, reptiles, amphibians or notable invertebrates. The site supports no semi-natural habitat interest and was considered to be of low ecological value. No further surveys were considered necessary. I am satisfied that the surveys were sufficient and reliable in determining any ecological interest on the site.

	<p>4. Recommendations for a precautionary approach to undertaking the proposals are outlined in Section 5.1 of the PEA. These should be followed and attached to any permission as an Informative.</p> <p>5. Enhancements are proposed in 5.2 of the PEA and should also be attached to any permission as an Informative, in pursuance of providing ecological benefits (I am not satisfied provision of such habitat features such as bird and bat boxes meet the test of a Condition in that without them, the application should be refused. However, it may be considered that securing them by Condition is the best means of ensuring they are provided).</p> <p>6. Wildflower planting within gardens is considered to deliver ecological enhancements but obviously there is no control on subsequent garden use or management so little weight can be attached to this proposal. However, there is a significant landscaping proposal to plant an orchard associated with the recently approved adjacent development to the west, and this will provide locally significant ecological gain associated with the redevelopment of this whole site.</p> <p>On this basis I consider that the LPA can determine the application accordingly.</p> <p>I trust these comments are of assistance,</p>
Thames Water	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p>

	<p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:</p> <p>a. Provision of a suitable level of safe, secure and convenient cycle parking.</p> <p>b. Approval that the access arrangements are acceptable to Herts Fire & Rescue. Details have been forwarded to them.</p> <p>c. Illustrate that the largest anticipated vehicle to access the site can turn around safely and egress to the highway in forward gear.</p> <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Provision of Parking & Servicing Areas</p> <p>Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>3. Construction Management</p> <p>No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The</p>

	<p>Construction Management Plan shall include details of:</p> <ul style="list-style-type: none">a. Construction vehicle numbers, type, routing;b. Access arrangements to the site;c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);d. Siting and details of wheel washing facilities;e. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;f. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements. <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>COMMENTS / ANALYSIS:</p> <p>This proposal is for: Redevelopment of commercial site to provide 2no. dwellings with associated access, hardstanding, landscaping and parking</p> <p>The site is on land to the rear of 12 Trowley Hill Road, which is an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense.</p> <p>ACCESS:</p> <p>The site has an existing access and private access road from Trowley Hill Road into the site and the proposal is to use this existing access unchanged. The general access arrangements are considered acceptable by HCC as Highway Authority.</p> <p>The applicant has submitted swept path diagrams demonstrating that Fire Tenders are able to enter the site, however these do not demonstrate the ability for vehicles to turn around on site to enter and leave the highway in forward gear and the proposed dwellings are approximately 20-30m from the nearest highway.</p> <p>This is contrary to MFS 6.7.2 The Building Regulation requirement B5 (2000)10 concerns 'Access and Facilities for the Fire Service'. Section</p>
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	<p>17, 'Vehicle Access', includes, inter alia, the following advice on access from the highway:</p> <p>o fire service vehicles should not have to reverse more than 20 m</p> <p>HCC as Highway Authority has therefore passed details to Herts Fire & Rescue for their attention and any comments or recommendations.</p> <p>PARKING</p> <p>The proposal includes the provision of four car parking spaces, the layout of which is shown on drawing number C4T5/FOU/FLA2-P02 Revision B . The size and layout of the parking area is acceptable and in accordance with MfS and Roads in Hertfordshire: Highway Design Guide. Dacorum Borough Council (DBC) is the parking authority for the district and therefore should ultimately be satisfied with the parking provision.</p> <p>SURFACE WATER DRAINAGE:</p> <p>The proposed development would need to make adequate provision for drainage on site to ensure that surface water is disposed of on site and does not discharge onto the highway.</p> <p>REFUSE / WASTE COLLECTION:</p> <p>The submitted planning statement states that a private waste collection company would be used to collect waste.</p> <p>CONCLUSION:</p> <p>HCC as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway, subject to the conditions and informative notes above.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site has been under a commercial land use since the mid-1900s which will have had the potential to result in ground contamination. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.</p>

Contaminated Land Conditions:

Condition 1:

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

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

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

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically

	<p>possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.</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> <p>Please let me know if you have any questions.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	0	0	0	0

Neighbour Responses

Address	Comments
14 Trowley Hill Road Flamstead St Albans Hertfordshire AL3 8EE	<p>RE planning application reference: 20/02738/FUL Redevelopment of commercial site to provide 2no. dwellings with associated access, hardstanding, landscaping and parking Land Rear Of Southern Wood 12 Trowley Hill Road Flamstead Hertfordshire AL3 8EE</p> <p>We wish to strongly object to this planning application for this development of two houses. We live at no. 14 Trowley Hill Rd, the wall of our home is the southern boundary of the proposed access.</p> <p>1 Access Dacorum policy POLICY CS12 states: Quality of Site Design On each site development should:</p>

	<p>a) provide a safe and satisfactory means of access for all users; b) provide sufficient parking and sufficient space for servicing; C) avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties; This proposal meets none of the above. The access is not suitable, the width between no's 14 (built 1799) & 12 (listed building) is 3.3 metres (I've measured it). There is unrestricted parking on Trowley Hill Road, when pulling out of the access, parked cars reduce visibility to zero. A fire officer reported after visiting with his appliance that "stated "that if vehicles were parked on the highway (Trowley Hill road) then fire appliances would be unable to gain access to the development of six new houses" The proposed access is the same & so his assessment is also very relevant to this application. The wall of our home is the southern boundary of the proposed access. The wall is routinely damaged by vehicles hitting the corner of the wall. The developers of the current development think it would be a good idea to put boards against our house during construction to ameliorate any potential damage. This alone suggests there is a problem. (unlike Dacorum planning at least they've accepted the access is problematic). There will also be increased risk to pedestrians, the access is narrow & hidden & the pavement is also very narrow. The houses are two storeys, replacing single storey offices & workshop. They will overlook at least 4 existing houses along Trowley Hill Road. Their orientation is completely at odds with the surrounding properties.</p> <p>2. Inappropriate development in a conservation area. It should be noted that currently, along Trowley Hill Road (western side, that part within the conservation area) that there are currently 14 dwellings. This proposed development (2 dwellings) together with the very recent permission to grant permission for 6 dwellings within the same yard means that there will be 8 new dwellings within this small part of the conservation area, i.e., a very significant increase in housing density in this Conservation Area (a designated Small Village in the Green Belt (Dacorum Council's designation!) .</p>
<p>Holly Cottage 2 Trowley Hill Road Flamstead St Albans Hertfordshire AL3 8EE</p>	<p>I wish to object to the Planning Application number 20/02738/FUL for two further houses to be built on land behind 12 Trowley Hill Road AL3 8EE. Unsurprisingly, the Council's recent decision to grant the previous application to build six houses on this site (19/02993/FUL) has been followed by the same developer's present application to further develop the remaining part of the site, a scenario I predicted in my objection to the previous application (see section 2(b) in my previous submission). This will bring the total number of houses on this site to eight, including a total of 18 car parking spaces (five new ones added to the already approved total of 13; I note that although only four appear on the plan, Section 9 of the present application states that there will be five parking spaces).</p> <p>My objections fall under two heads: [1] the further addition to the</p>

traffic load on this road which can be very busy at key times, together with the additional hazards posed by the very narrow site exit onto the main road, and its restricted visibility, and [2] the direct loss of privacy and amenity to my house and garden (number 2), which backs immediately onto Plot B, and to the neighbouring houses (numbers 4 - 8).

[1] I set out the potential hazards of the increased traffic in my previous submission (section 3 (a-e) of that document). I am aware that Highways confirmed in assessment of the previous submission that there is no objection to the development on Highway Safety Grounds, but this is not the view widely represented in local experience and comments on the previous application. The increased volume of traffic presents hazards to pedestrians and road-users alike; and the original assertion, unsupported by any evidence, that the change of use from a builder's yard to residential will decrease the volume of traffic is manifestly incorrect. To the best of my knowledge, no figures were ever produced by the developers for the existing traffic in and out of the yard, but regular observation over the four years I have lived here suggests that it is much less in volume than will be the daily comings and goings of the proposed 18 permanent on-site vehicles, which will significantly add to the traffic burden in Trowley Hill Road.

[2] Regarding the loss of amenity and privacy that this development poses to my house, there are two aspects:

[a] The garden of plot B would directly abut onto my back garden, and while the side of the house on this plot is immediately adjacent to my neighbours' gardens, where it will certainly intrude, it will also introduce a two-storey building into the outlook from my house and garden, much higher than the existing low structures. My present rear outlook includes an unimpeded view of the westerly sky, distant trees, and the traditionally-tiled single story roof top of the lockups in the builder's yard. I am in no way overlooked, and experience no noise from the existing site. That will change if the development goes ahead.

[b] A particular issue arises from the fact that the development will presumably involve the demolition of a brick storage unit which was built against my rear garden wall many years ago, and forms a significant part of my rear boundary. The traditional garden wall, in the same style as other low walls in the conservation area (eg that bordering the churchyard on Trowley Hill Road), is low, approaching five feet high, but the abutting structure nearly doubles the height. Over many years, and certainly long before we came here, a variety of climbing plants have been trained up this to create a green wall at the end of my garden, giving the garden a sense of seclusion and tranquillity, one of the features which attracted my late husband and myself to the house in the first place. These long-established plants will clearly be destroyed or drastically cut down when the structure is demolished, and that sense of peace and seclusion, which is a part of the appeal of the garden, will go with them.

In addition, the low wall left between the two plots will be easily looked

	<p>over, and the potential noise, disturbance, and visual intrusion will result in significant loss of amenity and privacy for me. There is at present no suggestion in the application of creating greater privacy - for the gardens on both sides of this wall - by creating an appropriate boundary construction of similar height. I would hope that, if this application is approved, such a mitigation would be put in place by the developer.</p> <p>On grounds of [1] an increased risk of traffic hazard on Trowley Hill Road, and [2] a direct and significant loss of privacy and amenity to my house, I strongly object to this planning application.</p>
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c 20/01754/MFA - Land Off Tring Road, Wilstone, Hertfordshire

The report was introduced by the case officer Robert Freeman

There was no proposer or seconder for the application be delegated for approval so it was moved to an alternative motion to refuse.

It was proposed by councillor Utley and seconded by Councillor McDowell that the application be refused

Vote:

For: 5 against: 3 Abstained: 1

Resolved: REFUSED

The proposed development, by reason of its scale and siting would result in significant harm to the character and appearance of the countryside contrary to Policies CS1, CS2, CS7, CS10 and CS20 of the Core Strategy. Although the Council is not currently able to demonstrate a five year housing land supply, the Council are not satisfied that the benefits of allowing development would clearly outweigh the harm to appearance of the countryside under paragraph 11 of the National Planning Policy Framework (NPPF) given that there would be a clear conflict with the requirements under paragraphs 71, 77 and 78 of the NPPF and given a lack of associated infrastructure within the village of Wilstone

d 20/01403/ROC - Land To Rear Of 7 And 9 Anglefield Road, Berkhamsted, Hertfordshire, HP4 3JA

The report was introduced by the case officer Martin Stickley

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Beauchamp that the application be Granted

Vote:

For: 9 against: 0 Abstained: 1

Resolved: GRANTED

- 1. The development hereby permitted shall be begun before 13/09/2021.**

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:

17/119/101D - Proposed Block Plan
17/119/102D - Proposed Block Plan, Street Scene and Location Plan
17/119/103 - Proposed Block Plan - First Floor Plot 2
17/118/1G - Proposed Plans, Elevations and Sections (application reference: 19/02793/ROC)
17/119/1G - Proposed Plans, Elevations and Sections (application reference: 19/02793/ROC)
Arboricultural Report (application reference: 4/01684/18/FUL)
DS31101501.03-A - Tree Protection Plan dated 19.05.2020
Site Management Plan dated 06.04.2020
CS29 Checklist (application reference: 4/01684/18/FUL)
Hard and Soft Landscape Scheme

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

3. The approved hard and soft landscaping details (Hard and Soft Landscape Scheme received 05/06/2020) shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Core Strategy.

4. The windows at first floor level in the easternmost elevations of both of the dwellings hereby approved shall be non-opening below 1.7m from floor level and shall be permanently fitted with obscured glass.

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Core Strategy.

5. Prior to first occupation of the development hereby approved, details of the proposed domestic sprinkler system will be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient strategic infrastructure is provided to support the development in accordance with Policy CS35 of the Core Strategy.

6. The development hereby approved shall not be occupied until details of servicing and refuse collection have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that servicing and refuse vehicles can safely access / egress the site in accordance with Policy CS12 of the Core Strategy.

**7. Repair and Maintenance of Driveway has been added as requested by members and agreed by the applicant. The wording is as follows:
The access road named 'The Oaks' identified on Drawing 17.119.101 (Revision D) shall be repaired post-construction and maintained (subject to normal wear and tear) by the Applicant in accordance with the revised**

Site Management Plan for a period of five years from first occupation of the dwellings hereby approved. The Local Planning Authority shall be notified, in writing, on the first day of occupation.

