



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

THURSDAY 17 DECEMBER 2020 AT 6.30 PM
MICROSOFT TEAMS - MICROSOFT TEAMS

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

**Should any members of the public wish to join this meeting, please contact the
Assistant Director (Corporate & Contracted Services) at
member.support@dacorum.gov.uk by 5pm on Wednesday 16th November**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

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

For further information, please contact member.support@dacorum.gov.uk or 01442 228209

AGENDA

1. MINUTES

To confirm the minutes of the previous meeting (these are circulated separately)

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

It is requested that Members declare their interest at the beginning of the relevant agenda item and it will be noted by the Committee Clerk for inclusion in the minutes.

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation.

Time per speaker	Total Time Available	How to let us know	When we need to
3 minutes	Where more than 1 person wishes to speak on a planning application, the shared time is increased from 3 minutes to 5 minutes.	In writing or by phone	5pm the day before meeting.

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

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

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

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

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

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

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

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

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

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

5. INDEX TO PLANNING APPLICATIONS

- (a) 20/02519/MFA - Paradise Fields, St Albans Road, Hemel Hempstead Hertfordshire (Pages 5 - 51)
- (b) 20/02738/FUL - Land Rear Of Southern Wood, 12 Trowley Hill Road, Flamstead, Hertfordshire, AL3 8EE (Pages 52 - 83)
- (c) 20/01754/MFA - Land Off Tring Road, Wilstone, Hertfordshire (Pages 84 - 169)
- (d) 20/01403/ROC - Land To Rear Of 7 And 9 Anglefield Road, Berkhamsted, Hertfordshire, HP4 3JA (Pages 170 - 208)
- (e) 20/02507/FUL - Amenity Green, Front Of 7 To 9 Hasedines Road, Hemel Hempstead, Hertfordshire, HP1 3RA (Pages 209 - 216)
- (f) 20/02900/FHA - Bingham's Park, Potten End Hill, Water End, Hemel Hempstead, Hertfordshire, HP1 3BN (Pages 217 - 227)
- (g) 20/02901/LBC - Bingham's Park, Potten End Hill, Water End, Hemel Hempstead, Hertfordshire, HP1 3BN (Pages 228 - 234)
- (h) 20/00979/FUL - 3 Grove Farm Cottage, Marshcroft Lane, Tring, Hertfordshire, HP23 5PP (Pages 235 - 261)
- (i) 20/03181/FHA - 3 St Katherines Way, Berkhamsted, Hertfordshire HP4 1DA (Pages 262 - 269)

ITEM NUMBER: 5a

20/02519/MFA	Construction of 58 apartments, external amenity spaces and communal garden/play area.	
Site Address:	Paradise Fields St Albans Road Hemel Hempstead Hertfordshire	
Applicant/Agent:	Mr Ian Johnson	Mr Stuart Darling
Case Officer:	James Gardner	
Parish/Ward:	Hemel Hempstead (No Parish)	Adeyfield West
Referral to Committee:	DBC Application	

1. RECOMMENDATION

That planning permission be **GRANTED**

2. SUMMARY

2.1 The site forms part of local allocation H/7 and is within close proximity to Hemel Hempstead town centre. The principle of residential development is therefore acceptable, with densities broadly in line with Policy 21 of the Dacorum Local Plan.

2.2 In design terms, the development is considered to be well thought out and would positively contribute to the local area, thereby according with Policies CS10, CS11 and CS12 of the Dacorum Core Strategy (2013).

2.3 There would be no adverse impact on the nearest residential dwellings, thereby according with Policy CS12 of the Dacorum Core Strategy and Appendix 3 of the Dacorum Local Plan.

2.4 The scheme would provide 100% affordable housing (social rent) and thus exceeds the requirements of Policy CS19 of the Dacorum Core Strategy.

3. SITE DESCRIPTION

3.1 Paradise fields is a greenfield site with an area of approximately 1 hectare (240m in width by 45m in depth). It has an extensive frontage of about 230m on St. Albans Road (A414) to the south and includes a dense wooded area to the west, comprising approximately 0.3 hectares that extends to Turners Hill. A blanket Tree Protection Order (TPO 389) for trees of all species protects the wood.

3.2 The site is roughly rectangular shape, with a tapering end to the southwestern corner fronting Wood Lane. Access to Wood Lane is directly from the A414, which serves a commercial/industrial estate connecting with Park Lane to the northwest. The site is on a slope, rising from Wood Lane to Turners Hill by up to 14m.

3.3 The Town Centre with high street facilities and Marlowes Shopping Centre is located approximately 700m to the southwest, which is less than 10minutes walk from the western end of the site on Wood Lane.

3.4 A public footpath (PROW Hemel Hempstead 047B) runs along the northern boundary of the site from Turners Hill in the northeast down to Wood Lane in the southwest.

3.5 Beyond footpath 047B lies an extensive area of open land to the north, comprising of approximately 6 hectares in area, and extending to the residential properties on Walnut Grove at a distance of approximately 275m. Part of this open land adjacent to the site is a designated 'wildlife site' in the Dacorum Local Plan 2004. This area comprises approximately 4 hectares in area.

3.6 Hemel Hempstead Hospital is located to the northwest, across the open land, at a diagonal distance of approximately 225m, and connected by a dedicated footpath (PROW Hemel Hempstead 060) to the west from Wood Lane.

4. PROPOSAL

4.1 Planning permission is sought for the construction of 58 apartments within three blocks, provision of external amenity space, communal garden play / area and parking.

5. PLANNING HISTORY

Planning Applications (If Any):

4/00755/13/FHA - Demolishing and rebuilding existing single storey side extension to same size and footprint and changes to windows on rear Elevation.

GRA - 24th June 2013

4/00865/10/TPO - Works to trees

GRA - 22nd June 2010

4/02159/08/TPO - Works to trees

GRA - 16th December 2008

4/03167/07/TPO - Works to trees

GRA - 4th February 2008

4/03166/07/TPO - Works to trees

WDN - 4th February 2008

4/01869/06/FUL - Temporary contractors compound (for construction of surgicentre on site approved for nursery)

GRA - 10th November 2006

4/00512/06/ENA - Details of refuse storage as required by condition 7 of planning permission

4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

GRA - 27th April 2006

4/00125/06/DRC - Details of proposed parking turning arrangements as required by condition 6 of planning permission 4/01413/05 (variation of conditions 2, 5, & 6 of planning permission 4/02933/04 (construction of single storey building to provide ninety-six place day nurs

GRA - 20th February 2006

4/01415/05/DRC - Details of parking and turning required by condition 6 of planning permission

4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

WDN - 16th November 2005

4/01414/05/DRC - Details of access road as required by condition 1 of planning permission

4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

GRA - 5th August 2005

4/01413/05/ROC - Variation of conditions 2, 5, & 6 of planning permission 4/02933/04 (construction of single storey building to provide ninety-six place day nursery)

GRA - 30th August 2005

4/02933/04/FUL - Construction of single storey building to provide ninety-six place day nursery
GRA - 3rd March 2005

4/02589/03/OUT - Construction of single storey building to provide 96 place day nursery
GRA - 27th January 2004

4/00168/03/OUT - Construction of single storey building to provide 96 place day nursery
WDN - 1st October 2003

4/01255/01/OUT - Multi-storey car park with nurses accommodation, ambulance station, hospital related use, mixed use commercial/residential site and open space and a & e access road (entry and exit) for emergency vehicles
REF - 3rd December 2002

4/01254/01/OUT - Multi-storey car park with nurses accommodation, hospital related use, ambulance station, english partnerships residential site, open space, mixed use commercial/residential
WDN - 12th December 2005

Appeals (If Any):

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4

Parking Accessibility Zone (DBLP): 3

CIL Zone: CIL3

Former Land Use (Risk Zone):

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)

RAF Halton and Chenies Zone: Green (15.2m)

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

Residential Character Area: HCA22

Smoke Control Order

Town: Hemel Hempstead

Tree Preservation Order: 389, Details of Trees: W1 - Trees of whatever species

Wildlife Site: Paradise Fields Central

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)

Dacorum Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 – Quality of the Public Realm
CS17 – New Housing
CS18 – Mix of Housing
CS19 – Affordable Housing
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS33 – Hemel Hempstead Town Centre
CS35 – Infrastructure and Developer Contributions

Dacorum Local Plan

Policy 10 – Optimising the Use of Urban Land
Policy 12 - Infrastructure Provision and Phasing
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 – The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 51 – Development and Transport Impacts
Policy 58 – Private Parking Provision
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 111 – Height of Buildings
Policy 118 – Important Archaeological Remains
Policy 129 – Storage and Recycling of Waste on Development Sites

Appendix 3 – Layout and Design

Supplementary Planning Guidance/Documents

Planning Obligations (2011)
Parking Standards Supplementary Planning Document (2020)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

Policy and principle justification for the proposal;
Mix of Housing
Density considerations
Quality of design and impact on visual amenity

Quality of the internal environment
 Impact on residential amenity; and
 Impact on highway safety and car parking.
 Ecological Impacts
 Other material considerations

Principle of Development

9.2 The site forms part of the Hemel Hempstead Town Centre Masterplan (2011-2021) and falls within the Hospital Zone character area.

9.3 The application site has been allocated for housing under designation H/7 within the Adopted Site Allocations 2006 to 2031 Map Book 2017.

9.4 A net housing capacity of 43 is indicated within H/7 of the Site Allocations. The supporting text briefly outlines the planning requirements for the site as follows:

To be planned comprehensively with Proposal MU/2. Access from A414, although some housing may be required to be served from Turners Hill. Public footpaths to be retained and new link created between Turners Hill and Albion Hill. Hedgerows and trees to be retained and supplemented. Early liaison required with Thames Water to develop a Drainage Strategy to identify any infrastructure upgrades required in order to ensure that sufficient sewage and sewerage treatment capacity is available to support the timely delivery of this site.

9.5 The principle of residential development on this site is therefore acceptable subject to compliance with the relevant local and national planning policies.

Mix of housing

9.6 Policy CS18 of the Core Strategy states that new housing development will provide a choice of homes. This will comprise a range of housing types, sizes and tenure; housing for those with special needs and affordable housing in accordance with Policy CS19.

9.7 Saved Policy 18 of the Dacorum Local Plan states that the development of a range of dwellings (size and type) will be encouraged. Regard will be paid to the need to provide accommodation for new, small households and the floor area of individual buildings.

9.8 The mix of dwellings is outlined below:

Unit Type	Building			Total by Type
	A	B	C	
1b2p	9	9	7	25
2b3p	3	3	3	9
2b4p	8	8	8	24
Total per Block	20	20	18	58

9.9 It is considered that the above strikes an appropriate mix of dwellings sizes.

Density Considerations

9.10 Policy CS10 of the Core Strategy states that, at broad settlement level, development should promote higher densities in and around town centres.

9.11 Policy 10 of the Dacorum Local Plan is of relevance and states that vacant or underused land and buildings should be brought into the appropriate use(s) as soon as practicable through new building, conversion, adaptation or other alteration. Importantly, the saved policy goes on to state (where relevant) general building development should be designed to achieve the maximum density compatible with the character of the area, surrounding land uses and other environmental policies in the plan. In particular, building development will be permitted if it makes optimum use of the land available, whether in terms of site coverage or height.

9.12 Policy 21 of the Dacorum Local Plan states that careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available.

9.13 The policy further states that densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net. Higher densities will, however, generally be encouraged in urban areas at locations where services and / or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town and local centres.

9.14 The application proposes 58 residential units on a 1.07 hectare site, giving a density of approximately 54.2 dwellings per hectare (dph), which is only marginally higher than the range set out in Policy 21. However, given the close proximity of the site to Hemel Hempstead Town Centre, where densities are substantially higher than other parts of the town, the proposed density is considered to be acceptable, making efficient use of land in accordance with Policy 10 and broadly in accordance with Policy 21.

9.15 Although the housing allocation (H/7) is stated as having a net capacity of 43 units, it is important to note that paragraph 6.21 of the Site Allocations document states that:

The net capacity figures specified provide an estimate of expected dwelling capacity and should not be treated as maxima. Final dwelling capacities will be tested through the planning application process, where detailed schemes will be expected to demonstrate compliance with specified planning requirements and other relevant policies and guidance.

9.16 Density is but one factor in determining whether a planning application is acceptable. Given the highly sustainable nature of the application site, it is considered that the density proposed would make effective use of the site.

Quality of Design / Impact on Visual Amenity

9.17 Policy CS10 of the Dacorum Core Strategy states that, at a broad settlement level, development should, inter alia, protect and enhance significant views into and out of towns and villages and deliver landmark buildings at movement and pedestrian gateways, enhancing focal points with high quality architecture.

9.18 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should respect the typical density intended in an area, preserve attractive streetscapes, integrate with the streetscape character and respect adjoining properties in terms of layout, site coverage, height, bulk and materials.

9.19 Appendix 3 of the Dacorum Borough Local Plan states that development should be guided by the existing topographical features of the site, its immediate surroundings, and respect the character of the surrounding area with an emphasis on there being adequate space for the development in order to avoid a cramped appearance.

Design

9.20 The development is formed of three rectilinear apartment blocks (Blocks A, B and C) whose heights range from four to five storeys, the building heights reflecting the level changes across the site.

9.21 The elevations of Blocks A and B exhibit a repeating square frame pattern extending from first floor up to roof level above a recessed ground floor entrance. This pattern extends over half the façade on the street elevation fronting St Albans Road, with a more subdued flush façade for the remaining half, and punctuated by columns of tall recessed windows on all elevations. The designs are contemporary and utilise precast stone frames, which form the principal elevational structure. The stone would be contrasted with panels of cream brickwork; glass and gold anodised aluminium window frames. White glazed bricks with white mortar joints would be utilised proximate to the main entrance in order to appropriately define these areas.

9.22 Accommodation in the upper floors of Blocks A and B will be set back from the building perimeter; clad in gold anodised aluminium and partially enclosed by the precast frame, which extends above the parapet line and is free standing at the building corners.

9.23 Block C differs from Blocks A and B in that it is of four storey construction, having no accommodation at roof level, with a precast stone frame terminating at the parapet. Block C is also located closer to St Albans Road, terminating the view from the main site entrance.

9.24 Notwithstanding the differences in height and siting, the regular grid and repeating bay structures are such that all three blocks have sufficient commonalities as to be perceived as a set of buildings, each forming part of a cohesive planned approach to design.

Impact on Street Scene

9.25 It is considered that the proposal will be visible from two key visual receptors: St Albans Road to the south and the public footpath to the north.

9.26 St Albans Road is a busy east-west route connecting Hemel Hempstead Town Centre with the M1 and the Maylands Avenue industrial area. Owing to the height of the proposed apartments and the fact that the application site occupies an elevated position vis-à-vis St Albans Road, the development will be prominent to persons travelling in either direction.

9.27 This is considered to be an opportunity to create landmark buildings along an important travel corridor in a sustainable location proximate to the Town Centre.

9.28 The architects describe the design in the following terms:

Our proposal is conceived as a series of pavilions in the Paradise Fields landscape with rooftop lanterns, lit at night that, viewed from St Albans Road serve as markers of entering/leaving the centre of Hemel Hempstead.

9.29 Blocks A, B and C are not adjacent to any other buildings. The closest building to the application site which is visible from the St Albans Road street scene is Amberside – a two-storey office block located to the south west. Amberside fronts Wood Lane and in some respects is similar in form to the proposed development. When travelling in a westerly direction along St Albans Road, the development will be seen against the backdrop of KD Tower

9.30 The existing hedges and grass bank are to be retained as a buffer between St Albans Road and the application site, and supplemented by additional tree planting between the proposed parking bays and the southern boundary of the site.

9.31 Views into the site at ground level would be limited to persons travelling along Wood Lane in the direction of the A414. Parking within the site will be reasonably well distributed throughout the

development and laid out in such a way as to minimise large expanses of car parking. Where this has not been possible, as is the case for spaces 18-44, the impact would be lessened by the presence of soft landscaping between the spaces and the site boundary. Furthermore, the substation and two bin stores would also provide some visual relief.

9.32 The Council's Conservation and Design Officer has been formally consulted and made the following comments in respect of the potential impact the proposal would have on the street scene:

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 appear 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.

9.33 Residential and commercial development along St Albans Road between the Magic Roundabout and the application site varies considerably in both height and form. As such, there is not one particular style that need be followed.

9.34 Policy 111 of the Dacorum Local Plan advises that buildings in excess of three storeys may be permitted outside of Hemel Town Centre provided there is no harm to:

- a) the character of the area and the site's surroundings;
- b) the character of open land;
- c) views of open land, countryside and skylines; and
- d) the appearance and setting of conservation areas and listed buildings.

9.35 In summary, it is considered that the development would not be contrary to any of the criterion listed above.

- The area is of mixed character and in close proximity to Hemel Hempstead Town Centre, where heights increase significantly.
- The character of open land would not be prejudiced as a result of the development. Paradise Fields continues for some distance to the north west, and the enclosure of this substantial area by buildings of no more than five storeys would have a limited overall impact.
- Views of the open land from the public footpath would be unaffected, the footpath being located to the north of the development. The land is not readily visible from Fern Drive on the opposite side of the A414 owing to the interposition of blocks of flats and substantial mature trees.
- The development is not in close proximity to any conservation areas or listed buildings.

9.36 The increase in height also has benefits in terms of density and maximising the use of urban land, which is supported by saved Policy 10 of the Dacorum Local Plan.

9.37 In terms of the impact of the development as perceived from the public footpath, while introducing development in a location where none previously existed, the design would be very similar to that perceived from the A414. Blocks B and C would be considerably set back from the path and the associated new landscaping would help the buildings to sit comfortably within the site. It is also considered that the new development would be beneficial from the perspective of natural surveillance and reducing crime / fear of crime for users of the footpath.

Amenity Provision

9.38 Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Residential development designed for multiple occupancy will be required to provide a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height.

9.39 Amenity space will comprise of three distinct areas: The Habitat Garden, Courtyard Garden and Woodland area, all of which will be linked with connecting landscaping.

9.40 The Habitat Garden will use simple habitat creation measures – such as native planting, hibernacula, Hedgehog houses and a small attenuation basin with wetland planting – to increase biodiversity. It will include seating, and a woodchip path will connect the development with the public footpath to the north.