Reason: To ensure that adequate access is maintained in accordance with Policy 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.
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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Property Services (HCC)	<p>No objection.</p> <p>Further comments received 04/11/20</p> <p>Thank you for your email regarding amended/ additional information being submitted for the above mentioned planning application.</p> <p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p> <p>We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p> <p>Please note this does not cover the provision of fire hydrants and we may contact you separately regarding a specific and demonstrated need in respect of that provision.</p> <p>I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit.</p>

Parish/Town Council	<p>Objection.</p> <p>There is insufficient evidence that the proposed variation would maintain a high standard of sustainable construction, including adequate drainage, contrary to policy CS29 and specified as a condition in the decision notice for application 19/02793/ROC. Further, the current driveway provides inadequate access to all users, contrary to both policy CS12 and the conditions set out in the existing application. Without satisfactory evidence that the new SMP complies with these policies, the Committee objected to this variation.</p> <p>CS12, CS29</p>
Trees & Woodlands	<p>Tree Protection Plan is acceptable. Areas of protective fencing and ground boards are shown in compliance with the British Standard.</p> <p>But tree planting details and numbers need alteration. Seven trees are listed T1 - T7 within the rear garden settings but only detail such as 'Prunus' or 'Acer' is provided. Given that for these two species alone there are thousands of varieties, with many unsuited to this location, further detail is required.</p> <p>Tree sizing suggested is too small to provide an effective visual impact within several years of planting, but too many trees are proposed within the available space. It would be better for the overall site if fewer trees of larger size were used, this ultimately matching much of the surrounding urban landscape in neighbouring properties.</p> <p>Tree species selected (Prunus, Olive, Photinia, Acer, Lilac) are acceptable but variety detail needs providing for the one or two that should be planted per garden. Planting size should be increased from 1 or 2 metres tall (which is very small for trees) to a stem diameter measurement of 8 - 10 cm or 10 - 12cm. At this size, visual amenity is immediately higher without too onerous maintenance.</p> <p>Shrub species proposed are ok.</p> <p>Response from Applicant to Trees and Woodlands Department</p> <p>Thank you for your comments regarding the tree planting, which we have noted.</p> <p>The builder who has developed the garden at 7 Anglefield Road (rear of Plot 1) has, since our amendment to planning submission on the 26th May, planted four trees to provide the required privacy and visual impact. These trees are as follows:-</p> <p>Prunus 'Umineko' x 2 and Acer Royal Red x 2 -</p>

	<p>All these four trees have a girth of 18/20cm and are 3m in height.</p> <p>In view of the trees now planted at 7 Anglefield Road, we feel no more trees than what we are now proposing should be required on that boundary.</p> <p>In addition to this, in the garden of 5 Anglefield Road is a very mature and overly large beech tree which creates shade of at least 4m in the garden of Plot 1. To this effect we have removed T1 and T2 completely. T3, i.e. Photinia Fraseri Red Robin (3m height) remains in position.</p> <p>T4 & T7 in Plot 2 to be changed to Sorbus Aucuparia 18/20cm - 3ms height.</p> <p>T5 is Prunus Serrula 10/12cm 2m</p> <p>The garden of 11 Anglefield Road also has numerous over sized mature trees all the way along the boundary of Plot 2.</p> <p>T6 to be removed.</p> <p>T8 to be removed due to the overhanging trees from neighbouring properties.</p> <p>Further comments from Trees and Woodlands</p> <p>No problem with the revisions. Tree cover is being provided through a slightly different approach.</p>
Hertfordshire Highways (HCC)	<p>Proposal</p> <p>Variation of conditions 2 (Aproved Plans) 3 (Landscape works) 5 (Fire Hydrants) attached to planning permission 19/02793/ROC (Variation of Condition 2 (approved plans) attached to planning permission 4/01684/18/FUL (construction of two detached houses) providing for the re-siting of the forward projection of Plot 1 to the north-west and minor alterations to the fenestration of both Plot 1 and Plot 2.)</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.</p> <p>COMMENTS</p>

	<p>This application is for: Variation of conditions 2 (Approved Plans) 3 (Landscape works) 5 (Fire Hydrants) attached to planning permission 19/02793/ROC (Variation of Condition 2 (approved plans) attached to planning permission 4/01684/18/FUL (construction of two detached houses) providing for the re-siting of the forward projection of Plot 1 to the north-west and minor alterations to the fenestration of both Plot 1 and Plot 2.)</p> <p>ANALYSIS</p> <p>The applicant has submitted documents to support the following:</p> <ul style="list-style-type: none"> - to provide for installation of domestic sprinkler system to protect the development from fire (C.5) - and approval of proposed hard and soft landscaping details (C.3) - and complimentary site management plan, tree protection details and block plan (C.2). <p>CONCLUSION</p> <p>HCC as highway authority has no objections to the variation of conditions.</p>
Conservation & Design (DBC)	No issues with the variations suggested from a design/conservation perspective.
Hertfordshire Fire & Rescue	It appeared to me like firefighter access would not be adequate as they would not be able to squeeze an appliance down the path to where the proposed dwellings will be, and would therefore be parked further than 45m away from the furthest point within the dwelling. Therefore residential sprinklers would act as a compensatory factor in increasing this distance to 90m, and yes I agree a domestic system should be installed as per Approved Document B.
Hertfordshire Property Services (HCC)	<p>Thank you for your email regarding the above mentioned planning application.</p> <p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p> <p>We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p>

	<p>Please note this does not cover the provision of fire hydrants and we may contact you separately regarding a specific and demonstrated need in respect of that provision.</p> <p>I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit.</p>
Parish/Town Council	<p>Objection</p> <p>There remains insufficient evidence that the proposed variation would maintain a high standard of sustainable construction, including adequate drainage, contrary to policy CS29 and specified as a condition in the decision notice for application 19/02793/ROC. Further, the current driveway provides inadequate access to all users, contrary to both policy CS12 and the conditions set out in the existing application. Without satisfactory evidence that the new SMP complies with these policies, the Committee objected to this variation and would expect to see it at Development Management in the future.</p> <p>CS12, CS29</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
13	5	0	5	0

Neighbour Responses

Address	Comments
2 The Oaks Berkhamsted Hertfordshire HP4 3JN	<ul style="list-style-type: none"> - The residents of 2 The Oaks object to this planning application. We are strongly objecting to changes to the existing Sight Management plan and the Hard and Soft landscaping plan. We have no objection to the remainder of the planning application and other variations mentioned. In particular we object to (1) the variance of the existing condition regarding the surfacing of The Oaks itself during and after the construction works; and (2) the creation of inadequate access by dint of the proposed pathway. We believe that the assertions in the application are not supported and are also in conflict with CS9, CS12, CS29, CS31, CS32, and SuDS, as explained in the body of our objections below. - The current applicant bought the site in November 2019 knowing that Planning Permission ref. 4/01684/18/FUL was subject to the current conditions including no.2 stipulating adherence to the Site Management Plan. - The current applicant varied some aspects of the approval in November 2019 in ref 10/02793/DOC but did not seek to vary the Site Management Plan condition, only addressing that now, 7 months

later.

- The original applicant who sought permission to build on this site was E J Waterhouse, a well-known local professional builder/developer. On page 2 of the existing SMP under the heading "Phase 2 driveway construction" he stated that "The existing drive is hardcore with a gravel topping. This is not suitable for construction traffic and will degrade over the period of construction...It is also not now deemed an appropriate finish for Tree Protection areas". This clearly remains the case! The SMP which was then incorporated into the planning permission included installation of a new subsurface/type 3 stone/70mm tarmac prior to the commencement of the construction to be finished with a 70mm resin bound surface after completion. The residents of 2 The Oaks believe this was the correct approach, as approved by Planning.

- Issues with the amended Site Management Plan:

- The applicant states that it is the residents of The Oaks who are responsible for the maintenance of the road. This is incorrect: as stipulated in the title deeds to various properties in the Oaks and Cross Oak Road, between predecessors (to the applicant) in title to The Oaks and the residents, it is the applicant as current owner of the road who is responsible for the repair and maintenance of the road, subject to the residents paying a fair proportion of the cost.

- If the variation to the SMP were granted, this would be manifestly unfair to the existing residents, as the construction damage to the Road inevitably could not be completely remedied by "making good" and hence a consequent financial burden of eventual repair in ensuing years would be unreasonably placed onto existing residents.

- It states that resin-bonded /bound surfaces are not suitable/often fail. This is not accurate: advice has been sought from a leading supplier and its favoured Groundwork Contractor (Addagrip Terraco Ltd and Graveltech) and they have confirmed that their Addaset resin bound surface is completely applicable to a private road such as The Oaks (see NBBA Certificate 16/5288) and is supplied with a 15 year warranty, which would hardly be the case if not suitable for domestically-trafficked roads! Therefore, the statement that costly remedial works to a resin-bound surface would be required, and the view of xxxxxxx xxxxxxx in his letter to the applicant dated 26 May 2020 should be discounted being only a personal opinion without any kind of evidence to support it.

- The SMP also states the existing surface is compatible with other drives nearby: this is irrelevant as other drives serve one property not the six properties that The Oaks will be serving.

- The SMP states that the existing surface offers good drainage: this is false as can be seen with the large pools of standing water prevalent on the existing drive after any significant precipitation.

- The SMP states that recent maintenance has been poor. In response, it should be noted that the likelihood of this development has been looming for 5 years and during that time, a large development project was concluded at the corner with Cross Oak Road which made any subsequent maintenance project inappropriate until these current plans were concluded. Indeed, during those extension works, which were far less invasive than the current proposals, it became clear that the driveway was far from suitable for construction traffic, as recorded in photographs from the time. The

residents of 2 The Oaks have contributed to several maintenance updates every few years at a cost of £000s each time. As the letter from xxxxxxxx xxxxxxxx, submitted by the applicant, confirms "I would strongly advise against implementing any works on the road until such time as the major part or all of the deliveries to the site are over. The trafficking with goods vehicles generally gives rise to damage which will detract from the appearance of the new surface." This is the exact reason why the original applicant, Mr. XXXXXXXXXXXX, whose company built the original roadway and therefore knew better than anyone its limits, committed to installing a tarmac finish prior to construction being commenced.

- The SMP states that the existing surface is suitable for construction traffic and tree root protection: this seems to be on the basis of opinion only (XXXXXX XXXXXXXX, arboricultural consultant / Hereditas Limited) and not supported by any analysis, hence should be disregarded.

- Hereditas seem to be "excavating contractors". They do not appear to have carried out any detailed investigation of the drive.

- The original professional developer (not a private individual) stated that the driveway is not suitable for construction traffic and will degrade over the period of construction.

- The Oaks' residents' Groundwork Contractors (Graveltech, as above) advise this cannot possibly be known without professional core drilling, sampling and analysis.

- The existing surface is certainly demonstrably not SuDS compliant (see regulations, 2010) which the surface stipulated in the existing condition certainly and certifiably will be and hence the opportunity should be taken to address this through this development to ensure its compliance to SuDS regulations. This will reduce excess water runoff and reduce the risk of flooding.

- At "Phase 3, development construction", the existing SMP provides for a jet wash to be kept on site to ensure vehicles can be cleaned before leaving the site and the new tarmac drive be kept clean and mud free. The applicant's proposed plan makes no provision at all for cleaning the driveway on The Oaks during the construction works. Rather, the applicant appears to be concerned with egress onto Cross Oak Road, not The Oaks. During previous recent construction works, The Oaks was rendered almost impassable at times with mud and puddles.

- Compliance with applicable constraints to the Planning Permission: the existing surface would seem to not fully comply with the following constraints:

- EA Source Protection Zone 2 & 3: the amount of Runoff from the existing road surface is unacceptably high: the road has been compacted over the years despite regular maintenance and now there is considerable runoff from the surface, retaining this surface vis the sought amendment will therefore conflict with CS29 part(d) and not comply with SuDS regulations and further conflict with CS 31 part (b). The porosity of the existing surface is insufficient, so that rain does not seep into the ground instead runs off into drains or down the road. Conversely the modern approved surface stipulated in the existing Planning Condition will allow appropriate drainage of rainwater, prevent runoff and fully comply with CS29, CS31 and SuDS regulations (2010).

- TPO (and other) tree protection: there has been no adequate

analysis to demonstrate that the roots of these trees will be adequately protected by the existing road surface and the guessed-at measures of minimal Celweb and "Matting". Certainty can be achieved only by careful excavation/a new sub-base per the Waterhouse Site Management Plan and/or the Addagrip proposals.

- The amendment to the approved SMP Condition 2 appears in conflict with CS9, which states "The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy". As demonstrated previously the existing road (as called for in the amendment) is not compatible with either the increased traffic from construction, nor from >50-100% (dependent on sub-area of the road) routine traffic, whereas the existing SMP's stipulation of surface is carefully specified to be compatible with both.

- The amended SMP conflicts with CS12. Specifically, by installing the new path to the south of the road boundary the width of the road will be reduced significantly, particularly at its narrowest point.

- This will reduce access to vehicles to an unacceptable extent and risk damage to vehicles legitimately kept within the boundaries of 129 Cross Oak Road and 1,2 and 3 The Oaks. (conflict with CS12, parts (a) and (b) and parts of (g).

- Parking Accessibility Zone the pooling of the gravel/shingle makes access difficult especially disabled access. The new path will aid disability access to the new properties but reduce vehicular access as outlined above, (conflict with CS12 part (a)), whereas the existing approved resin-bound surface will not reduce vehicular access at all and will allow disabled access throughout The Oaks and complies with all parts of CS12.

- Retention of the existing surface prevents the improvement in compliance with CS32, in terms of the Noise Pollution arising from vehicular impact on the loose gravel surface, which will be eliminated through implementation of the approved SMP.

- Conclusion:

- - The residents of 2 The Oaks object to this planning application. We strongly object to changes to the existing Sight Management plan and the Hard and Soft landscaping plan. We have no objection to the remainder of the planning application and other variations mentioned. We believe that the assertions in the application are not supported and are also in conflict with with CS9, CS12, CS29, CS31, CS32, and SuDS, as explained in the body of our objections above. Other key points are:

- The requested amendment to retain the existing surface is inadequate for drainage regulations, tree root protection and withstanding construction/increased traffic and is in contravention of at least seven elements of the Core Strategy.