9.41 The central landscaped courtyard garden will be created between Building A and Building B, and it is envisaged that this will be used by residents for relaxation and socialising. Two paths will lead into and out of the garden, linking with the public footpath to the north, while the garden itself will include seating enclaves and an organically shaped central lawn area with children's play apparatus.

9.42 The Woodland Area to the east will provide a more natural environment, incorporating woodchip paths and seating. A Woodland Management Plan forms part of the application submission and proposes the removal of Ash trees and the dense understorey in order to improve the quality of the woodland, thereby allowing other species to flourish.

9.43 In addition to the communal open spaces already mentioned, all of the residential units would be provided with private outdoor amenity space in the form of a terrace area.

9.44 The public open space to the north will further supplement the amenity space referred to above, and the site's location in relation to Hemel Hempstead Town Centre will ensure that sufficient opportunities for recreation are available for future residents.

9.45 It is therefore considered that sufficient amenity space will be available for future occupiers of the new units.

Quality of Internal Environment

Impact from Road Noise

9.46 The development is in close proximity to St Albans Road and therefore consideration needs to be given to the potential for adverse impacts as a result of noise and vibration.

9.47 Planning Policy Guidance 24 (PPG24) guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. This has now been cancelled and superseded by the National Planning Policy Framework (NPPF).

9.48 Whereas PPG24 included a sequential test and Noise Exposure Categories, the NPPF is somewhat less prescriptive.

9.49 Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- Preventing new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

9.50 As per Paragraph 180 of the NPPF:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) *Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions – and avoid noise giving rise to significant adverse impacts on health and quality of life.*

9.51 Reference is made in the NPPF to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs), within which two established concepts from toxicology are applied to noise impacts.

9.52 They are:

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

Extending these concepts for the purpose of this Noise Policy Statement leads to the concept of a significant observed adverse effect level.

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur

9.53 It is important to note that none of these three levels are defined numerically and for the SOAEL the NPSE makes it clear that the noise level is likely to vary depending upon the noise source, the receptor and the time of day.

9.54 Blocks A and B will be located approximately 27 metres away from the eastbound carriageway of the A414, while Block C will be located approximately 15 metres away.

9.55 In light of the proximity of the A414, Hann Tucker Associates were commissioned to carry out an Environmental Noise Survey in order for the potential impacts on the internal living environment and the external amenity areas of the development to be quantified and, where appropriate, mitigation put in place.

9.56 Manned and unmanned acoustic surveys were carried out on 6th February 2020, the result of which are outlined in the acoustic report.

Internal Noise Environment:

9.57 The results of the surveys and modelling suggest that an acceptable internal noise environment can be achieved; however, this is predicated on the windows remaining closed, which does not deal with the issue of thermal comfort. Purge ventilation is acceptable where it is used to disperse the smell of cooking, wet paint etc. However, where it is relied upon as the primary means of maintaining an acceptable internal temperature, this is considered to be less than ideal. Indeed, the Council's Environmental Health Officer has raised concerns with this approach.

9.58 A meeting took place with the acoustic consultants in conjunction with the Environmental Health Officer and it was considered that a workable solution would be achievable by way of the following condition:

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.

External Amenity Space (Balconies):

9.59 The acoustic report implies that the balconies of some flats within the development may experience noise levels in excess of the 50-55dB range, which should generally be avoided. 9.60 However, it is important to note BS 8233 recognises that the target range for external amenity spaces may not be achievable in all urban areas, stating:

"In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations...might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces but should not be prohibited".

9.61 Given other local opportunities for outdoor recreation (e.g. Paradise Fields to the north), and in acknowledging the realities of the convenience offered by a central urban location, which all future residents will benefit from, on balance, it is considered that the noise levels on the balconies would not be so detrimental as to warrant a refusal of planning permission.

9.62 The Environmental Noise Survey also considered the potential impact of noise emitted from the air source heat pumps located at roof level on the flats located in the upper-most floors of Buildings A and B.

9.63 Subject to the provision and retention of acoustic enclosures around the air source heat pumps, which comply with the specification outlined in Appendix B of the Environmental Noise Survey, it is

considered that there would be no significant adverse impacts on the internal environments of the flats at roof level.

Daylight Levels

9.64 All of the primary living areas – i.e. living / dining / kitchens - will be dual aspect and will not be in close proximity of any substantial trees that are likely to impinge upon the level of daylight entering the windows.

9.65 As a result, it is considered that there would be a satisfactory level of amenity for future occupiers of the flats, in accordance with paragraph 127 (f) of the NPPF.

Impact on Residential Amenity

9.66 Policy CS12 of the Dacorum Core Strategy states that development should, amongst other things, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.67 Appendix 3 of the Dacorum Local Plan states that Residential development should be designed and laid out so that the privacy of existing and new residents is achieved, with a minimum distance of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another being met in order to ensure privacy.

Loss of Privacy

9.68 The development site is somewhat divorced from the residential units in Turners Hill, which are located over 46 metres away from Block B and 26 metres away from Block C. This is considered to be sufficient to avoid any significant overlooking.

9.69 Each block within the development would be located in excess of 23 metres away from the nearest neighbouring block, ensuring that an acceptable level of privacy is maintained.

Visual Intrusion

9.70 There is no statutory planning definition of visual intrusion or whether development is overbearing. The proximity of built development, height, mass and bulk, topography, orientation and the existing layouts of adjoining dwellings are all relevant factors. As such, whether development is visually intrusive or overbearing is a matter of planning judgement.

9.71 The residential development within Turners Hill occupies an elevated land level so would not be adversely affected in terms of visual intrusion. Similarly, the residential flats in Fern Drive on the opposite side of St Albans Road would be unaffected, being located in excess of 70 metres away and shielded from view by a substantial belt of mature trees.

Loss of Sunlight and Daylight

9.72 Given the separation distance from the nearest residential development in Turners Hill, it is not considered that there would be any loss of sunlight and daylight.

Noise and Disturbance

9.73 Whilst there would be an increase in density at the site, there is no reason to believe that any increase in noise and disturbance from general day-to-day living would be so severe as to be to the detriment of the nearest sensitive residential receptors.

Impact on Highway Safety and Parking

Highway Safety / Capacity

9.74 Policy 51 of the Dacorum Local Plan states that the acceptability of all development proposals will be assessed specifically in highway and traffic terms and should have no significant impact upon:

- the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; and
- the environmental and safety implications of the traffic generated by the development.

9.75 The proposal would necessitate the construction of a new vehicular access off Wood Lane. The access arrangements have been subject to amendment during the application process at the request of the Highway Authority. Specifically, the radii of the kerb access have been reduced and a two metre wide pedestrian footway is now proposed along Wood Lane.

9.76 In order to carry out the necessary works on the highway – i.e. creation of the bellmouth access, two metre wide pedestrian footpath, tactile paving and pedestrian dropped kerbs on either side of proposed bellmouth access etc – it would be necessary for the developer to enter into a S278 agreement with the Highway Authority. As this is outside of the planning process, an informative will be included with any grant of planning permission to remind the developer of his responsibilities in this regard.

9.77 A traffic survey was conducted in the vicinity of Wood Lane prior to the submission of this application in order to establish stopping distances and, by extension, the necessary visibility splay requirements. Based on the information provided, the Highway Authority is satisfied that the access would pose no danger to highway safety. Neither have any objections been raised by the Highway Authority vis-à-vis road capacity.

Manoeuvrability

9.78 Swept path analysis has been provided to demonstrate that a 10.2 metre refuse freighter would be able to enter and exit the development in a forward gear, a turning head adjacent to Block C providing the necessary means of turning the vehicle.

9.79 It has also been demonstrated that a medium-sized car (VW Touran) could enter the site and access the parking bays without difficulty.

9.80 The parking bays will measure 2.4 metres (W) x 4.8 metres (D) and sufficient space (6 metres) would be retained between rows of spaces in order to ensure sufficient manoeuvrability. In terms of the layby parking (spaces 45 and 46), these would have the requisite 6 metre length.

Fire Access

9.81 The Fire Safety Inspector at Hertfordshire Fire and Rescue has reviewed the particulars of the application and made the following comments:

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.

9.82 No concerns are therefore raised with regard to access for the fire service.

Parking Provision

9.83 The application proposes the provision of 64 car parking spaces to serve the development, including 13 EV ready spaces, 6 disabled spaces and 6 visitor spaces.

9.84 Appendix 5 of the Dacorum Local Plan (2004) advocates the use of maximum parking standards as a way of discouraging car ownership and facilitating modal shift. However, publication of the revised NPPF heralded changes to the way in which parking is considered by local planning policies. The maximum standards approach was no longer consistent with national planning policy and thus greater weight has generally been given to the case-by-case approach advocated by Policies CS8 and CS12 of the Dacorum Core Strategy.

9.85 Appendix 5 has now been superseded by the Parking Standards Supplementary Planning Document, which was formally adopted on 18th November 2020. The new supplementary planning document propose a 'parking standard' (rather than a maximum or minimum standard), with different levels of standard in appropriate locations and conditions to sustain lower car ownership.

9.86 Section 6 of the Parking Standards Supplementary Planning Document states that:

The starting principle is that all parking demand for residential development should be accommodated on site; and the requirements shown are 'standards' - departures from these will only be accepted in exceptional cases, when appropriate evidence is provided by the agent/developer for consideration by the Council, and the Council agrees with this assessment.

....

Different standards for C3 use are provided as set out in the table in Appendix A, based on the three accessibility zones referred to in section 4.8 and shown in Appendix B.

9.87 Despite its close proximity to Hemel Hempstead Town Centre, Appendix B indicates that the application site is located just outside of Zone 2 and falls within Zone 3.

9.88 Within Zone 3, the following standards are applicable to residential development where the parking would be unallocated:

1 bedroom dwellings = 1.0 spaces

2 bedroom dwellings = 1.2 spaces

This equates to the following parking requirements:

25 x one bedroom = 25.0 spaces

33 x two bedroom = 39.6 spaces

Total: 64.6 spaces

9.89 The Parking Standards Supplementary Planning Document acknowledges that there may be circumstances in which a deviation from the parking standards may be deemed acceptable. Examples of situations where such flexibility might be accepted could include close proximity to transport interchanges and other highly accessible locations. In this instance, however, the deficit of less than one space (0.6 spaces) is considered to be de-minimus. However, should Members disagree with this assessment, then it is considered that site specific factors (outlined below) are sufficient to justify the level of provision:

9.90 The Transport Statement, quoting census data for Lower Super Output Area 015B, indicates a car ownership rate of 1.13 vehicles per household. For flats, this drops to an average of 0.70 vehicles per household. Based on these figures the development could reasonably be expected to generate a parking demand for approximately 41 car parking spaces. It is acknowledged that the

census data relied upon is almost 10 years old and may no longer be reflective of the current situation. It is therefore important to consider other locally relevant factors which may affect car ownership levels.

9.91 The site is located a relatively short walk from Hemel Hempstead Town Centre, which contains a range of amenities and facilities - including options for using sustainable means of transport. It is considered that this will reduce residents' reliance on cars and, accordingly, car ownership levels are likely to be suppressed in this area as compared with less centrally located areas of Hemel Hempstead.

Visitor Parking

9.92 Research has found that where at least half of parking provision is unallocated, no special provision is required for visitor parking as this can be largely offset by other residents being away at the same time.

9.93 It is understood that all car parking will be unallocated; therefore, the parking provision incorporates visitor parking. It follows that no additional provision need be provided.

Electric Vehicle (EV) Charge Points

9.94 The Parking Standards Supplementary Planning Document requires 50% of all parking spaces to have an active charging point, with all remaining parking spaces having passive provision.

9.95 The terms active provision and passive provision are defined as follows:

Active provision for electric vehicles: an actual socket connected to the electrical supply system that vehicle owners can plug their vehicle into.

Passive provision for electric vehicles: the network of cables and power supply necessary so that at a future date a socket can be added easily. It is significantly cheaper and less disruptive to install the underlying infrastructure for EV charge points during construction than to retrofit later.

The parking layout submitted in support of this application shows a total of 13 EV charge points spread throughout the development, so does not accord with the new parking standards. Should planning permission be granted, it is recommended that the following condition be included:

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

Cycle Storage

9.96 Secure storage for up to 91 bicycles would be provided within the ground floors of the respective blocks, which equates to approximately 1.57 spaces per flat and thus complies with the cycle storage requirements in the Parking Standards Supplementary Planning Document.

Conclusion

9.97 The Highway Authority are satisfied that, subject to the inclusion of planning conditions, there would be no adverse impacts on highway or pedestrian safety and that there is sufficient capacity within the highway network to absorb the modest increase in traffic associated with the development.

9.98 It is argued that, notwithstanding the slight deficit in parking provision (0.6 spaces), an acceptable level of parking would be provided. Furthermore, regard also needs to be given to the fact that the development is within relatively close proximity to the town centre.

9.99 It is also noted that adequate cycle storage provision would be provided.

9.100 The development is therefore considered to accord with Policies CS8 and CS12 of the Dacorum Core Strategy, the Parking Standards Supplementary Planning Document (2020) and saved Policy 51 of the Dacorum Local Plan and the NPPF.

Ecological Impacts

National Planning Policy Context

9.101 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, minimising the impacts on and providing net gains for biodiversity.

9.102 Paragraph 175 (a) states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Local Planning Policy Context

9.103 Local planning policy, Policy CS26 of the Dacorum Core Strategy states that the Green Infrastructure Network will be protected, extended and enhanced, and that development and management action will contribute towards:

- the conservation and restoration of habitats and species;
- the strengthening of biodiversity corridors;
- the creation of better public access and links through green space; and
- a greater range of uses in urban green spaces.

Background

9.104 The application has been supported by a Preliminary Ecological Appraisal in order to provide baseline ecological information about the site. The surveys listed below also form part of the application submission:

- National Vegetation Classification Survey
- Reptile Survey
- Landscape Management Plan
- Woodland Management Plan
- Badger Survey

9.105 Development of the application site would result in the loss of ancient grassland meadow, associated scrub and woodland. Further, the Senior Ecology Officer at Hertfordshire Country Council has reviewed the submitted reports and is of the view that the field represents a local valuable biodiversity resource.

9.106 Natural England's Biodiversity Metric v2 does not form part of the application submission, and therefore it is has not been possible to quantify the exact impact the proposed development would have on biodiversity.

9.107 As outlined above, paragraph 175 (a) of the NPPF advocates a hierarchical approach to biodiversity mitigation – the principle that on-site biodiversity loss should be avoided, mitigated and, as a last resort, compensated.

9.108 The application site has been allocated for housing development and therefore the principle of housing is acceptable. Accordingly, the approach will be to mitigate any loss of biodiversity and, so far as possible, provide net gains in line with the requirements of the Environment Bill 2019-21.

9.109 The Environment Bill, which is yet to gain Royal Assent, will require grants of planning permission in England to secure a biodiversity net gain of 10% on each site. Similarly, the emerging Local Plan - Policy DM30 Biodiversity Net Gain – will require all major development to deliver an overall net gain in biodiversity of 10%, determined by applying the Natural England Biodiversity Metric 2.0 calculator.

9.110 However, as the Environment Bill is not law and the emerging Local Plan is still in the very early stages of consultation, only limited weight can be given to them in the application process, with primacy being given to the Core Strategy – i.e. Policy CS26. The current policy context is such that it is not considered that a 10% net gain can be insisted upon, although this does not preclude being ambitious. Indeed, the trajectory of government policy is clear in this regard.

Biodiversity Strategy

9.111 The applicant has commissioned their ecological consultant to carry out the Natural England Biodiversity Metric in order to quantify what the actual loss of biodiversity will be. Early indications are that it is unlikely the application site itself will be able to provide the necessary mitigation and biodiversity gains.

9.112 The locally designated wildlife site to the north-west offers potential for mitigation and net gain. Details of this will be outlined in the Biodiversity Metric referred to extensively above and will be subject to input from the County Ecologist.

9.113 Any projects identified within the report will need to be costed and it is anticipated that these projects will translate into a financial contribution from the applicant, as well as a duty to manage the land / undertake the projects in a prescribed manner.

9.114 Details of these projects are not yet available; however, an update will be provided to Members in the addendum.

Other Material Planning Considerations

Ground and Water Contamination

9.115 The Council's Scientific Officer has been consulted as part of the application process and does not wish to raise any objections to the proposal. However, as a precautionary measure, should ground contamination be discovered, a condition will be included which requires works to temporarily cease until Contamination Remediation Scheme has been submitted to and approved in writing by the local planning authority.

9.116 Affinity Water initially raised concerns over the potential for excavations that penetrate into the chalk aquifer below the groundwater table – such as piling – to result in contamination and therefore requested that two planning conditions be included with any grant of planning permission. However, their attention was drawn to the Geoenvironmental and Geotechnical Site Investigation prepared by RSK, whose recommendations were that:

- further ground gas monitoring works will be required to confirm a low risk classification; and
- A watching brief is likely to be required during the ground works (specifically in the woodland area), should any unforeseen contamination be encountered.

9.117 A response was subsequently received from Affinity Water on 29th September 2020:

I have since gone over this with a colleague from our hydrogeology team and we feel our conditions have been addressed.

We still require a notification of any deep piling works if these are decided upon and once a commencement date is known.

9.118 As such, it is considered that land and water contamination issues have been satisfactorily address in accordance with Policy CS32 of the Dacorum Core Strategy.

Sustainable Urban Drainage Systems (SUDS)

9.119 The drainage strategy is predicated on the use of areas of permeable block paving and an infiltration basin and discharge of surface water into the ground.

9.120 The Lead Local Flood Authority have reviewed the particulars and are satisfied that the site can be adequately drained.

9.121 The development is therefore considered to accord with Policy CS31 of the Dacorum Core Strategy.

Archaeology

9.122 The County Archaeologist considers that there is the potential for the site to contain important archaeological remains. As a result, should planning permission be granted, two appropriately worded pre-commencement conditions will be included with any grant of planning permission.

Impact on Trees and Landscaping

9.123 Planning permission is sought for the removal of a number of trees within the woodland to the east of the site covered by a TPO.

9.124 The Trees and Woodlands Officer is satisfied that the mitigation measures outlined within the Woodland Management Plan (ART8386.1) would result in the woodland being improved.