- The surfaces specified in the existing approved Site Management Plan/Condition meet the requirements of all elements of the Core Strategy contravened by the requested amendment:

- are suitable for use for the construction and increased level of traffic and will be warranted for 15 years

- will adequately protect TPO and other trees

- will provide suitable cleaning during the construction period

- will meet current drainage SuDS regulations

- will not increase unfairly the cost burden of maintenance of The

	<p>Oaks to its existing residents and its new residents solely from the development project.</p> <ul style="list-style-type: none"> - Hence Officers should recommend refusal of the amendments sought to the Site Management Plan and Hard & Soft Landscaping Plan. <p>We repeat our strong objections to the variation in conditions relating to the proposed change in driveway surfacing requested in the above-referenced application and support the objections posted by Berkhamsted Town Council.</p> <p>Full documents supporting our objections have been submitted to the Planning Dept. Several key points are noted here:</p> <ul style="list-style-type: none"> - The requested amendment reneges on a previous applicant commitment to improve the surface of the driveway. - The proposed retention of the current gravel surface will not provide an adequate standard of construction, tree root protection, drainage and access for all users and so will not comply with CS29, CS12 and SuDS regulations. - The undertaking in the initial approved planning application to install a new solid surface would create an automatically higher standard in the above four aspects and be CS29, CS12 and SuDS regulations compliant. - The arguments put forward by the applicant for the change lack any analytical, testing or factual data. In addition, the support for the changes by the original applicant is in direct conflict with the comments in his original submission stating that the existing gravel surface was unsuitable to handle construction traffic, for tree root protection, drainage and was outdated. - The applicant has made no effort to obtain substantive expert / industry evidence to provide answers to the objections raised by BTC. - The cost cutting achieved by this requested change is at the expense of quality and will result in an unfair increase in maintenance costs incurred by existing residents due to construction and driveway use by the new residents. - There is confirmation from technical experts that several hard surface options meet all the technical requirements for durability, drainage and tree protection and confer long term warranties/low maintenance costs for residents. <p>In conclusion, our original objections and those of Berkhamsted Town Council remain entirely valid and unaddressed. The requested Planning Condition Amendment should be refused and the surface which the original applicant intended to specify (or similar) should be mandated.</p>
121 Cross Oak Road Berkhamsted	We have a major concern with the proposal to retain the existing the gravel surface of the road rather than replacing it with a solid resin

<p>Hertfordshire HP4 3HZ</p>	<p>surface, per the original Hard and Soft Landscaping Plan. The road is already very noisy, with vehicles disturbing the gravel on a daily basis, and our bedroom window is a few metres away from the road. The increase in vehicles as a result of this development will present a significant noise nuisance if the loose gravel surface is retained, and this contravenes policy CS32 of Dacorum's Core Strategy.</p>
<p>3 The Oaks Berkhamsted Hertfordshire HP4 3JN</p>	<ul style="list-style-type: none"> - While the residents of 3 The Oaks have no objections/comments to parts of the variations to the Approved Conditions sought, we have strong objections to the application to vary the approved Site Management Plan ("SMP") and the Hard & Soft Landscaping Plan, in particular (1) the variance of the existing condition regarding the surfacing of The Oaks itself during and after the construction works; and (2) the creation of inadequate access by reason of the proposed pathway which, as we set out below, are in conflict with CS9, CS12, CS29, CS31, CS32 and SuDS - The current applicant bought the site in November 2019 knowing that Planning Permission ref. 4/01684/18/FUL was subject to the current conditions including no.2 stipulating adherence to the Site Management Plan. - The current applicant varied some aspects of the approval in November 2019 in ref 10/02793/DOC but did not seek to vary the Site Management Plan condition, only addressing that now, 7 months later. - The original applicant who sought permission to build on this site was E J Waterhouse, a well-known local professional builder/developer. On page 2 of the existing SMP under the heading "Phase 2 driveway construction" he stated that "The existing drive is hardcore with a gravel topping. This is not suitable for construction traffic and will degrade over the period of construction...It is also not now deemed an appropriate finish for Tree Protection areas". This clearly remains the case! The SMP which was then incorporated into the planning permission included installation of a new subsurface/type 3 stone/70mm tarmac prior to the commencement of the construction to be finished with a 70mm resin bound surface after completion. The residents of 3 The Oaks believe this was the correct approach, as approved by Planning. - Issues with the amended Site Management Plan: <ul style="list-style-type: none"> - The applicant states that it is the residents of The Oaks who are responsible for the maintenance of the road. This is incorrect: as stipulated in the title deeds to the various properties in The Oaks, it is the applicant as current owner of the road who is responsible for the repair and maintenance of the road, subject to the residents paying a fair proportion of the cost. - If the variation to the SMP were granted, this would be manifestly unfair to the existing residents, as the construction damage to the road inevitably could not be completely remedied by "making good" and hence a consequent financial burden of eventual repair in ensuing years would be unreasonably placed onto existing residents. - It states that resin-bonded /bound surfaces are not suitable/often fail. This is not accurate: advice has been sought from a leading supplier and its favoured Groundwork Contractor (Addagrip Terraco Ltd and Graveltech) and they have confirmed that their Addaset resin bound surface is completely applicable to a private road such as The Oaks

(see NBBA Certificate 16/5288) and is supplied with a 15 year warranty, which would hardly be the case if not suitable for domestically-trafficked roads! Therefore, the statement that costly remedial works to a resin-bound surface would be required, and the view of Stephen Johnson in his letter to the applicant dated 26 May 2020 should be discounted being only a personal opinion without any kind of evidence to support it.

- The SMP also states the existing surface is compatible with other drives nearby: this is irrelevant as other drives serve one property not the six properties that The Oaks will be serving.

- The SMP states that the existing surface offers good drainage: this is false as can be seen with the large pools of standing water prevalent on the existing drive after any significant precipitation.

- The SMP states that recent maintenance has been poor. In response, it should be noted that the likelihood of this development has been looming for 5 years and during that time, a large development project was concluded at the corner with Cross Oak Road which made any subsequent maintenance project inappropriate until these current plans were concluded. Indeed, during those extension works, which were far less invasive than the current proposals, it became clear that the driveway was far from suitable for construction traffic, as recorded in photographs from the time. The residents of 3 The Oaks have contributed to several maintenance updates every few years at a cost of £000s each time. As the letter from Stephen Johnson (submitted by the applicant) confirms "I would strongly advise against implementing any works on the road until such time as the major part or all of the deliveries to the site are over. The trafficking with goods vehicles generally gives rise to damage which will detract from the appearance of the new surface." This is the exact reason why the original applicant, Mr. Waterhouse, whose company built the original roadway and therefore knew better than anyone its limits, committed to installing a tarmac finish prior to construction being commenced.

- The SMP states that the existing surface is suitable for construction traffic and tree root protection: this seems to be on the basis of opinion only (Patrick Styleman, arboricultural consultant / Hereditas Limited) and not supported by any analysis, hence should be disregarded.

- Hereditas seem to be "excavating contractors". They do not appear to have carried out any detailed investigation of the drive.

- The original professional developer (not a private individual) stated that the driveway is not suitable for construction traffic and will degrade over the period of construction.

- The Oaks' residents' Groundwork Contractors (Graveltech, as above) advise this cannot possibly be known without professional core drilling, sampling and analysis.

- The existing surface is certainly demonstrably not SuDS compliant (see regulations, 2010) which the surface stipulated in the existing condition certainly and certifiably will be and hence the opportunity should be taken to address this through this development to ensure its compliance to SuDS regulations. This will reduce excess water runoff and reduce the risk of flooding.

- At "Phase 3, development construction", the existing SMP provides for a jet wash to be kept on site to ensure vehicles can be cleaned before leaving the site and the new tarmac drive be kept clean and

mud free. The applicant's proposed plan makes no provision at all for cleaning the driveway on The Oaks during the construction works. Rather, the applicant appears to be concerned with egress onto Cross Oak Road, not The Oaks. During previous recent construction works, The Oaks was rendered almost impassable at times with mud, pot holes and puddles which presented the risk of personal injury and damage to vehicles.

- Compliance with applicable constraints to the Planning Permission: the existing surface would seem to not fully comply with the following constraints:

- EA Source Protection Zone 2 & 3: the amount of Runoff from the existing road surface is unacceptably high: the road has been compacted over the years despite regular maintenance and now there is considerable runoff from the surface, retaining this surface vis the sought amendment will therefore conflict with CS29 part (d) and not comply with SuDS regulations and further conflict with CS 31 part (b). The porosity of the existing surface is insufficient, so that rain does not seep into the ground instead runs off into drains or down the road. Conversely the modern approved surface stipulated in the existing Planning Condition will allow appropriate drainage of rainwater, prevent runoff and fully comply with CS29, CS31 and SuDS regulations (2010).

- TPO (and other) tree protection: there has been no adequate analysis to demonstrate that the roots of these trees will be adequately protected by the existing road surface and the guessed-at measures of minimal Celweb and "Matting". Certainty can be achieved only by careful excavation/a new sub-base per the Waterhouse Site Management Plan and/or the Addagrip proposals.

- The requested amendment to the approved SMP Condition 2 appears in conflict with CS9, which states "The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy". As demonstrated previously the existing road (as called for in the amendment) is not compatible with either the increased traffic from construction, nor from >50-100% (dependent on sub-area of the road) routine traffic, whereas the existing SMP's stipulation of surface is carefully specified to be compatible with both.

- The amended SMP conflicts with CS12. Specifically, by installing the new path to the south of the road boundary the width of the road will be reduced significantly, particularly at its narrowest point.

- This will reduce access to vehicles to an unacceptable extent and risk damage to vehicles legitimately kept within the boundaries of 129 Cross Oak Road and 1,2 and 3 The Oaks. (conflict with CS12, parts (a) and (b) and parts of (g)).

- Parking Accessibility Zone the pooling of the gravel/shingle makes access difficult especially disabled access. The new path will aid disability access to the new properties but not to 2 and 3 The Oaks. However it will reduce vehicular access as outlined above, (conflict with CS12 part (a)), whereas the existing approved resin-bound surface will not reduce vehicular access at all and will allow disabled access throughout The Oaks and complies with all parts of CS12.

- Retention of the existing surface prevents the improvement in compliance with CS32, in terms of the Noise Pollution arising from vehicular impact on the loose gravel surface, which will be eliminated

through implementation of the approved SMP.

- Conclusion:
- The requested amendment to retain the existing surface is inadequate for drainage regulations, tree root protection and withstanding construction/increased traffic and is in contravention of at least seven elements of the Core Strategy.
- The surfaces specified in the existing approved Site Management Plan/Condition meet the requirements of all elements of the Core Strategy contravened by the requested amendment and:
 - are suitable for use for the construction and increased level of traffic and will be warranted for 15 years
 - will adequately protect TPO and other trees
 - will provide suitable cleaning during the construction period
 - will meet current drainage SuDS regulations
 - will not increase unfairly the cost burden of maintenance of The Oaks to its existing residents and its new residents arising solely from the development project.

Hence Officers should recommend refusal of the amendments sought to the Site Management Plan and Hard & Soft Landscaping Plan that are in conflict with CS9, CS12, CS29, CS31, CS32, SuDS as explained in the body of our objections above.

COMMENTS ON PLANNING APPLICATION 20/01403/ROC

Summary:

While the residents of The Oaks and 129 Cross Oak Road have no objections to the bulk of the variation in conditions requested to the above-referenced application, they continue to object strongly to the parts addressing the change in driveway surfacing. They fully support Berkhamsted Town Council's objections to same, which remain entirely valid. This is for the following main reasons, the full substantiation for which is given on the following pages.

- o The current requested amendment is effectively renegeing on a previous applicant commitment to improve the surface of the driveway dating back nearly three years.
- o The parochial self interest in cost cutting at the expense of quality and the unfair consequent increase in maintenance costs incurred by existing residents due to construction and driveway use by the new residents.
- o The recently confirmed lack of suitability of the current gravel surface due to demonstrable low standards of construction, tree root protection, drainage/runoff and access for all users and therefore non-compliance with CS29, CS12, and SuDS regulations.
- o The technically correct initial undertaking to install a new solid surface which will create an automatically higher standard in the above four aspects and be CS29, CS12 and SuDS regulations compliant.
- o The lack of any analytical, testing or factual data in arguments proffered against a solid surface. None of the documentation lodged by the new applicant justifies the change requested in any quantitative manner, but merely through hearsay and opinion of various inexpert, unspecialised entities, all apparently with a conflict of interest rather

than demonstrably independent.

o Completely erroneous, misleading and inaccurate criticism of the specified surface type arising solely from a confessed applicant error in terminology used at the time of the original application and lack of assiduity in correcting the error subsequently in planning documentation.

o The lack of effort by the applicant to obtain expert input and quotations from specialist hard surfacing companies, which inputs have easily been obtained by the residents (copies attached).

o The confirmation of these inputs that several hard surface options (including that which was mistakenly not originally specified) meet all the technical requirements for durability, drainage and tree protection and confer long term warranties/low maintenance costs for residents as well as full compliance with CS 29, CS12 & SuDS regulations. Hence the original objections of the residents and Berkhamsted Town Council remain entirely valid and unaddressed, the requested Planning Condition Amendment should be refused and the surface which the original applicant admitted to have intended to specify (or similar) should be mandated.