9.125 These measures include:

- Removal of three Ash trees affected by Ash Dieback.
- Removal of dense understorey
- Coppicing of Hazel

9.126 Furthermore, in excess of 50 trees will be planted as part of the landscaping scheme for the development.

9.127 A condition requiring the submission of a tree protection plan in respect of the trees to be retained on site will be included with any grant of planning permission.

9.128 The development is considered to accord with Policy CS12 of the Dacorum Core Strategy and Policy 99 of the Dacorum Local Plan.

Waste Management

9.129 No comments have been received from the Council's Waste Controller. However, it is clear from the swept path analysis that a refuse freighter would be able to enter the site, manoeuvre and exit in a forward gear.

Affordable Housing

9.130 Policy CS19 of the Dacorum Core Strategy requires 35% of new dwellings on sites exceeding 0.3ha, or 10 dwellings (and larger), in Hemel Hempstead to be affordable homes.

9.131 This application is being brought forward by Dacorum Borough Council's Housing Development Team and it is understood that 100% of the units will meet the definition of affordable; in particular, the tenure would be social rent.

9.132 A Section 106 agreement will secure the requisite level of affordable housing to ensure that the proposal will comply with Policy CS19 of the Dacorum Core Strategy.

Community Infrastructure Levy (CIL)

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

Planning Obligations

9.134 Heads of Terms:

- Minimum 35% affordable housing.
- Financial contribution in respect of ecological impacts.

10. CONCLUSION

10.1 The principle of residential development in this area is acceptable subject to compliance with the relevant local and national planning policies.

10.2 The design of the development is considered to be high quality and would utilise an appropriate array of materials, positively contributing to the local streetscape character.

10.3 There would be no significant adverse impacts on the nearest residential properties.

10.4 Highways impacts have been fully considered. The Highway Authority have raised no objections to the proposal subject to the inclusion of a number of conditions. Parking provision would be broadly in compliance with the Council's Supplementary Parking Standards document.

10.5 Ecological impacts are to be addressed by off-site mitigation, which will be secured by way of a Section 106 agreement.

11. RECOMMENDATION

11.1 That planning permission be delegated with a view to **APPROVAL** subject to the completion of a S106 agreement.

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:**

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/business-and-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 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	Thank you for your email regarding the above mentioned planning

<p>Services (HCC)</p>	<p>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. 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</p> <p>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</p> <p>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):</p>

	<p>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 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</p>

	<p>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> <ol style="list-style-type: none"> 1. Contamination including turbidity <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>

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:

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.

ii A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.

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.

The applicant or developer shall notify Affinity Water of excavation 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

	<p>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.</p> <p>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.</p> <p>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.</p> <p>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. 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.</p> <p>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>

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.

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.

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.

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 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 arrangements.

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).

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.

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.

Comments from Fire Officer (23/09/20):

Hertfordshire Highways sent us the Fire Safety Strategy document for

	<p>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 approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>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.</p> <p>I have reviewed the noise report and based upon the findings I am objecting on noise grounds.</p> <p>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 b</p>

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 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.

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.

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

	<p>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 and including 1 in 100 plus 40% for climate change with 1325m³ of storage provided in an infiltration basin.</p> <p>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.</p> <p>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.</p> <p>We therefore recommend the following conditions to the LPA should planning permission be granted.</p> <p>LLFA position</p> <p>Condition 1</p>

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

	<p>climate change event.</p> <p>3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.</p> <p>Reason</p> <p>1. To prevent the increased risk of flooding, both on and off site.</p> <p>Condition 3</p> <p>Upon completion of the drainage works for each site in accordance with the timing / phasing, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.</p> <p>The scheme shall include;</p> <p>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.</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>
Hertfordshire Highways (HCC)	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>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</p>

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).

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.

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).

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 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

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

AN) 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

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.
Archaeology Unit (HCC)	<p data-bbox="507 277 1214 309">Thank you for consulting me on the above application.</p> <p data-bbox="507 351 1434 423">Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p data-bbox="507 470 1434 730">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 data-bbox="507 777 1434 1155">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 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.</p> <p data-bbox="507 1240 1434 1541">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.</p> <p data-bbox="507 1552 1434 1814">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.</p> <p data-bbox="507 1861 1434 1968">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.</p>

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

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 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 it 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 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>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
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181	0	0	0	0

Neighbour Responses

Address	Comments
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Agenda Item 5b

ITEM NUMBER: 5b

20/02738/FUL	Redevelopment of commercial site to provide 2no. dwellings with associated access, hardstanding, landscaping and parking	
Site Address:	Land Rear Of Southern Wood 12 Trowley Hill Road Flamstead Hertfordshire AL3 8EE	
Applicant/Agent:	Davidson	
Case Officer:	James Gardner	
Parish/Ward:	Flamstead Parish Council	Watling
Referral to Committee:	Objection from Flamstead Parish Council	

1. RECOMMENDATION

That planning permission be **GRANTED**.

2. SUMMARY

2.1 The application constitutes limited infilling as defined within Policy CS6 of the Dacorum Core Strategy (2013) and is therefore considered to be acceptable in Green Belt terms.

2.2 The designs have been reviewed by the Conservation and Design Officer and deemed acceptable in terms of both their impact on the Flamstead Conservation Area and the nearby listed buildings, thereby complying with Policy CS27 of the Dacorum Core Strategy (2013) and Policies 119 and 120 of the Dacorum Local Plan (2004).

2.3 There would be no significant adverse impacts on the residential amenity of the neighbouring properties.

3. SITE DESCRIPTION

3.1 The application site is located on the western side of Trowley Hill Road and is accessed through an existing gap between Southernwood and no. 14 Trowley Hill Road. A single-storey brick-built office building is located along the western boundary of the site, with single-storey storage buildings – both enclosed and open – sited on the northern and eastern boundaries with hardstanding in the courtyard area formed by these buildings.

4. PROPOSAL

4.1 Planning permission is sought for the demolition of all existing buildings on the site and the construction of two dwellings with associated parking.

5. PLANNING HISTORY

Planning Applications (If Any):

19/02993/FUL - (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme).
GRA - 24th March 2020

20/01584/NMA - Non-Material amendment to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme) by insertion of a mezzanine floor to Units 5 and 6 and alterations to the floor plan layout.

GRA - 8th July 2020

20/02246/ROC - Variation of condition 2 (approved plans) attached to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme)

GRA - 24th November 2020

20/02571/DRC - Details as required by Condition 6 (Archaeological WSI) attached to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme).

GRA - 25th September 2020

20/03604/DRC - Details as required by Conditions 3 (Materials), 4 (Landscaping Works), 5 (Biodiversity) , 7 (Phase Reports) & 12 (CMP) attached to planning permission 20/02246/ROC (Variation of condition 2 (approved plans) attached to planning permission 19/02993/FUL (Redevelopment of site to provide 6 no. dwellings with associated parking, landscaping and hardstanding (amended scheme).

PCO -

4/00306/19/FUL - Construction of 6 new dwellings with associated parking, landscaping and hardstanding

REF - 5th September 2019

4/00136/19/LDP - Construction of building for storage of building materials

GRA - 18th March 2019

4/02585/18/LDP - Construction of buildings for the storage of building materials

WDN - 16th January 2019

4/01299/18/LDE - Storage of building materials

GRA - 27th July 2018

Appeals (If Any):

6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Contr

Area of Archaeological Significance: 18

CIL Zone: CIL2

Conservation Area: FLAMSTED

Green Belt: Policy: CS5

Listed Building, Grade: II,

Parish: Flamstead CP

RAF Halton and Chenies Zone: Green (15.2m)

Small Village: 2

SPD Zone 3

EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

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

Relevant Policies:

Dacorum Core Strategy

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

Dacorum Local Plan

Policy 10 – Optimising the Use of Urban Land
Policy 13 – Planning Conditions and Planning Obligations
Policy 18 – The size of New Dwellings
Policy 51 – Development and Transport Impacts
Policy 21 – Density of Residential Development
Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100 – Tree and Woodland Planting
Policy 111 – Height of Buildings
Policy 118 – Important Archaeological remains
Policy 119 – Development affecting Listed Buildings
Policy 120 – Development in Conservation Areas

Appendix 3 – Layout of Residential Development

Supplementary Planning Guidance/Documents

Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Parking Standards Supplementary Planning Document (2020)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Policy and Principle

9.2 The application site is located within the Metropolitan Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

9.3 Paragraph 145 of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. However, it goes on to list exceptions to inappropriate development, including:

e) limited infilling in villages

and

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

– not have a greater impact on the openness of the Green Belt than the existing development;

or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.4 Previously developed land is defined in Annex 2 (Glossary) of the NPPF as follows:

Previously developed land: *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

9.5 The proposal constitutes both limited infilling and previously developed land for the purposes of the above Green Belt assessment in the NPPF. However, the 'limited infilling' approach under sub-paragraph e) is more relevant as the site is within the designated village boundary as defined in the Local Plan.

9.6 Policy CS6 of the Dacorum Core Strategy is supportive of limited infilling within Flamstead provided that each development is:

- i. sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and
- ii. retains and protects features essential to the character and appearance of the village.

9.7 Policy CS6 indicates that the principle of limited infilling is acceptable only where it would provide affordable housing for local people.

9.8 Paragraph 63 of the NPPF states that affordable housing should not be sought for residential development that are not major developments, the exception being developments within designated rural areas.

9.9 The National Planning Practice Guidance (NPPG) states that:

In designated rural areas local planning authorities may instead choose to set their own lower threshold in plans and seek affordable housing contributions from developments above that threshold. Designated rural areas applies to rural areas described under Section 157 (1) of the Housing Act 1985, which includes National Parks, Areas of Outstanding Natural Beauty and such areas as have been designated as rural by the Secretary of State.

9.10 The application site is not located within the Chilterns AONB and no part of Dacorum has been designated as rural pursuant to Section 157 of the Housing Act 1985. Accordingly, there is no requirement for affordable housing to be provided on sites of less than 10 homes. As such, the application does not give rise to a requirement for affordable housing.

Limited Infilling

9.11 The term 'limited' is generally taken to refer to development which does not create more than two extra dwellings, while 'infilling' is a form of development whereby buildings, most frequently dwellings, are proposed or constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings.

9.12 The site is bounded to the south by outbuildings within the curtilage of Pound Farm and to the east by dwellings fronting Trowley Hill Road. Furthermore, planning permission has been granted (19/02993/FUL & 20/02246/ROC) for the redevelopment of the Builder's Yard directly to the west of the site for six dwellings; which, it is understood, will be implemented concurrently with this application should permission be granted.

9.13 Taking all of the above into account, the site is considered to comprise a gap within a group of buildings which would be capable of limited infilling and which would sit comfortably and consistently with the existing grain of development.

Policy CS6 Impact Assessment

9.14 Policy CS6 of the Dacorum Core Strategy requires an assessment to be made as to whether the development would be sympathetic to its surroundings and the surrounding countryside, as well as retaining and protecting features essential to the character and appearance of the village.

9.15 Public Footpaths 33 and 34 run to the north-west and west of the site and therefore it is conceivable that there may be some long distance views of the development. However, it is likely that the proposed dwellings would be shielded from views by the dwellings approved as part of the

Builder's Yard development scheme. Furthermore, even if the extant permissions referred to were not implemented, the distance of the dwellings from the public footpaths, coupled with their limited height and the relatively close proximity to the dwellings on Trowley Hill Road, is such that the visual impact would not be jarring or significant.

9.16 The design of the dwellings – i.e. their scale, form and architectural detailing – are considered to retain and protect features essential to the character and appearance of the village.

Impact on Significance of Heritage Assets

9.17 The application site is located within the Flamstead Conservation Area and proximate to a number of listed buildings. Accordingly, the local planning authority is required to have regard to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, both of which have been reproduced below for ease of reference:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9.18 In terms of national planning policy considerations, the historic environment policies within the NPPF are contained within paragraphs 184-202. Paragraph 192 of the NPPF states that in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 193 outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation. Paragraph 195 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 196 states that this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

9.19 Policy CS27 of the Dacorum Core Strategy is an overarching heritage policy which seeks to ensure that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and, if appropriate, enhanced, with development positively conserving and enhancing the appearance and character of the Conservation Areas. This is supported by saved Policies 119 and 120 of the Dacorum Local Plan which relate specifically to development affecting listed buildings and conservation areas.

9.20 Policy 119 states that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building.

9.21 Policy 120 requires new development in conservation areas to be carried out in a manner which preserves or enhances its established character or appearance. It further states that each scheme will be expected to respect established patterns of development, utilise materials and design details which are traditional to the area, and be sympathetic to the scale, form, height and overall character of the surrounding area.

9.22 The site is currently occupied by commercial buildings dating from the 1940s onwards. These

buildings are of no architectural or historical merit, as confirmed by the Heritage Statement and the Council's Conservation and Design Officer, and do not positively contribute to the Flamstead Conservation Area or the setting of the nearby listed buildings.

The proposed dwellings, by contrast, would utilise high quality materials and architectural detailing appropriate to the conservation area context – i.e. white painted timber windows with stone cills, timber doors, clay roof tiles and Flemish bond brickwork with corbelled brick eaves; brick gable corbelling and brick arches over doors and windows. The dwellings would be of 1.5 storey construction and include pitched roof dormers on the front and rear roof slopes. The outrigger to the rear has been described by the Conservation Officer as being slightly wider than would be ideal, but is nonetheless of the opinion that, due to its discrete position, is not a cause for concern.

9.23 The application site is within close proximity to a number of listed buildings, the closest of which front Trowley Hill Road. Despite the new dwellings being seen in context with the rear of the aforementioned listed buildings, given their modest height and sympathetic form, it is not considered that they would be harmful to the significance of the heritage assets.

9.24 Regard has been had to the statutory tests of preserving or enhancing the character and appearance of Conservation Areas and the setting of Listed Buildings under S.66 and S72 of The Planning (Listed Building and Conservation Areas) Act 1990, which, it is accepted, is a higher duty. It is concluded that no harm would arise on the setting of the adjacent listed buildings and the character and appearance of the Conservation Area, which would be preserved.

9.25 The design and appearance of the proposal is considered acceptable in heritage terms. No harm would be inflicted upon heritage assets and therefore the proposal is considered to accord with Policy CS27 of the Core Strategy (2013) and Policies 119 and 120 of the Dacorum Local Plan (2004).

Quality of Design / Impact on Visual Amenity

9.26 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should, inter alia, respect the typical density intended in an area, preserve attractive streetscapes, protect or enhance significant views within character areas, and integrate with the streetscape character. Policy CS12 further states that development should respect adjoining properties in terms of layout, site coverage, scale, height, bulk, materials and amenity space.

9.27 Paragraph 127 of the NPPF seeks to ensure that planning policies and decisions create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

Design

9.28 The scale, height and design of the buildings in the traditional style shown on the plans is appropriate to the rural setting. The dwellings would form a semi-detached pair with reasonably sized gardens to the rear and convenient parking on the frontage. For the reasons outlined in the section above, the design is considered appropriate to the local context.

Impact on Street Scene

9.29 The dwellings would have a relatively limited presence in the Trowley Hill Road street scene and limited visibility from the closest public footpaths.

Amenity Space

9.30 Appendix 3 of the Dacorum Local Plan (2004) states that residential development is required to provide private open space for use by residents whether the development be houses or flats. Private

gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 metres. An allowance is made for infill developments where garden depths below 11.5m but of equal depth to adjoining properties.

9.31 The amenity space demised to Plot A would be set out in an irregular L shape and have an area of approximately 91m². Owing to its shape, the garden depth will inevitably vary across the site – from between 10 to 15 metres. Although the area to the side of the outrigger would be somewhat constrained (approximately 3 metres wide), this would not preclude its use for sitting out and provide a relatively sheltered area with the added benefit of not being overlooked by Plot B.

9.32 Plot B would benefit from a slightly larger level of space but would be of a similar layout.

9.33 In summary, the width, shape and size of the amenity spaces would ensure that they are functional and provide a good level of amenity to future occupiers.

Impact on Residential Amenity

9.34 Policy CS12 of the Dacorum Core Strategy states that development should, inter alia, avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.35 Appendix 3 of the Dacorum Local Plan states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings, and that significant overshadowing should be avoided.

Loss of Sunlight and Daylight

9.36 The development would be located to the west of the dwellings on Trowley Hill Road, limiting any loss of sunlight. Furthermore, the limited height of the proposed dwellings, coupled with the substantial distance from these dwellings would ensure that no significant adverse impacts would arise. Such impacts as would occur would be further limited by virtue of the fact that the roof of the outrigger slopes away from the boundary.

Visual Intrusion

9.37 Plot B would be positioned at 90 degrees to nos. 4 and 6 Trowley Hill Road, the main rear walls of which are located approximately 17 metres and 27 metres away, respectively. Further, the boundaries are formed of two substantial outbuildings, thereby limiting the visual impact of the development.

9.38 Whilst the garden area of Plot B would extend along the boundary with no. 2 Trowley Hill Road, the position of the dwelling in the plot is such that no built form would be directly in line with the rear elevation, leaving direct views up the garden and beyond more or less unimpeded.

Loss of Privacy

9.39 No side windows are proposed at first floor level in the flank elevation of Plot B. At ground floor level there would be two windows (serving the kitchen / dining room) facing no. 4 Trowley Hill Road. It should be noted that there is no minimum separation distance for a scenario where a flank wall faces a rear wall of another dwelling. As such, whether a proposal is acceptable is ultimately a matter of planning judgement. Although it is noted that Plot B would occupy a slightly elevated level compared with no. 4 and the other dwellings on Trowley Hill Road, the level change is not significant; and, furthermore, the existing outbuilding forming the rear boundary would effectively limit views. The windows at first floor level on the rear elevation of Plot B would afford only oblique views of the amenity area serving Holly Cottage, the rear elevation of which would be located approximately 22

metres away at angle. It is anticipated that additional boundary treatment will be provided along the boundary with Holly Cottage to compensate for the loss of a semi-open storage building and limit view over the low garden wall. Details of boundary treatments are to be reserved by condition.

Noise and Disturbance

9.40 Given the residential nature of the use and the distances involved, it is considered unlikely that there would be any significant adverse impacts arising from noise following completion of the construction process. Should excessive and unneighbourly levels of noise occur from day-to-day living, this would fall within the remit of the Council's Environmental Health Team.