New Comments on amended Site Management Plan (SMP):

o Resin Bonded Gravel: Throughout the SMP (and other documentation to be referenced subsequently) there seems to be an implication that the original applicant's (EJ Waterhouse) commitment and the residents' request/preference was always for a resin bonded surface. In fact, what was originally discussed between the residents and the original applicant, and committed to by him, was a hard surface, superior in properties to the existing gravel surface. This was something which was suggested by the original applicant, who knew the existing driveway was not suitable for the intended project, not by the residents. In an email to the residents on 23rd July 2018 (copy available) the original applicant advised in his point 5: "The tarmac will be installed prior to construction, with the final surface of resin bound gravel added once works are complete. The tarmac provides a durable and easy to clean and maintain surface during construction. I note I have made a mistake. I have specified resin bonded gravel, when in fact I meant resin bound gravel surface". The mistake is referring to the original SMP which was registered on the Dacorum

website on 10th July 2018 (less than two weeks prior to the email). However, it seems strange that Mr Waterhouse has forgotten this aspect in his recent email to the Planning Officer of 20th October 2020, not to mention potentially misleading. It seems he was aware of the limitations of resin bonded gravel even at the time of the original planning application, yet this mistake has not been corrected for over two years. While there has been no meaningful evidence proffered that resin bonded gravel is unsuitable, only hearsay, anecdotal reports and a letter from an individual non-specialist engineer containing further opinion but no factual analysis or evidence, it may well be that resin bonded gravel is not the best choice. Clearly in this case the correct course of action is to correct the uncorrected mistake and specify the surface to be resin bound gravel. Exceptionally under certain circumstances an alternative hard surface which still addresses the shortcomings of loose gravel could be considered (e.g.

block paving). Hence all the Applicants' qualitative arguments against resin bonded surfaces can be disregarded as in essence irrelevant as the inclusion of the term "resin bonded" in all documentation was a self-confessed mistake of the original applicant and should be replaced with the term "resin bound". None of the cited drawbacks of resin-bonded apply to resin bound surfaces, which can therefore be employed by the Applicants with no technical reservations. For the avoidance of doubt, the residents are not insisting and never have, upon a resin finish. The residents consider any sensible solution which deals with the driveway issues as practicable. However, what is important is that the current permission is for a resin finish and if this is not to be used, the Applicants must put forward a positive alternative, something they have at no stage done. Indeed, Mr Stickley (the Planning Officer) has noted this and in his e mail of 16 October 2020 to the Applicants' agent, asked the Applicants to reconsider " the original surfacing material or something else which is more permanent, such as block paving". The residents are not aware whether the Applicants have responded to this.

- o Existing Gravel Surface: There are several assertions over the suitability of the existing surface, including its lack of required maintenance, drainage, tolerance of traffic, tree protection, consistency with neighbouring driveways and re-compaction properties. None of these are true, as demonstrated by the existing condition of the surface and over 20 years' experience of the residents:
 - o The gravel does NOT - as asserted -resettle and recompact. Rather it is eroded in places of frequent use and potholes are created, which gather water which does not drain away and create access hazards, especially for disabled users.
 - o Contrary to the SMP, it is the existing gravel surface which requires significant ongoing and regular maintenance and this will only increase with the damage to be caused, (new item) the newly advised laying of services to the new houses and the >50% increase in vehicular traffic. The owner of the road is responsible for its maintenance, subject to reimbursement of a proportion of the costs from the residents. In practice, this arrangement has not worked in this way. Rather, the residents have themselves maintained the driveway every few years at a cost of many £000s each time. The residents have not arranged such maintenance recently while this development is looming (professional advice is to refrain from such works until construction is complete, as it will cause so much damage). It is understood that the Applicants deny the responsibility for maintenance, even though the deeds are quite clear in this respect. It will therefore doubtless prove difficult to conduct future such maintenance. However alternative suitable hard surfaces such as resin bound and block paving confer comparatively maintenance-free conditions and lengthy warranty periods (see later).
 - o Drainage of the existing surface is demonstrably poor, as evidenced in recent bad weather; large pools of undrained water being present in many parts of the driveway and doubtless does not meet SuDS regulations and CS29. (Photo's attached). Conversely, offers received from industry-leading contractors for resin-bound and block paving options (see later) include permeable construction and demonstrably compliant and certificated drainage to the SuDS regulations and CS29.

- o The original SMP (2018) stated the existing gravel surface " is not suitable for construction traffic and will degrade over the period of construction. It is also an outdated solution for drive surfacing as the maintenance required and finish achieved make it not attractive for new developments. It is also not now deemed an appropriate finish for Tree Protection areas". These very clear statements have not been challenged by the Applicants. It must therefore be concluded that the Applicants agree with the statements. However, they have not proposed any positive solutions. They have simply ignored it, conveniently dropping it from the 2020 SMP. No testing or analysis has been provided to substantiate any assertions of suitability and the laying of a few mats will not materially improve these issues! The Tree Report wording has merely been amended to reflect the new SMP but no further analysis or investigation undertaken. The Hereditas letter is from a specialist in groundworks for timber framed houses, (presumably contracted by the Applicants and therefore conflicted), not in roads/driveways and is merely an opinion not backed up with any evidence or analysis.
- o The reference to the consistency with neighbouring driveways in the original Design and Access statement is disingenuous: all the other properties shown on pages 3 - 5 as referenced serve single properties and not multiple residences. Rather, The Oaks should be compared to Oaklands as shown on page 6, which serves only nine properties but is a hard surface road. This is much more similar in character to a road serving six properties than the one serving six is to a drive serving an individual property! Hence the appropriateness of a hard surface for The Oaks is further substantiated.
- o Use of the driveway for construction traffic: contrary to the statement that the driveway will not be disturbed, it will be damaged significantly by such traffic, based on previous experience from minor construction projects and will not protect tree roots as outlined in the 2018 SMP. Also, in a negative development from the previous SMP, it now emerges that contrary to commitments given by the original applicant the driveway will now be subject to major excavation for utility services causing further damage, from which experience has shown it will not be possible to 'make good' the driveway satisfactorily.

Comments on "Additional Information: Letter from Agent"

In general, along with other application documents, this letter is very general in nature containing mostly opinion and hearsay and very little actual factual information or statements substantiated by any evidence or analysis and hence should largely be disregarded. (Paragraph references are given for ease of referral).

o Para 1, 5, 10: Despite several attempts to contact the previous planning officer, including by the Planning Consultant retained by the residents (<https://www.planningsense.co.uk/>), this never proved possible. Therefore it is not known what the position of the previous officer was on this issue and whether there was any intention to bring the matter to a DMC meeting. It was certainly never noted on the council website or communicated to the residents, is therefore hearsay and is now irrelevant/should be disregarded.

o Para 3,4: Berkhamsted Town Council's objection was properly made and recorded and it is inappropriate for the Applicants' agent to attempt to circumvent the prescribed process as any such

	<p>communication should come from the current Planning Officer.</p> <p>o Para 6, 7: The Council's objections remain valid and unaddressed (and hence should not be withdrawn):</p> <p>o Objection (1): High standard construction, drainage/CS29/as per original condition: no new data lodged with Dacorum since June addresses this in any substantive manner. The amended Site Management Plan is inadequate, misdirected and totally qualitative in nature. Rather than show how the proposed retention of the existing structure meets these requirements, it seeks to undermine the existing approval's rationale, but does it wrongly by addressing resin bonded surfaces rather than the original applicant's intended resin bound surface. There has been no core drilling/ sampling/ analysis consequently it cannot be demonstrated in any way that the existing loose gravel construction is at a high level of sustainability with adequate drainage. Rather, there is plentiful empirical evidence to the contrary by dint of the pot holes/water pooling and other visible low standards of construction, which is not even sought to be addressed by the spurious requested amendment. Moreover these issues will be unequivocally exacerbated by (1) the construction traffic, (2) the laying of services and (3) increased vehicular traffic from the new houses.</p> <p>o Objection (2): Inadequate access/CS12/existing application: again, no new data has been lodged addressing how the proposed retention of the existing structure meets this requirement. In fact, it is impossible because retention of loose gravel cannot confer the improved disabled and all user access compliant with CS12 throughout The Oaks which would be a corollary benefit of the hard surface stipulated in the existing condition. Also, refer to the original Design & Access Statement lodged 10 July 2018, p 13 and 14, which stipulates a resin bonded (sic: bound) surface to "make it easier for all users" and "suitable for access by those with disabilities and the use of a bonded gravel surface for the shared driveway will make access easier for all". This document has not been amended, hence the Planning Approval is conditional on it being implemented, which makes the Council's objection very valid still. A further issue here is that the width at the narrowest point from the boundary of no. 2 to that of no. 1 The Oaks would be only 2.88M if a path is added. This is less than recommended inbuilding Regulations for normal access at 3.2M and too narrow for fire engines/ambulances etc. Hence the condition specifying a hard surface with no path required should be retained.</p> <p>o Para 8, 9: Specialist consultees: they advise only on the issues of public interest and statutory/regulatory requirements. Hence the absence of any objections to the</p>
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	<p>surfacing of a private road does not mean there are no issues, merely that they do not fall within their remit, and hence absence of such comments from these departments does not indicate that the amended condition sought meets the required standard of sustainable construction and access; this is the remit of the planning authorities of Dacorum and locally, Berkhamsted, whose objections are still therefore valid.</p> <p>o Para 11: Laying of Services: now it is apparent that services must be laid along The Oaks and that the arrangements made by the original applicant through 7 Anglefield Road have proven inadequate/unacceptable to the power and gas companies. This work, however arranged, will self-evidently create even more damage to the road than not undertaking it at all and, independent of any assertions to the contrary, will automatically bring with it reduced structural integrity of the road and increased risk to the tree root systems which could be better minimised if implementing the concomitant systematic careful excavation/replacement of the sub-base for a hardsurface installation.</p> <p>o Para 12, 13 (Entire text of Mr. Waterhouse's email) ,14, 17: Little reliance can be placed on the substance of the comments quoted, firstly due to their general and unsubstantiated nature and secondly as, of course, the original applicant has a commercial obligation to the Applicants by dint of the sizeable consideration paid for the transfer of ownership of The Oaks and the failure to ensure the agreed provision of services as identified above, necessitating further expense for the Applicants. As such there is clearly a conflict of interest preventing a truly independent view. Also, as already detailed above, Mr. Waterhouse has singularly failed to identify to the Planning Authority the "mistake" he made in the original SMP from 2018, of which he subsequently advised residents, in that he intended to specify a Resin Bound and not Resin Bonded finish. Hence all his comments concerning the unsuitability of resin-bonded surfaces should be disregarded as, while qualitative in nature and unsubstantiated, they are in any case irrelevant as the surface under consideration should be resin bound. Conversely, Mr Waterhouse's original</p>
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	<p>comments in the 2018 SMP concerning the unsuitability of the existing loose gravel surface are still completely relevant and valid and have not been addressed by the Applicants..</p> <p>o Regarding the reference to "NHBC current guidance is for 420mm make up under the resin bonded topping", firstly, as shown above, this is irrelevant as resin bonded was an error and the intended surface was/is resin bound. Secondly, no specific document reference is given and a detailed review and search of the NHBC website identifies no such guidance. However what is available and is presented as a definitive standard rather than guidance, is "NHBC Standards section 10.2.6: Drives, Paths and Landscaping", see link https://nhbc-standards.co.uk/10-external-works/10-2-drives-paths-andlandscaping/10-2-6-drives-paths-and-landscaping/ This clearly shows in table 3 that required depths of make-up (1) depend crucially on the CBR (Californian Bearing Ratio) of the soil, (2) ranges from 100mm to 325mm with no Geotextile membrane, (3) is reduced by 100mm at the 2-3% and 3-5% range if a Geotextile membrane is included and (4) is the same for any type of gravel (table 3 does not differentiate between bonded and loose gravel). Since no core testing samples have been taken/presented the depth of the existing sub-base and its CBR is not known. As pure clay has a value of ~2%, what is present is indubitably higher, probably in the 3-7% range, according to one Ground Contractor expert in local installation of resin bound surfaces, (http://graveltech.co.uk/) consulted. At these levels, the depth of sub-base mandated by the NHBC Standard is 150mm-250mm with no membrane and 150mm with a membrane.</p> <p>o Information received from Addagrip Terraco (https://www.addagrip.co.uk/ , a multi £M turnover nationwide driveway construction company) and its groundwork contractor (http://graveltech.co.uk/) during and post a site visit to The Oaks confirms that its Addabound resin bound surface is fully applicable for use in this case. It has BBA approval (https://www.addagrip.co.uk/286/bba-certification), is permeable and SUDS</p>
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compliant, employs Celweb for tree root protection and has a 15 year warranty, thus ensuring no ongoing maintenance costs for residents for the foreseeable future. The usual construction for Addabound is 150mm of type 1 material, 60mm of permeable tarmac and 18mm of Addabound, making only 228mm in total, well within NHBC standards. See email from Addagrip.

- o Alternatively a block paving alternative could be considered at lower cost, The Landscape Group (<https://www.thelandscape-group.com/>), a leading local company in the field, consulted due to the fact it undertook the last major maintenance of the Oaks and installed the block paving apron at the entrance) has undertaken a site visit and confirmed it envisages no problems in a block paving solution, assuming a 250mm base depth, involving excavation of 100mm and installation of a membrane with options for solid or permeable block paving options.(See proposal).
- o Both resin bound and permeable block paving options are sufficiently porous for the tree roots, and flexible for the forecast traffic and far lower/negligible maintenance and therefore more practical than gravel, which remains far less sustainable more maintenance-intensive and a lower standard than either hard surface option.
- o Para 14, 15,16,17: While a hard surface option is more expensive than inadequately "making good" of the existing gravel surface, in the long term the total cost will be cheaper, avoiding costly maintenance every few years. This cost will be exacerbated by the increased vehicle traffic to/from the new houses and unfairly therefore increase this burden on existing residents. Various vexatious assertions of maintenance costs of hard surfaces have been dispelled above as erroneous, several mistaken "facts" corrected and the mistaken use of the term resin bonded corrected to resin bound. This makes it seem apparent that the motive for seeking to vary the planning condition is solely cost-driven and not technical nor construction or tree protection-driven at all. As the new applicant knew of the existing planning condition at the time of purchase, cost is not an admissible consideration.

	<p>o Para 17: it is not true that specialist officers support the amendment (they merely haven't objected based on their specific remit) and they supported at least to the same extent the original application with its existing conditions. Equally the "specialist consultees' " input has been shown to be not very specialist, as well as irrelevant /inappropriate/conflicted and Mr Waterhouse's latest text invalid, due to his focus on resin bonded surface issues and the lack of rectification of his mistake in terminology of not using the correct term "resin bound".</p> <p>CONCLUSION</p> <p>Through the detailed analysis and information given above it has been demonstrated that in consideration of the requested amendment to vary the planning conditions:</p> <ul style="list-style-type: none"> o Berkhamsted Town Council's objections to the amendment on the grounds of lack of a high standard of sustainable construction and inadequate drainage/access (for disabled users and due to reduced width) are valid and the objections should not be withdrawn. o The amendment to the Planning Condition addressing the Driveway surface, chiefly the Site Management Plan (SMP) (and any associated documents) should be refused by the Planning Department. o Subsequently the conditions/documents should be amended to substitute the term "Resin Bound" wherever "Resin Bonded" is used, due to the admitted mistake of the original applicant and all comments / data on the unsuitability of "Resin Bonded" surfaces in the documents and suitability of loose gravel should be disregarded/ deleted. o The SMP should be amended/updated to require the installation of a Resin Bound surface, such as Addagrip's Addabound or equivalent. o Exceptionally, there could be consultation on the acceptability of an alternative, permanent driveway proposal such as a block paving option, with permeability requirements to be stipulated by The Planning Department. <p>Other - failure of the Applicants to provide suitable proposals for adequate surfacing of the driveway during and post construction.</p> <p>While the residents of 3 The Oaks have no objections to the bulk of the variation in conditions requested to the above-referenced application, they continue to object strongly to the parts addressing the change in driveway surfacing. They fully support Berkhamsted Town Council's objections to same, which remain entirely valid. This is</p>
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	<p>for the following main reasons, the full substantiation is in the documentation provided to the planning officer, sent by e mail on 13 November 2020.</p> <ul style="list-style-type: none"> - The current requested amendment is effectively renegeing on a previous applicant commitment to improve the surface of the driveway dating back nearly three years. - The parochial self interest in cost cutting at the expense of quality and the unfair consequent increase in maintenance costs incurred by existing residents due to construction and driveway use by the new residents. - The recently confirmed lack of suitability of the current gravel surface due to demonstrable low standards of construction, tree root protection, drainage/runoff and access for all users and therefore non-compliance with CS29, CS12, and SuDS regulations . - The technically correct initial undertaking to install a new solid surface which will create an automatically higher standard in the above four aspects and be CS29, CS12 and SuDS regulations compliant. - The lack of any analytical, testing or factual data in arguments proffered against a solid surface. None of the documentation lodged by the new applicant justifies the change requested in any quantitative manner, but merely through hearsay and opinion of various inexpert, unspecialised entities, all apparently with a conflict of interest rather than demonstrably independent. - Completely erroneous, misleading and inaccurate criticism of the specified surface type arising solely from a confessed applicant error in terminology used at the time of the original application and lack of assiduity in correcting the error subsequently in planning documentation. - The lack of effort by the applicant to obtain expert input and quotations from specialist hard surfacing companies, which inputs have easily been obtained by the residents (copies given to the planning officer as above). - The confirmation of these inputs that several hard surface options (including that which was mistakenly not originally specified) meet all the technical requirements for durability, drainage and tree protection and confer long term warranties/low maintenance costs for residents as well as full compliance with CS 29, CS12 & SuDS regulations. <p>Hence the original objections of the residents and Berkhamsted Town Council remain entirely valid and unaddressed, the requested Planning Condition Amendment should be refused and the surface which the original applicant admitted to have intended to specify (or similar) should be mandated.</p>
<p>129 Cross Oak Road Berkhamsted Hertfordshire HP4 3JB</p>	<p>We have no objections/comments to most of the variations to the Approved Conditions sought; however, we have strong objections to the part which seeks to vary the approved Site Management Plan ("SMP") and the Hard & Soft Landscaping Plan, in particular (1) the variance of the existing condition regarding the surfacing of The Oaks itself during and after the construction works; and (2) the creation of inadequate access by dint of the proposed pathway since these contravene many parts of relevant Core Strategies, including CS9, CS12,CS29, CS31, CS32 and applicable SuDS regulations, as detailed in the body of our objections set out below.</p>

We assume that the current applicant bought the site in November 2019 knowing that Planning Permission ref. 4/01684/18/FUL was subject to the current conditions including no.2 stipulating adherence to the Site Management Plan. The current applicant also varied some aspects of the approval in November 2019 in ref 10/02793/DOC but did not seek to vary the Site Management Plan at that time.

The original applicant who sought permission to build on this site was E J Waterhouse, a well-known local professional builder /developer. On page 2 of the existing SMP under the heading "Phase 2 driveway construction" he stated that "The existing drive is hardcore with a gravel topping. This is not suitable for construction traffic and will degrade over the period of construction. It is also not now deemed an appropriate finish for Tree Protection areas". This clearly remains the case! The SMP which was then incorporated into the planning permission included installation of a new subsurface/type 3 stone / 70mm tarmac prior to the commencement of the construction to be finished with a 70mm resin bound surface after completion. We believe this was the correct approach, as approved by Planning. Issues with the amended Site Management Plan.

The applicant states that it is the residents of The Oaks who are responsible for the maintenance of the road. This is incorrect: as stipulated in the title deeds to various properties in the Oaks and Cross Oak Road, between predecessors (to the applicant) in title to The Oaks and the residents, it is the applicant as current owner of the road who is responsible for the repair and maintenance of the road, subject to the residents paying a fair proportion of the cost.

If the variation to the SMP were granted, this would be manifestly unfair to the existing residents, as the construction damage to the Road inevitably could not be completely remedied by "making good" and hence a consequent financial burden of eventual repair in ensuing years would be unreasonably placed onto existing residents.

It states that resin-bonded /bound surfaces are not suitable/often fail. This is not accurate: advice has been sought from a leading supplier and its favoured Groundwork Contractor (Addagrip Terraco Ltd and Graveltech) and they have confirmed that their Addaset resin bound surface is completely applicable to a private road such as The Oaks (see NBBA Certificate 16/5288) and is supplied with a 15 year warranty, which would hardly be the case if not suitable for domestically-trafficked roads! Therefore, the statement that costly remedial works to a resin-bound surface would be required, and the view of Stephen Johnson in his letter to the applicant dated 26 May 2020 should be discounted being only a personal opinion without any kind of evidence to support it.

The SMP also states the existing surface is compatible with other drives nearby: this is irrelevant as other drives serve one property not the six properties that The Oaks will be serving.

The SMP states that the existing surface offers good drainage: this is false as can be seen with the large pools of standing water prevalent

	<p>on the existing drive after any significant precipitation.</p> <p>The SMP states that recent maintenance has been poor. In response, it should be noted that the likelihood of this development has been looming for 5 years and so it was considered inappropriate for any major maintenance work to be conducted until these current plans were concluded. Consequently, the only maintenance completed in those 5 years was the remedial work required following completion of building works to my property in 2017. Although the work on my property was far less invasive than the current proposals, it became clear that the driveway was far from suitable for construction traffic, particularly during heavy rain, when half of the The Oaks towards Cross Oak Road became a mess with mud and puddles.</p> <p>Over the years we have contributed to several maintenance updates at a cost of £000s each time. As the letter from Stephen Johnson submitted by the applicant confirms "I would strongly advise against implementing any works on the road until such time as the major part or all of the deliveries to the site are over. The trafficking with goods vehicles generally gives rise to damage which will detract from the appearance of the new surface." This is the exact reason why the original applicant, Mr. Waterhouse, whose company built the original roadway and therefore knew better than anyone its limits, committed to installing a tarmac finish prior to construction being commenced. Mr. Waterhouse had also witnessed the impact of my comparatively minor building works (versus clearance of derelict land and construction of two new houses) on the driveway, which clearly influenced his decision to change the surface.</p> <p>The SMP states that the existing surface is suitable for construction traffic and tree root protection: this seems to be on the basis of opinion only (Patrick Styleman, arboricultural consultant / Hereditas Limited) and not supported by any analysis, hence should be disregarded. Hereditas seem to be "excavating contractors". They do not appear to have carried out any detailed investigation of the drive.</p> <p>The original professional developer (not a private individual) stated that the driveway is not suitable for construction traffic and will degrade over the period of construction.</p> <p>The Oaks' residents' Groundwork Contractors (Graveltech, as above) advise this cannot possibly be known without professional core drilling, sampling and analysis.</p> <p>The existing surface is certainly demonstrably not SuDS compliant (see regulations, 2010) which the surface stipulated in the existing condition certainly and certifiably will be and hence the opportunity should be taken to address this through this development to ensure its compliance to SuDS regulations. This will reduce excess water runoff and reduce the risk of flooding.</p> <p>At "Phase 3, development construction", the existing SMP provides for a jet wash to be kept on site to ensure vehicles can be cleaned before leaving the site and the new tarmac drive be kept clean and mud free. The applicant's proposed plan makes no provision at all for cleaning the driveway on The Oaks during the construction works. Rather, the applicant appears to be concerned with egress on to Cross Oak Road, not The Oaks.</p> <p>Compliance with applicable constraints to the Planning Permission:</p>
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	<p>the existing surface would seem to not fully comply with the following constraints:</p> <p>EA Source Protection Zone 2 & 3: the amount of Runoff from the existing road surface is unacceptably high: the road has been compacted over the years despite regular maintenance and now there is considerable runoff from the surface, retaining this surface vis the sought amendment will therefore conflict with CS29 part(d) and not comply with SuDS regulations and further conflict with CS 31 part (b). The porosity of the existing surface is insufficient, so that rain does not seep into the ground instead runs off into drains or down the road. Conversely the modern approved surface stipulated in the existing Planning Condition will allow appropriate drainage of rainwater, prevent runoff and fully comply with CS29, CS31 and SuDS regulations (2010).</p> <p>TPO (and other) tree protection: there has been no adequate analysis to demonstrate that the roots of these trees will be adequately protected by the existing road surface and the guessed-at measures of minimal Celweb and "Matting". Certainty can be achieved only by careful excavation/a new sub-base per the Waterhouse Site Management Plan and/or the Addagrip proposals.</p> <p>The amendment to the approved SMP Condition 2 appears in conflict with CS9, which states "The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy". As demonstrated previously the existing road (as called for in the amendment) is not compatible with either the increased traffic from construction, nor from >50-100% (dependent on sub-area of the road) routine traffic, whereas the existing SMP's stipulation of surface is carefully specified to be compatible with both.</p> <p>The amended SMP conflicts with CS12. Specifically, by installing the new path to the south of the road boundary the width of the road will be reduced significantly, particularly at its narrowest point. This will reduce access to vehicles to an unacceptable extent and risk damage to vehicles legitimately kept within the boundaries of 129 Cross Oak Road and 1, 2 and 3 The Oaks. (conflict with CS12, parts (a) and (b) and parts of (g)).</p> <p>Parking Accessibility Zone the pooling of the gravel/shingle makes access difficult especially disabled access. The new path will aid disability access to the new properties but reduce vehicular access as outlined above, (conflict with CS12 part (a)), whereas the existing approved resin-bound surface will not reduce vehicular access at all and will allow disabled access throughout The Oaks and complies with all parts of CS12.</p> <p>Retention of the existing surface prevents the improvement in compliance with CS32, in terms of the Noise Pollution arising from vehicular impact on the loose gravel surface, which will be eliminated through implementation of the approved SMP.</p> <p>Conclusion: The requested amendment to the Site Management and Landscaping Plans specifies a road surface which is inadequate for drainage regulations, tree root protection and withstanding construction/increased traffic and is in contravention of at least seven applicable Core Strategies, including CS9, CS12, CS29, CS31, CS32 and the relevant SuDS regulations, as explained in the body of our</p>
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objections above.

Conversely the surfaces specified in the existing approved Site Management Plan/Condition meet the requirements of all elements of the Core Strategy contravened by the requested amendment, as set out above:

- are suitable for use for the construction and increased level of traffic and
- will be warranted for 15 years
- will adequately protect TPO and other trees
- will provide suitable cleaning during the construction period
- will meet current drainage SuDS regulations
- will not increase unfairly the maintenance cost burden of The Oaks to its existing residents arising solely from the development project.

Therefore we request that Officers should recommend refusal of the amendments sought to the Site Management Plan and Hard & Soft Landscaping Plan.

Comments of residents of 129 Cross Oak Road on Planning Application 20/01403/ROC

We repeat our strong objections to the variation in conditions relating to the proposed change in driveway surfacing requested in the above-referenced application and support the objections posted by Berkhamsted Town Council.