Impact on Builder's Yard Development

9.41 Plots 1 and 2 are the nearest dwellings within the Builder's Yard Development. In terms of privacy, the approved dwellings would not be adversely affected as there are no windows at first floor level in the flank wall of Plot A; there would be some oblique overlooking of the north-east corner of Plot 2's garden, but this would be relatively minor and no worse than the overlooking from Plot 1.

9.42 The separation distance and low ridge height would ensure that there would be no visual intrusion or significant loss of sunlight and daylight.

Impact on Highway Safety and Parking

Highway Safety

9.43 Swept path analysis (drawing no. SK01 Rev. A) indicates that a Skoda Octavia would be able to enter, access the parking spaces and exit the site in a forward gear. Visibility splays of 2.4m x 43m and 2.4m x 25.0m (1m off the kerb line) are shown as being achievable.

9.44 The Highway Authority were consulted and have confirmed that the general access arrangements are considered acceptable subject to conditions. It should also be noted that the access arrangements were scrutinised as part of planning permission 19/02993/FUL and found acceptable by the Development Management Committee.

9.45 The present lawful use of the site is for the storage of building materials and commercial offices. There are no restrictions in terms of how many vehicle movements may occur during the course any one day, and whilst anecdotal evidence suggests the intensity of use at the site has decreased in recent years, this does not preclude the site from being sold to another operator who would be within their rights to use it more intensely.

9.46 An additional two dwellings are unlikely to result in an excessive number of additional vehicle movements, while the number of available spaces (4) would act as a de-facto limit on the number of vehicles using the access. Should a future resident of the either of the two dwellings have more than two cars, the assumption is that they would find alternative parking outside the confines of the application site.

Car Parking

9.47 The Dacorum Borough Council Parking Standards Supplementary Planning Document (SPD) (November 2020) states that the starting principle is that all parking demand for residential development will be accommodated on site, with departures being accepted only in exceptional circumstances and subject to additional evidence being provided to the Council for consideration.

9.48 The SPD identifies three accessibility zones and varies the parking requirement accordingly. The application site is located within Zone 3 wherein three bedroom dwellings are expected to provide 1.8 spaces per dwelling where the spaces are unallocated and 2.25 spaces where they are allocated. It has not been explicitly stated which form the parking will take, but based on the plans provided it appears as though the parking would be allocated, thus giving rise to a parking standard of 4.5 spaces.

9.49 The rationale for allowing a lesser standard for unallocated spaces is that this can be a more efficient way of providing car parking, as it makes spaces available that would have otherwise been left vacant - e.g. where a householder has less cars than allocated spaces. However, it is considered that such a situation is unlikely to arise in Flamstead, which has a limited number of local services and a less than robust public transport provision. As such, it is considered that allocated parking would be as efficient as unallocated in this instance and that the acceptance of the lesser level of 3.6 spaces would be an acceptable compromise. What is more, even assuming the higher standard of 4.5 spaces is taken into account, there is an argument to say that a deficit of less than one space (0.5 of a space) could be considered de-minimus.

Electric Vehicle (EV) Charge Points

9.50 The Parking Standards SPD requires 50% of all parking spaces to have an active charging point, with all remaining parking spaces having passive provision.

9.51 The terms active provision and passive provision are defined as follows:

Active provision for electric vehicles: an actual socket connected to the electrical supply system that vehicle owners can plug their vehicle into.

Passive provision for electric vehicles: the network of cables and power supply necessary so that at a future date a socket can be added easily. It is significantly cheaper and less disruptive to install the underlying infrastructure for EV charge points during construction than to retrofit later.

9.52 No details have been provided of EV charge points; therefore, this information will be required to be submitted and approved prior to commencement of development.

Fire Access

9.53 Hertfordshire Fire and Rescue provided the following comments in an email dated 26th October 2020:

Below I have copied what I sent to Anjohn after he sent me the same plan you did of the planning application for the additional two houses.

“Just to confirm from this new plan in your email below, access for firefighters appears adequate, with also taking the swept path analysis plans in to consideration.

As we discussed, it appears the firefighters would have two options if an incident occurred in one of the two additional new houses;

- 1. Stop halfway through the access road – this would allow them to reach the furthest point on the top floor within one of the two dwellings within 45m. They would then have less than 20m to reverse out on to Trowley Hill Road.*
- 2. Park directly outside the two houses, then follow the path down to the turning area that is provided from the previous planning application for the 6 houses to be built.”*

You are correct that the firefighters attended in January 2020 and managed to turn around on site and leave (obviously this is prior to any works this application, or the original application for the 6 dwellings takes place) and there were no cars parked opposite the access path on Trowley Hill Road.

They did express their concerns to me that it may be very tight when leaving the site if there are cars parked in that parking area although previous plans I had seen used correct fire tender dimensions and technically it showed the appliance being able to leave the site. To put it simply, I have said these planning applications appear adequate (when looking at drawings & plans) however practically there is still hesitation and concern that if there are cars parked opposite the entrance path it then becomes a very tight squeeze.

9.54 According to the swept path analysis a fire tender would be able to access the site even if cars were parked opposite.

9.55 The comments from the Parish Council vis-à-vis the fire tender do not tally with the information provided by the Fire Officer. Furthermore, the applicant has provided a photograph that shows a fire tender within the site.

9.56 It is acknowledged that the access would ideally be wider; however, given the extant permission for the site to the rear and the fact that no objections have been received from Hertfordshire Fire and Rescue, it is considered that, on balance, the access arrangements are acceptable.

Other Material Planning Considerations

Impact on Trees and Landscaping

9.57 There are no significant trees proximate to the application site.

Affordable Housing

As outlined in the Policy and Principle section above, the development does not give rise to a requirement for affordable housing owing to the number of new dwellings created being less than 10.

Contamination

9.58 The Council's Scientific Officer has raised no objections to the proposed development, but has recommended the inclusion of planning conditions which require the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and, where present, remediated.

Archaeology

9.59 The County Archaeologist has recommended that conditions requiring archaeological investigation be attached to any grant of planning permission.

Waste Management

9.60 The Planning Statement indicates that refuse collection will be by way of a private waste management company, which will be shared with that of the approved Builder's Yard scheme. This is considered acceptable and will be secured by condition.

Ecology

9.61 The application is supported by a Preliminary Ecological Appraisal (PEA) which has been reviewed by Hertfordshire Ecology. In summary, no evidence of protected species (including bats) was found. The precautions outlined in section 5.1 of the PEA will be included as an informative with any grant of planning permission.

Response to Neighbour Comments

9.62 These have been addressed in the sections above.

Community Infrastructure Levy (CIL)

9.63 The development would be CIL liable in Zone 2 where the adopted CIL Charging Schedule specifies a payment of £197.24 per square metre for all new residential development to address community infrastructure provision.

10. CONCLUSION

10.1 The application site is located within a village and would result in two dwellings being constructed within a group of buildings, thus constituting limited infilling pursuant to Policy CS6 of the Dacorum Core Strategy.

10.2 Consideration has been given to the impact of the development on the Flamstead Conservation Area and the nearby listed buildings. It is considered that the design, bulk, mass and scale of the dwellings would be sympathetic to the identified heritage assets and, accordingly, would preserve their setting. The Conservation and Design Officer has been consulted and is supportive of the application.

10.3 There would be no significant adverse impacts on the residential amenity of the dwellings on Trowley Hill Road or the dwellings granted approval in the Builder's Yard development to the west.

10.4 The development would provide adequately for its own parking requirements. The parking standards for 2 x 3 bedroom dwellings in Accessibility Zone 3 ranges from 3.6 spaces to 4.5 spaces and is dependent on whether the spaces are unallocated or allocated. It is implied, and it would be logical to assume, that the parking would be allocated. As such, the development has been assessed against this requirement and it is acknowledged that there would be a marginal deficit. However, unlike flats, it is reasonable to assume that each household will fully utilise its parking allocation, noting both the size of the dwellings and the limited number of services and employment opportunities available in Flamstead. As a result, it is submitted that the efficiencies implied vis-à-vis unallocated parking spaces could be equally applied to this development. On this basis, the parking requirement would accord with the SPD.

10.5 Access arrangements have been scrutinised by the Highway Authority and Hertfordshire Fire and Rescue, both of whom are satisfied that the necessary access could be obtained without risk to highway safety.

11. RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

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

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 (DBC)	<p>The application site lies within the Flamstead Conservation Area. 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</p>

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.

There are several listed buildings immediately to the east of the site (fronting Trowley Hill Road) including Southernwood, Bell House and 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.

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.

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.

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.

All landscaping / boundary treatment should be sympathetic to the semi-rural location of the site and should be a condition of any consent.

Details of all external construction materials (including details of brick bond) to be submitted for approval.

<p>National Air Traffic Services</p>	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
<p>Archaeology Unit (HCC)</p>	<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</p>

development. Archaeological monitoring of groundworks is therefore a preferable approach.