Full documents supporting our objections have been submitted to the Planning Dept. Several key points are noted here:

- The requested amendment reneges on a previous applicant commitment to improve the surface of the driveway.
- The proposed retention of the current gravel surface will not provide an adequate standard of construction, tree root protection, drainage and access for all users and so will not comply with CS29, CS12 and SuDS regulations.
- The undertaking in the initial approved planning application to install a new solid surface would create an automatically higher standard in the above four aspects and be CS29, CS12 and SuDS regulations compliant.
- The arguments put forward by the applicant for the change lack any analytical, testing or factual data. In addition, the support for the changes by the original applicant is in direct conflict with the comments in his original submission stating that the existing gravel surface was unsuitable to handle construction traffic, for tree root protection, drainage and was outdated.
- The applicant has made no effort to obtain substantive expert / industry evidence to provide answers to the objections raised by BTC.
- The cost cutting achieved by this requested change is at the expense of quality and will result in an unfair increase in maintenance

	<p>costs incurred by existing residents due to construction and driveway use by the new residents.</p> <ul style="list-style-type: none"> - There is confirmation from technical experts that several hard surface options meet all the technical requirements for durability, drainage and tree protection and confer long term warranties/low maintenance costs for residents. <p>In conclusion, our original objections and those of Berkhamsted Town Council remain entirely valid and unaddressed. The requested Planning Condition Amendment should be refused and the surface which the original applicant intended to specify (or similar) should be mandated.</p>
<p>1 The Oaks Berkhamsted Hertfordshire HP4 3JN</p>	<ul style="list-style-type: none"> - While the residents of 1 The Oaks have no objections/comments to most of the variations to the Approved Conditions sought, we have strong objections to the part which seeks to vary the approved Site Management Plan ("SMP") and the Hard & Soft Landscaping Plan, in particular (1) the variance of the existing condition regarding the surfacing of The Oaks itself during and after the construction works; and (2) the creation of inadequate access by dint of the proposed pathway since these contravene many parts of relevant Core Strategies, including CS9, CS12, CS29, CS31, CS32 and applicable SuDS regulations, as detailed in the body of our objections set out below. - The current applicant bought the site in November 2019 knowing that Planning Permission ref. 4/01684/18/FUL was subject to the current conditions including no.2 stipulating adherence to the Site Management Plan. - The current applicant varied some aspects of the approval in November 2019 in ref 10/02793/DOC but did not seek to vary the Site Management Plan condition, only addressing that now, 7 months later. - The original applicant who sought permission to build on this site was E J Waterhouse, a well-known local professional builder/developer. On page 2 of the existing SMP under the heading "Phase 2 driveway construction" he stated that "The existing drive is hardcore with a gravel topping. This is not suitable for construction traffic and will degrade over the period of construction...It is also not now deemed an appropriate finish for Tree Protection areas". This clearly remains the case! The SMP which was then incorporated into the planning permission included installation of a new subsurface/type 3 stone/70mm tarmac prior to the commencement of the construction to be finished with a 70mm resin bound surface after completion. The residents of 1 The Oaks believe this was the correct approach, as approved by Planning. - Issues with the amended Site Management Plan: <ul style="list-style-type: none"> - The applicant states that it is the residents of The Oaks who are responsible for the maintenance of the road. This is incorrect: as stipulated in the title deeds to various properties in the Oaks and Cross Oak Road, between predecessors (to the applicant) in title to The Oaks and the residents, it is the applicant as current owner of the road who is responsible for the repair and maintenance of the road, subject to the residents paying a fair proportion of the cost.

	<ul style="list-style-type: none"> - If the variation to the SMP were granted, this would be manifestly unfair to the existing residents, as the construction damage to the Road inevitably could not be completely remedied by "making good" and hence a consequent financial burden of eventual repair in ensuing years would be unreasonably placed onto existing residents. - It states that resin-bonded /bound surfaces are not suitable/often fail. This is not accurate: advice has been sought from a leading supplier and its favoured Groundwork Contractor (Addagrip Terraco Ltd and Graveltech) and they have confirmed that their Addaset resin bound surface is completely applicable to a private road such as The Oaks (see NBBA Certificate 16/5288) and is supplied with a 15 year warranty, which would hardly be the case if not suitable for domestically-trafficked roads! Therefore, the statement that costly remedial works to a resin-bound surface would be required, and the view of Stephen Johnson in his letter to the applicant dated 26 May 2020 should be discounted being only a personal opinion without any kind of evidence to support it. - The SMP also states the existing surface is compatible with other drives nearby: this is irrelevant as other drives serve one property not the six properties that The Oaks will be serving. - The SMP states that the existing surface offers good drainage: this is false as can be seen with the large pools of standing water prevalent on the existing drive after any significant precipitation. - The SMP states that recent maintenance has been poor. In response, it should be noted that the likelihood of this development has been looming for 5 years and during that time, a large development project was concluded at the corner with Cross Oak Road which made any subsequent maintenance project inappropriate until these current plans were concluded. Indeed, during those extension works, which were far less invasive than the current proposals, it became clear that the driveway was far from suitable for construction traffic, as recorded in photographs from the time. The residents of 1 The Oaks have contributed to several maintenance updates every few years at a cost of £000s each time. As the letter from Stephen Johnson, submitted by the applicant, confirms "I would strongly advise against implementing any works on the road until such time as the major part or all of the deliveries to the site are over. The trafficking with goods vehicles generally gives rise to damage which will detract from the appearance of the new surface." This is the exact reason why the original applicant, Mr. Waterhouse, whose company built the original roadway and therefore knew better than anyone its limits, committed to installing a tarmac finish prior to construction being commenced. - The SMP states that the existing surface is suitable for construction traffic and tree root protection: this seems to be on the basis of opinion only (Patrick Styleman, arboricultural consultant / Hereditas Limited) and not supported by any analysis, hence should be disregarded. - Hereditas seem to be "excavating contractors". They do not appear to have carried out any detailed investigation of the drive. - The original professional developer (not a private individual) stated that the driveway is not suitable for construction traffic and will degrade over the period of construction. - The Oaks' residents' Groundwork Contractors (Graveltech, as
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above) advise this cannot possibly be known without professional core drilling, sampling and analysis.

- The existing surface is certainly demonstrably not SuDS compliant (see regulations, 2010) which the surface stipulated in the existing condition certainly and certifiably will be and hence the opportunity should be taken to address this through this development to ensure its compliance to SuDS regulations. This will reduce excess water runoff and reduce the risk of flooding.
- At "Phase 3, development construction", the existing SMP provides for a jet wash to be kept on site to ensure vehicles can be cleaned before leaving the site and the new tarmac drive be kept clean and mud free. The applicant's proposed plan makes no provision at all for cleaning the driveway on The Oaks during the construction works. Rather, the applicant appears to be concerned with egress onto Cross Oak Road, not The Oaks. During previous recent construction works, The Oaks was rendered almost impassable at times with mud and puddles.
- Compliance with applicable constraints to the Planning Permission: the existing surface would seem to not fully comply with the following constraints:
 - EA Source Protection Zone 2 & 3: the amount of Runoff from the existing road surface is unacceptably high: the road has been compacted over the years despite regular maintenance and now there is considerable runoff from the surface, retaining this surface vis the sought amendment will therefore conflict with CS29 part(d) and not comply with SuDS regulations and further conflict with CS 31 part (b). The porosity of the existing surface is insufficient, so that rain does not seep into the ground instead runs off into drains or down the road. Conversely the modern approved surface stipulated in the existing Planning Condition will allow appropriate drainage of rainwater, prevent runoff and fully comply with CS29, CS31 and SuDS regulations (2010).
 - TPO (and other) tree protection: there has been no adequate analysis to demonstrate that the roots of these trees will be adequately protected by the existing road surface and the guessed-at measures of minimal Celweb and "Matting". Certainty can be achieved only by careful excavation/a new sub-base per the Waterhouse Site Management Plan and/or the Addagrip proposals.
- The amendment to the approved SMP Condition 2 appears in conflict with CS9, which states "The traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy". As demonstrated previously the existing road (as called for in the amendment) is not compatible with either the increased traffic from construction, nor from >50-100% (dependent on sub-area of the road) routine traffic, whereas the existing SMP's stipulation of surface is carefully specified to be compatible with both.
- The amended SMP conflicts with CS12. Specifically, by installing the new path to the south of the road boundary the width of the road will be reduced significantly, particularly at its narrowest point.
- This will reduce access to vehicles to an unacceptable extent and risk damage to vehicles legitimately kept within the boundaries of 129 Cross Oak Road and 1,2 and 3 The Oaks. (conflict with CS12, parts (a) and (b) and parts of (g).

	<ul style="list-style-type: none"> - Parking Accessibility Zone the pooling of the gravel/shingle makes access difficult especially disabled access. The new path will aid disability access to the new properties but reduce vehicular access as outlined above, (conflict with CS12 part (a)), whereas the existing approved resin-bound surface will not reduce vehicular access at all and will allow disabled access throughout The Oaks and complies with all parts of CS12. - Retention of the existing surface prevents the improvement in compliance with CS32, in terms of the Noise Pollution arising from vehicular impact on the loose gravel surface, which will be eliminated through implementation of the approved SMP. - Conclusion: <ul style="list-style-type: none"> - The requested amendment to the Site Management and Landscaping Plans specifies a road surface which is inadequate for drainage regulations, tree root protection and withstanding construction/increased traffic and is in contravention of at least seven applicable Core Strategies, including CS9, CS12, CS29, CS31, CS32 and the relevant SuDS regulations, as explained in the body of our objections above. - Conversely the surfaces specified in the existing approved Site Management Plan/Condition meet the requirements of all elements of the Core Strategy contravened by the requested amendment, as set out above: <ul style="list-style-type: none"> - are suitable for use for the construction and increased level of traffic and will be warranted for 15 years - will adequately protect TPO and other trees - will provide suitable cleaning during the construction period - will meet current drainage SuDS regulations - will not increase unfairly the maintenance cost burden of The Oaks to its existing residents arising solely from the development project. - Therefore we request that Officers should recommend refusal of the amendments sought to the Site Management Plan and Hard & Soft Landscaping Plan. <p>While the residents of 1 The Oaks have no objections to the bulk of the variation in conditions requested to the above-referenced application, they continue to object strongly to the parts addressing the change in driveway surfacing. They fully support Berkhamsted Town Council's objections to same, which remain entirely valid. This is for the following main reasons, the full substantiation for which is given in documentation provided to the Planning Officer.</p> <ul style="list-style-type: none"> - The current requested amendment is effectively renegeing on a previous applicant's commitment to improve the surface of the driveway and recognition of the inadequacy of the existing surface dating back nearly three years. - The apparent applicant's sole interest in cost cutting at the expense of technical quality and the unfair consequent increase in maintenance costs incurred by existing residents due to construction and driveway use by the new residents. - The recently confirmed lack of suitability of the current gravel surface due to demonstrable low standards of construction, tree root protection, drainage/runoff and access for all users and therefore non-compliance with CS29, CS12, and SuDS regulations . - The technically correct initial undertaking and planning condition to install a new solid surface which will create an automatically higher
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	<p>standard in the above four aspects and be CS29, CS12 and SuDS regulations compliant.</p> <ul style="list-style-type: none"> - The lack of any analytical, testing or factual data in arguments proffered against a solid surface. None of the documentation lodged by the new applicant justifies the change requested in any quantitative manner, but merely through hearsay and opinion of various inexperienced, unspecialised entities, all apparently with a conflict of interest rather than demonstrably independent. - Completely erroneous, misleading and inaccurate criticism of the specified surface type arising solely from a confessed applicant error in terminology used at the time of the original application (resin bonded) and lack of assiduity in correcting the error subsequently in planning documentation (to resin bound). - The lack of effort by the applicant to obtain expert input and quotations from specialist hard surfacing companies, which inputs have easily been obtained by the residents (copies provided to Planning Officer). - The confirmation of these inputs that several hard surface options (including that which was mistakenly not originally specified but was meant to be: resin bound) meet all the technical requirements for durability, drainage and tree protection and confer long term warranties/low maintenance costs for residents as well as full compliance with CS 29, CS12 & SuDS regulations. <p>Hence the original objections of the residents and Berkhamsted Town Council remain entirely valid and unaddressed, the requested Planning Condition Amendment should be refused and the surface which the original applicant admitted to have intended to specify (resin bound or similar, e.g. block paving) should be mandated.</p>
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e 20/02507/FUL - Amenity Green, Front Of 7 To 9 Hasedines Road, Hemel Hempstead, Hertfordshire, HP1 3RA

The report was introduced by the case officer Martin Stickley

Councillor Guest declared a personal interest as she had worked on the parking scheme in Hasedines Road at a residents request, she comes to this with an open mind.

It was proposed by councillor Riddick and seconded by Councillor Woolner that the application be Granted

Vote:

For: 9 against: 0 Abstained: 2

Resolved: GRANTED

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

Site Location Plan
DBC/018/009 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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	<p>The application comprises of the construction of 12 car parking bays on amenity land at Hasedines Road, Hemel Hempstead, which is designated as an unclassified local access road. The proposed parking area is located on an amenity grassed area between the highway carriageway in front and highway footpath behind and is not on land which is considered to be part of the highway.</p> <p>Further comments</p> <p>Apologies that is a mistake from my end. I meant 3m wide parking bays rather than the normal 2.4m wide parking bays (not 5m wide).</p> <p>There would not be any objections from a 3m wide parking bays along this stretch.</p> <p>If you need any further comments please do not hesitate to contact me.</p> <p>VEHICLE ACCESS & PARKING:</p> <p>The general location the car parking spaces (as shown on submitted drawing number DBC/018/119) is considered to be acceptable by HCC as Highway Authority. Nevertheless it is recommended that the</p>

proposed car parking spaces are widened to at least 5m. This is due to the adjacent carriageway on Hasedines Road being approximately 5.3m wide (less than the normally recommended 6m required for easy and safe movement of a car into and out of a standard car parking space with a width of 4.8m). Please refer to Manual for Streets, Section 8.3.51 and 8.3.52 for further details in relation to this.

Vehicles would have to either reverse in or out of the car parking spaces although this is considered to be acceptable when taking into consideration the status and nature of the highway.

It is not clear from the application whether or not any alterations would be required on the adjacent highway carriageway or footpath. If any alterations are required then the applicant would need to enter into a section 278 agreement with HCC as Highway Authority in relation to the technical approval and implementation of any highway works required.

An increased level of car parking would most likely encourage a proportion of local trips that could be made on foot or by bike to be made by car. Nevertheless this would be off-set by the potential benefit of removing a number of parked vehicles from the surrounding highway carriageways and footways, which affects the free and safe of use for pedestrians and cyclists.

CONCLUSION:

HCC would not have any significant objections to the proposals but would recommend that the parking spaces are widened, the reasons of which have been outlined in this response.

Further comments

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.

The application comprises of the construction of 12 car parking bays on amenity land at Hasedines Road, Hemel Hempstead, which is designated as an unclassified local access road. The proposed parking area is located on an amenity grassed area between the highway carriageway in front and highway footpath behind and is not on land which is considered to be part of the highway.

The carriageway on Hasedines Road is approximately 5.3m wide (less than the normally recommended 6m required for easy and safe

	<p>movement of a car into and out of a standard car parking space with a width of 4.8m) as detailed in Manual for Streets, Sec 8.3.51 / 8.3.52. Therefore an amended plan (drawing no. DBC/018/009 A) has been submitted including car parking spaces with a width of 3m. Vehicles would have to either reverse in or out of the car parking spaces although this is considered to be acceptable when taking into consideration the status and nature of the highway. The amended plans are considered to be acceptable and HCC as Highway Authority would not have any objections or further comments in relation to the planning application.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
10	3	0	2	1

Neighbour Responses

Address	Comments
4 Hasedines Road Hemel Hempstead Hertfordshire HP1 3RA	<p>Whilst parking on this street is an issue at times, I do not believe that this will solve the issue. As we are within a zone that has no parking restrictions, we constantly are faced with a street full of cars and commercial vehicles that do not belong to residents of the street. I believe that the creation of this parking will further attract more of this behaviour. A constant problem is people parking their cars/vans and leaving them for days, even weeks, at a time and this development will just increase people doing this, Just last week a large Luton Box van was parked on our street for 8 days in a row. Many of the surrounding streets have limited parking and these additional spaces will attract those to park here. It may be improved if the spaces are available to just the residents of the street only. As a resident of the street I would be more than willing to pay for a parking space, despite the fact that I have a driveway.</p> <p>Additionally, this ruins the look of the street. Hasedines Road is one of the more attractive streets in the area due to the grass bank, and this takes away a huge chunk of this and would make the street less desirable. Especially if it is littered with commercial vehicles.</p>
9 Hasedines Road Hemel Hempstead Hertfordshire HP1 3RA	Support to the extent that parking spaces will only be available to residents of Hasedines Road, given there is already an issue with non-residents parking on our street
6 Hasedines Road Hemel Hempstead Hertfordshire HP1 3RA	We have serious concerns about the increase of non-residential parking by business/commercial vehicles. This is already a persistent issue and sources of frustration for us residents on Hasedines Road. The least the council should do in protecting the interest of residents is that new parking spaces are restricted to residents or the council

	<p>does not allow parking, particularly overnight and whole weekends of non-residential commercial vehicles using residential space parking spaces.</p> <p>We have serious concerns about the increase of traffic on what is already a busy street. Increased number of parking spaces and vehicles on the street will increase vehicle vandalism.</p> <p>It is the duty of the council to protect the benefits for those of us resident on Hasedines Road and requires the council to give our concerns careful consideration and the plans for additional parking spaces should address these expressed concerns.</p>
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f 20/02900/FHA - Bingham's Park, Potten End Hill, Water End, Hemel Hempstead, Hertfordshire, HP1 3BN

The report was introduced by the case officer Jane Miller

It was clarified that this is before the committee as Mrs Symington is an elected member of Council, she is not a current member of the Development Management Committee

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Maddern that the application be Granted

Vote:

For: 10 against: 0 Abstained: 1

Resolved: GRANTED

- 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 and approved plans.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies 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:**

site location plan received 26.11.2020
block plan received 26.11.2020

- 20/1054/1 existing ground floor**
- 20/1054/2 existing first floor**
- 20/1054/9 existing roof plan**
- 20/1054/3 existing east and west elevation**
- 20/1054/4 existing north and south elevation**
- 20/1054/5 proposed ground floor plan received 01.12.2020**
- 20/1054/6 proposed first floor plan received 01.12.2020**
- 20/1054/7 proposed east and west elevations received 01.12.2020**
- 20/1054/8 proposed north and south elevation received 01.12.2020**

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<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. However, the application includes the relocation of an oil tank.</p> <p>As such, it is considered that the following contaminated land informative shall be sufficient, if planning permission is to be granted. This highlights the potential for unexpected contamination arising from the oil tank and associated pipework to be encountered and if present for it to be dealt with in an appropriate way.</p> <p>Informative Should any ground contamination be encountered during the relocation of the oil tank and associated pipework, works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme</p>

	<p>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 it be needed, for guidance on the appropriate installation of new domestic oil storage please refer to the following webpage https://www.gov.uk/oil-storage-regulations-and-safety/home</p> <p>21.10.2020 No comment for noise and Air pollution.</p>
The Chiltern Society	no response received
Chilterns Conservation Board	no response received
Parish/Town Council	No objection
Conservation & Design (DBC)	<p>Confirming our meeting, we agreed that, given the fact it could not be moved back from the front elevation satisfactorily, the rebuilding of the bootroom was acceptable, with the configuration of the altered roof as shown with twin gables.</p> <p>With the proposed rooflight to the main range now omitted from the application, this removes one of the original objections.</p> <p>On another matter, it was noted that the newly rebuilt gables to the east elevation had not been finished as shown on the approved drawings, and that this would form a separate application to regularise the changes.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
14	0	0	0	0

Neighbour Responses

Address	Comments

g 20/02901/LBC - Bingham's Park, Potten End Hill, Water End, Hemel Hempstead, Hertfordshire, HP1 3BN

The report was introduced by the case officer Jane Miller

It was proposed by councillor Maddern and seconded by Councillor Beauchamp that the application be Granted

Vote:

For: 10 against: 0 Abstained: 1

Resolved: GRANTED

1. **The works hereby permitted shall begin before the expiration of three years from the date of this consent.**

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990, as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004.

2. **The works hereby permitted shall be constructed in accordance with the materials specified on the application form and approved plans.**

Reason: To ensure that the character or appearance of the designated heritage asset is preserved or enhanced in accordance with Policy CS27 of the Dacorum Borough Core Strategy (2013) and Section 16 of the National Planning Policy Framework (2019).

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

site location plan received 26.11.2020
block plan received 26.11.2020
20/1054/1 existing ground floor
20/1054/2 existing first floor
20/1054/9 existing roof plan
20/1054/3 existing east and west elevation
20/1054/4 existing north and south elevation
20/1054/5 proposed ground floor plan received 01.12.2020
20/1054/6 proposed first floor plan received 01.12.2020
20/1054/7 proposed east and west elevations received 01.12.2020
20/1054/8 proposed north and south elevation received 01.12.2020

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

Informatives:

1. Listed building consent has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (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
Historic England	<p>Thank you for your letter of 02 October 2020 regarding the above application for listed building consent. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are enclosed.</p> <p>If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.</p>
Parish/Town Council	No objection
Conservation & Design (DBC)	<p>03.12.2020 'that confirming our meeting, we agreed that, given the fact it could not be moved back from the front elevation satisfactorily, the rebuilding of the bootroom was acceptable, with the configuration of the altered roof as shown with twin gables. With the proposed rooflight to the main range now omitted from the application, this removes one of the original objections. On another matter, it was noted that the newly rebuilt gables to the east elevation had not been finished as shown on the approved drawings, and that this would form a separate application to regularise the changes'.</p> <p>20.10.2020 This is a variation on the existing permission. Could we ask for more of an explanation as to why the boot room extension requires a complex double gabled roof - would a simple hipped roof not suffice?</p> <p>Also I note there's a rooflight shown on the main roof - was this part of the allowed permission - if it is part of this application, I would be concerned that it may be cutting through the original framed rafters.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	0	0	0	0

Neighbour Responses

Address	Comments
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h 20/00979/FUL - 3 Grove Farm Cottage, Marshcroft Lane, Tring, Hertfordshire, HP23 5PP

The report was introduced by the case officer Jane Miller

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Beauchamp that the application be Granted

Vote:

For: 10 against: 0 Abstained: 1

Resolved: GRANTED

- 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. Prior to first use of the development hereby permitted, parking spaces and the vehicular accesses shall be provided and thereafter retained at the position shown on the approved plan drawing number 04H. Prior to the first use of the development hereby permitted arrangement shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.**

Reason: To ensure satisfactory parking, access into the site and avoid the carriage of extraneous material or surface water onto the highway , in accordance Policy CS8 of the Dacorum Borough Core Strategy (2013), Policy 5 of Hertfordshire's Local Transport Plan (2018), the National Planning Policy Framework (2019), and the Car Parking Standards SPD (November 2020)

- 3. Notwithstanding the submitted plans, full details of the layout and siting of proposed Electric Vehicle Charging Points and any associated infrastructure for the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented prior to first occupation in accordance with the agreed details.**

Reason: to enable future occupiers to charge low emission vehicles in a safe and accessible way in accordance with Policy CS8 of the Dacorum Borough Core Strategy (2013), the Dacorum Borough Council Parking Standards Supplementary Planning Document (November 2020), and

Paragraph 110 (e) of the National Planning Policy Framework (2019). The SPD identifies three accessibility zones and varies the parking requirement accordingly. The application site is located within Zone 3 wherein a three bedroom dwellings are expected to provide 1.8 spaces per dwelling where the spaces are unallocated, and 2.25 spaces where allocated. The plans shows allocated spaces hence 2.25 spaces.

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

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 2 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).

5. **Notwithstanding the details shown on Drawing No. 05 rev G 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.

6. **No development above slab level 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).

7. **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 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, and to ensure that sufficient amenity space is retained for future occupiers, in accordance with saved Appendix 3 of the Dacorum Local Plan, Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

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

- 01 F Proposed location plan and proposed site plan**
- 02 C existing site plan**
- 03 G existing floor plans and elevations**
- 04 H proposed site plan**
- 05 G proposed floor plans and elevations**

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the

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

2. ECP Informatives

Construction Hours of Working - (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.

Construction Dust Informative

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

Noise on Construction/Demolition Sites Informative

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

3. Highway Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

1. Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads->

and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047.

The applicant would need to be aware that it may be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements if the level of the highways works is deemed to be too much to be carried out under a standard new access agreement with the Highway Authority.

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.

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.

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.

4. Land Contamination Informative

In the event that ground contamination is encountered 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.

5. 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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development. However, although it is acknowledged that there is no formal land use on or immediately adjacent to the application site that would be expected to result in ground contamination, the proposed end use is for a new residential dwelling. This is a sensitive land use that would be vulnerable to the presence of any contamination and so it is considered appropriate for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where present will be remediated.</p> <p>Given the small scale of the development and site specific circumstances it is considered that completion of the land contamination assessment questionnaire for small development sites with proposed sensitive end uses would be proportionate. This questionnaire has been attached to the email and should be completed by the applicant and returned to the LPA. If the information provided within the questionnaire is satisfactorily completed before the planning decision is made and it does not highlight any issues then there is no need for contaminated land conditions.</p> <p>If the questionnaire is not completed prior to the decision notice then the following planning conditions should be included if permission is granted. The completed questionnaire may then be sufficient to discharge the conditions.</p> <p>Contaminated Land Conditions: Condition 1: (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.</p>

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

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

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

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented

prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

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

Informative:

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

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

09.06.2020 - update following receipt of questionnaire from agent

Having reviewed the completed Land Contamination Assessment Questionnaire we are satisfied that it provides sufficient information of the site to no longer warrant full contaminated land conditions. However, as it is a new development and will involve significant ground works the following informative is recommended.

Land Contamination Informative

In the event that ground contamination is encountered 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.

21.05.20

Town and Country Planning Act 1990

Application: 20/00979/FUL

Description: Construction of new dwelling connected to existing semi-detached properties. External refurbishment of existing two properties (renewal of application 4/01574/17/FUL).

Location: 3 Grove Farm Cottage Marshcroft Lane Tring Hertfordshire HP23 5PP

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.

Construction Hours of Working - (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.

Construction Dust Informative

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

Noise on Construction/Demolition Sites Informative

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

Parish/Town Council	The Council recommended no objection to this application. (20.05.2020)
Hertfordshire Highways (HCC)	See below.
Trees & Woodlands	<p>With regard to Planning Application 20/00979/FUL.</p> <p>According to the information submitted trees will require removal to facilitate the development. I consider the trees to have low amenity value and, when evaluated against the merits of the scheme, should not pose a constraint to the development. Consequently, I have no objections to the application and recommend it being approved in full.</p>
Hertfordshire Ecology	<p>Reference: 20/00979/FUL</p> <p>Proposal: Construction of new dwelling connected to existing semidetached properties. External refurbishment of existing two properties (renewal of application 4/01574/17/FUL)</p> <p>Address: 3 Grove Farm Cottage Marshcroft Lane Tring Hertfordshire HP23 5PP</p> <p>Thank you for consulting Hertfordshire Ecology on the above. I am not aware of any existing habitat or species data for this site; however there are records of roosting bats in the area.</p> <p>Given the location and nature of the site, and lack of apparent characteristics of the building, 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 prior to determination.</p> <p>However, in the event that bats are found, given the proposal will involve some modification to the roof, I advise a precautionary approach to the works is taken and recommend the following Informative is added to any permission granted.</p> <p>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 trust these comments are of assistance.</p>
Hertfordshire Highways (HCC)	<p>Proposal</p> <p>AMENDED PROPOSAL</p> <p>Construction of new dwelling connected to existing semidetached properties. External refurbishment of existing two properties (renewal of application</p>

4/01574/17/FUL).

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 accesses, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

2. Pedestrian visibility splays of .65m x .65m shall be provided, and thereafter maintained, on both sides of the new vehicle crossover, which will be restricted a to a double width, ie as per Roads in Herts - Highway design guide 3rd edt guidance, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.

Reason: In the interest of highway safety.

3. The proposed parking spaces shall have measurements of 2.4m x 4.8m respectively. Such spaces shall be maintained as a permanent ancillary to the development shall be paved and shall be used for no other purpose.

Reason: The above condition is required to ensure the adequate provision of off-street parking at all times in order to minimise the impact on the safe and efficient operation of the adjoining Highway.

4. Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

The Highway Authority would ask that the following note to the

applicant be appended to any consent issued by the local planning authority.

INFORMATIVES:

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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/drop-ped-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: 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.

COMMENTS

The proposal is for Construction of new dwelling connected to existing semi-detached properties.

External refurbishment of existing two properties (renewal - application ref: 4/01574/17/FUL).

PARKING

According to drawing no 2446 04 F " Car Parking amended", four parking spaces are proposed in total: two for the new property and one for each of the current properties.

ACCESS

Although drawing no 2446 04 F " Car Parking amended", indicates that there are two existing VXOs for no 3 Grove Farm Cottage, a site visit on 29/09/2017 confirmed that there are no formal vxos in existence.

All proposed vxos on this drawing therefore are new ones and should be constructed by a contractor who is authorised to work in the public highway, as detailed in informative note 1 above.

	<p>Marshcroft Lane is an unclassified local access road, with a 30mph speed limit. There have been no accidents within the vicinity of the site for the last 5 years.</p> <p>CONCLUSION</p> <p>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>
Parish/Town Council	<p>20/00979/FUL The Council recommended REFUSAL of this application on the following grounds:</p> <p>loss of amenity to residents of existing properties</p> <p>no kitchen windows at No. 3 would lead to detrimental impact on resident</p> <p>parking issue caused at front of houses (20.08.2020)</p>
Hertfordshire Highways (HCC)	<p>22.10.2020</p> <p>Proposal</p> <p>AMENDED PROPOSAL</p> <p>Construction of new dwelling connected to existing semidetached properties. External refurbishment of existing two properties (renewal of application 4/01574/17/FUL).</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>1. Prior to the first use of the development hereby permitted the vehicular accesses shall be provided and thereafter retained at the position shown on the approved plan drawing number 04H. Prior to the first use of the development hereby permitted arrangement shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>Highway Informatives</p> <p>HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>1. Construction standards for new/amended vehicle access: Where</p>

works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration.

Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/drop-ped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047. The applicant would need to be aware that it may be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements if the level of the highways works is deemed to be too much to be carried out under a standard new access agreement with the Highway Authority.

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.

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

	<p>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.</p> <p>4. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.</p> <p>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> <p>Comments / Analysis</p> <p>The submitted amended proposed site plan (04 rev. H) is considered to be acceptable and would remove the need for the originally recommended conditions in relation to the visibility and size of the parking spaces as they have been sufficiently demonstrated to be provided on the amended plan. Anyhow the required visibility splays would be through existing highway verge.</p> <p>Please refer to the above highway informative in relation to the works required to create the new vehicle crossovers to the properties. The applicant would need to be aware that a Section 278 Highway Agreement may be required if the level of the highways works is deemed to be too much to be carried out under a standard VXO agreement with the Highway Authority.</p>
Parish/Town Council	Tring Town Council recommended REFUSAL of this application due to insufficient alteration from previous application to warrant a change of opinion. Therefore, loss of amenity to resident of middle terrace property and inadequate parking provision. (29.10.2020)

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
13	2	0	2	0

Neighbour Responses

Address	Comments
<p>8 The Grove Marshcroft Lane Tring Hertfordshire HP23 5PN</p>	<p>While the inclusion of improvement of the general appearance of the existing houses is to be welcomed (the lack of maintenance of the external materials by the owners is a disgrace) the details of the submitted proposals are disturbingly contradictory and although no works are shown to the two existing houses internally, the blocking up of the window and doorway at the rear of No.3 clearly presents Building Control issues detrimentally affecting escape in an emergency and ventilation, solutions to which would have a bearing on the application details.</p> <p>My biggest concern is the car parking proposals which will have a major impact on the visual amenity of this rural Lane both for residents of the Lane and the public on this much-used and loved walking route.</p> <ul style="list-style-type: none"> - The PROPOSED SITE PLAN shows a convoluted and disingenuous boundary shape which misrepresents the reality of the existing and proposed site: the pedestrian access to No.3 is excluded from the application (outside the application red line site) but the existing arrangement is an enclosed and fenced front garden which does not provide access to the door from the road and therefore cannot be excluded from the application site without making a nonsense of the application; similarly, the proposed pedestrian access to the front door of the new house shown as outside the application boundary, does not exist. - THE PROPOSED SITE PLAN would also seem to misrepresent the scale of the site: where cars are shown on the drawing in front of living room windows, the actual distance between the front wall and site boundary is a bit less than 4.5m but the Borough standard for a parking space length is 5m. It would therefore not be possible to park as shown on the drawing within the site boundary. - House no.4 has two existing car parking spaces outside the application site but not shown on the proposal (although No.4 building is within the red line). That may affect the parking criteria. - Is parking right up in front of other' peoples living room windows an acceptable arrangement, even if there was enough space? - The proposed parking arrangements, which include 3 new crossovers from the road (one double-width), would replace the existing and attractive grassed verge outside the site boundary with a swathe of tarmac (and the front gardens of the houses with hard-paved surfaces) which would significantly reduce the rural amenity value of this part of the Lane. -The PROPOSED PERSPECTIVES drawing is a gross misrepresentation of the impact of the development: it shows the retention of the grass verges, full width cottagy fencing and garden spaces in front of the houses when the proposed site plan clearly

illustrates the intention to replace them with hard surface!

Contrary to the Consultation comments from your 'Trees and Woodland' people I would assert that the trees and woodland on the rear half of the site do indeed have 'high amenity value' (not 'low') by any criteria and their proposed removal with no replacement (neither the existing or proposed plans show any trees on the application site - a clear mis-representation to the authority) would be a significant reduction in visual amenity for residents, neighbours and the public and loss of habitat for possibly protected wildlife. Has an ecological survey been carried out?

I believe the current application should be rejected until the applicants resolve the serious inconsistencies and deficiencies in the application which would then allow the main proposal to be reassessed.

Text for Dacorum online Planning comments 21-8-20

It would seem that this re-consultation is essentially the same as the original submission (but has just removed the grossly misrepresentative '3D images') and my objections remain for the same reasons. Additionally, I don't know where the applicants have got their measurements from but they have added dimensions for existing parking spaces which are completely wrong! The area dimensioned "5.8m" on the application plan is actually 2m; The distance from the end of No.4 to the far side of the existing fence is 2.8m; the distance from the left hand side of the front door of No.4 to the far side of the 'existing fence' is only 4.9m!

In addition to the errors around the parking area to no.4, cars are shown on the drawing parked in front of living room windows, the actual distance between the window of no.3 and site boundary is 4.2m not the 4.9m shown (I've been out to measure it) but the Borough Standard for a parking space length is 5m. It would therefore be impossible to park cars as shown on the drawing within the site boundary.

None of the existing paths or fences are shown nor are any of the existing trees, plants and hedges on the site. The difference between paving, grassed area and gravel crossovers are not identified. Contrary to the statement on the application form, no waste storage or existing or proposed drainage is indicated.

Please confirm a site visit will or has been made to check these details.

Has an ecological survey really been rejected? I understand there are newts in the pond and hedgehogs in the carefully created wildlife garden, to the rear of No.4.

While I do not object in principle to the extension of the terrace, the consequences of the current proposals are unacceptable. I believe the current application should be rejected because of mis-representation and the significant loss of amenity to the existing occupiers and neighbourhood, as previously described.

Thank you

<p>3 Grove Farm Cottage Marshcroft Lane Tring Hertfordshire HP23 5PP</p>	<p>Hi, I am the tenant living in 3 grove farm cottages. I know we can't say much because I'm sure our landlords would give us a months notice to leave and probably get someone else in. There is two reasons I object and the first is the will be bricking up 4 windows and a back door to build the new property so this will leave what is a lovely bright and airy house into a dark cavern with no natural light coming into the kitchen, hall, landing, stairs and toilet upstairs. Also if you should be in the utility/out house room and a fire should occur in the kitchen then there is no way of leaving the room. Just one other thing is it's going to destroy a lovely garden which has a pond with frogs and newts in it and a wild area which has hedgehogs living. It's a fantastic place and area to live just a shame it's go to be altered to squeeze an extra house there.</p>
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i 20/03181/FHA - 3 St Katherines Way, Berkhamsted, Hertfordshire HP4 1DA

The report was introduced by the case officer Natasha Vernal

It was proposed by Councillor Wyatt-Lowe and seconded by Councillor Riddick that the application be Granted

Vote:

For: 10 against: 0 Abstained: 1

Resolved: 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:

- 105.2 A
- 105.3 A

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. The flank windows at first floor level in the southern elevation of the extension hereby permitted shall be non-opening below 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).

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
Parish/Town Council	Objection The Committee's objection had not altered from when the application was last considered in October 2020, which is that it proposes a significant overdevelopment of the site. They also noted objections from neighbouring residents on the portal. CS12
Archaeology Unit (HCC)	Please note that we have no comments to make on the above application.
Parish/Town Council	Objection The application proposes a significant overdevelopment of the site. CS12

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	4	0	4	0

Neighbour Responses

Address	Comments
1 Mortain Drive Berkhamsted Hertfordshire	Objection to AMENDED plans: 1. As my property is already several feet below the ground level of no.3 the additional height of a two storey building and loft extension

HP4 1JZ	<p>will be overbearing. This is definitely an over development. It is too high, too close to my property and a visual intrusion.</p> <ol style="list-style-type: none"> 2. My hedges on the boundary will be affected and 3. The side window intrudes on privacy.
<p>1 Mortain Drive Berkhamsted Hertfordshire HP4 1JZ</p>	<p>I am objecting to the erection of the Two Storey Side Extension and Loft Conversion proposal for the following reasons:</p> <ol style="list-style-type: none"> 1. Visual Intrusion <ol style="list-style-type: none"> a. My property is already several feet below the ground level of no: 3, therefore, to have the additional height of a two storey building and the additional depth of the box type loft extension overlooking my property, would be extremely overbearing and a visual intrusion. b. At present I look at a nice soft hedge which helps with my wellbeing. If planning permission is granted, I will be looking at a massive brick wall with huge box looming over my property. 2. Loss of Privacy <ol style="list-style-type: none"> a. Window will overlook my property. 3. Hedge/Trees <ol style="list-style-type: none"> a. My hedge/trees will be affected and destroyed as this is on the border to which they intend to build up to. <p>I would be extremely grateful if someone could come to my house and see for themselves the impact this will have.</p>
<p>4 Mortain Drive Berkhamsted Hertfordshire HP4 1JZ</p>	<p>The design of the proposed works represents a complete loss of privacy as it will overlook my property in its entirety with direct views into bedrooms and provide a complete view of the land. Having reviewed the amended plans, I object to the proposition.</p> <ol style="list-style-type: none"> 1. The proposed works would completely over look my property with direct views into bedrooms and bathroom and rear of my property in its entirety. This represents a direct invasion of privacy. 2. The proposed works will block the sunlight for an additional two hours as it passes across the horizon during autumn and winter where the sun is low. This represents a loss of light that enters my house and passes over my garden. 3. The proposed works will add additional height over the garage, effectively doubling the size of the shadow the property casts and blocking the sky with building. As the property is building higher up on the hill, expanding its frame will create a very real sense of being over-watched as the building looms over my property and neighbouring properties. 4. General dislike of the proposal given that sky is replaced with building. The work represents significant over development of a property and impacts a number of neighbouring properties due to the existing increased height. Whilst I empathise with the proposal, the impact of light, loss of privacy, and replacing neighbours views with

	<p>brickwork doesn't balance out. There will be a very measurable devaluation of neighbouring properties should this work proceed.</p> <p>5. The style indicated in the proposal isn't quite in keeping with the other properties and doesn't sit well. It looks crammed in to land that doesn't support it. It is a classic example of over development that will jar with the look of the neighbourhood.</p>
<p>3 Mortain Drive Berkhamsted Hertfordshire</p>	<p>The rear of the property will extend 3.5 additional meters to the rear and then there is a patio added on. There is an additional floor. These will now both look directly into my garden and property. I think that this is a significant overdevelopment</p>

6 ADDENDUM

The Meeting ended at 9.35 pm