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 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

	<p>records of the site investigation</p> <p>6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.</p> <p>Condition B</p> <p>i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.</p> <p>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> <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:</p> <p>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:</p> <p>This was proven to be impossible when an independent test was</p>

	<p>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 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

	<p>support a bat roost.</p> <p>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> <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</p>

	<p>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>
Hertfordshire Highways (HCC)	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>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> <ul style="list-style-type: none"> a. Provision of a suitable level of safe, secure and convenient cycle parking. b. Approval that the access arrangements are acceptable to Herts Fire & Rescue. Details have been forwarded to them. c. Illustrate that the largest anticipated vehicle to access the site can turn around safely and egress to the highway in forward gear. <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>

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

3. Construction Management

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

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. 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 Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

COMMENTS / ANALYSIS:

This proposal is for: Redevelopment of commercial site to provide 2no. dwellings with associated access, hardstanding, landscaping and parking

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.

ACCESS:

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

	<p>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 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>
Environmental And	Having reviewed the planning application I am able to confirm that there

<p>Community Protection (DBC)</p>	<p>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> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(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> <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:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <p>(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.</p> <p>(d) This site shall not be occupied, or brought into use, until:</p> <p>(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (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.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local</p>
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	<p>Planning Authority.</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>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <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

<p>14 Trowley Hill Road Flamstead St Albans Hertfordshire AL3 8EE</p>	<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: 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 is 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</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</p>

St Albans
Hertfordshire
AL3 8EE

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).

My objections fall under two heads: [1] the further addition to the 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 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.

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.

Agenda Item 5c

ITEM NUMBER: 5c

20/01754/MFA	Construction of 28 residential units with associated access, parking and landscaping	
Site Address:	Land off Tring Road, Wilstone	
Applicant/Agent:	Rectory Homes Ltd	
Case Officer:	Robert Freeman	
Parish/Ward:	Tring Rural Parish	Tring West & Rural
Referral to Committee:	The application has been referred to the Development Management Committee due to a contrary recommendation to the Parish Council and at the request of Councillor Hollinghurst	

1. RECOMMENDATION

- 1.1 That this application be **DELEGATED** with a view to **APPROVAL** subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 (As Amended).

2. SUMMARY

- 2.1 The proposed development is considered to deliver significant social and economic benefits in the form of housing and affordable housing and would support the sustainable development of the village of Wilstone in accordance with the National Planning Policy Framework (NPPF). These benefits are considered to weigh in favour of the grant of planning permission in this case.
- 2.2 The development is considered to be a high quality and accessible residential scheme and would support the planning objectives under Policies CS8, CS11, CS12, CS17, CS19 and CS20 and CS29 of the Core Strategy and Saved Appendices 3 and 5 of the Local Plan 1991-2011.

3. SITE DESCRIPTION

- 3.1 The application site is located beyond the northern edge of the village of Wilstone and in the designated Rural Area. The site extends to 1.57 ha of largely level agricultural fields between the residential units at Grange Road, Wilstone and the development at Wilstone Wharf.
- 3.2 The site is accessible from an agricultural field gate located at the south western corner of the site and providing a gap in an existing mature hedgerow demarcating the boundary of the site from Tring Road.
- 3.3 Two storey residential units at Grange Road back onto the southern boundary of the application site and there are a number of single storey dwellings opposite the western site boundary marking the northern extent of the village. To the east of the application site are further agricultural fields in arable use with allotments beyond. The site is physically constrained to the north by the Aylesbury Arm of the Grand Union Canal.

4. BACKGROUND

- 4.1 A current application by Rectory Homes for the provision of 15 houses on land to the rear of Grange Road has not been determined (4/00024/19/MFA)
- 4.2 This live application (4/00024/19/MFA) seeks to secure planning permission for 15 'entry level' homes on a proportion of the current application site and utilising the provisions under paragraph 71 of the NPPF.
- 4.3 Paragraph 71 of the NPPF states that:
- “Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home) unless the need for such homes is already being met within the authority’s area. These sites should be on land which is not already allocated for housing...”*
- 4.4 This planning application seeks to capitalise on the Councils lack of a five year housing land supply and the encouragement towards entry-level homes in the NPPF which has left sites adjacent to settlements and not subject to statutory protection (Green Belt and AONB) subject to development proposals.
- 4.5 The NPPF provides that units provided under paragraph 71 of the NPPF should be subject to the affordable housing definitions in Annex 2 thereto. This extends to the provision of Starter homes or Discounted Market homes where the units may be sold at a rate up to 20% below local market value.
- 4.6 The applicant’s assumption is that they can pursue an affordable housing proposal delivering entry level homes in this location in accordance with Policy 71 of the NPPF. It is argued that such housings would meet a Borough wide housing need for this form of dwelling. It is contended that these properties are not required to meet a local/Parish housing need.
- 4.7 The case officer does not agree that the provision of the entry level homes under 4/00024/19/MFA would be suitable for first time buyers and would comply with other policies in the NPPF regards Rural Housing (paragraphs 77-79). These entry level homes would not address the requirement for rural housing to address local needs under the Framework and would fail to meet the requirements under Policy CS20 of the Core Strategy.
- 4.8 The Tring Rural Parish Housing Needs Assessment clearly identifies that the needs of the village are for smaller units of housing for social rent in line with more general affordable housing requirements under Policy CS19 of the Core Strategy. The Local Housing Needs assessment goes further and suggest that discounted market homes (as provided under 4/00024/19/MFA) would be unaffordable for local residents and would do little to address local need and although the applicants claim that this is not required to do so under paragraph 71 of the NPPF, would be a clear conflict with paragraph 77 thereto.
- 4.9 Pre-application advice has been sought in relation to both the current and previous applications.

5. PROPOSAL

- 5.1 The current proposals seek planning permission for the construction of 28 units on a larger site (1.5ha) to that previously considered and bounded by the Grand Union Canal to the north.

- 5.2 The proposals would comprise a mix of 1 bed flats, 2, 3 and 4 bed homes in terraced, detached and semi-detached form with access from Tring Road. These would be two storeys in height.
- 5.3 The scheme would provide a total of 7 units for affordable rent, 3 units of shared ownership, 4 units available at a discounted market rate and 14 open market units. A total of 50% of the units to be secured would meet with the definition of affordable housing within Annex 2 of the NPPF.
- 5.4 Residential development of the site would be constrained to an area some 1.13 ha in size with the remaining land comprising an area of public open space between the residential units and the boundary of the application site within which there would be a modest attenuation basin. This public open space will be landscaped and safeguarded for use by the general public. The open space also contains an attenuation basin.

6. REPRESENTATIONS

Consultation responses

- 6.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

- 6.2 These are reproduced in full at Appendix B.

7. PLANNING POLICIES

Main Documents:

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

Relevant Policies:

Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 – Selection of Development Sites
CS7 – Rural Area
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS20 – Rural Sites for Affordable Homes
CS23 – Social Infrastructure
CS26 - Green Infrastructure
CS27 – Quality of the Historic Environment
CS29 - Sustainable Design and Construction

CS30 – Sustainability Offsetting
CS31 - Water Management
CS32 - Air, Soil and Water Quality
CS35 - Infrastructure and Developer Contributions

Hertfordshire County Council Waste Core Strategy

Policy 1: Strategy for the Provision for Waste Management Facilities.
Policy 2: Waste Prevention and Reduction: &
Policy 12: Sustainable Design, Construction and Demolition.

Saved Policies of the Dacorum Borough Local Plan

Policy 10 - Optimising the use of urban land
Policy 12 - Infrastructure Provision and Phasing
Policy 13 - Planning Conditions and Obligations
Policy 18 - Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 54 - Highway Design
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodland
Policy 118 - Important Archaeological Remains.
Appendix 3 - Layout and Design of Residential Areas

Supplementary Planning Guidance / Documents

Affordable Housing (Jan 2013)
Car Parking Standards (November 2020)
Energy Efficiency & Conservation (June 2006)
Water Conservation & Sustainable Drainage (June 2005)

Advice Notes and Appraisals

Affordable Housing Advice Note
Sustainable Development Advice Note (March 2011)

8. CONSIDERATIONS

Policy and Principle

- 8.1 Wilstone is an identified settlement within the Rural Area where there would be support for the provision of small scale housing schemes in accordance with Policy CS7 of the Core Strategy.
- 8.2 There is no definition of small-scale within the Core Strategy and as such each case will need to be judged on its own merits. The NPPF allows for the provision of entry level housing sites under paragraph 77 of the Core Strategy up to a hectare in size and/or representing a 5% increase in dwellings. The proposed scheme would only just exceed 1ha in developable area however it does amount to an approximate increase in the housing stock of Wilstone by around 10%. In this context, the scheme may not be considered to be small scale.
- 8.3 The key planning objectives in relation to the extension of any settlement would be:

- a) to make an effective use of land in accordance with Policy CS2 of the Core Strategy and Saved Policy 10 of the Dacorum Borough Local Plan 1991-2011,
- b) to ensure that the proposals would be accessible in accordance with Policies CS8 and CS12 of the Core Strategy,
- c) to ensure that the proposals would be a high quality design in accordance with Policies CS10, CS11 and CS12 of the Core Strategy
- d) to safeguard or mitigate for the impact on environmental assets in accordance with Policy CS26, CS27 and CS28 of the Core Strategy and
- e) to ensure that the infrastructure associated with the development of the site is appropriate in accordance with Policy CS35 of the Core Strategy.

Housing Land Supply

- 8.4 The housing target in Policy CS17 sets a level of housing which the Council expects to achieve and exceed of the Core Strategy. As members will be aware this target is for the provision of an average of 430 dwellings per annum between 2006 and 2031. This is anticipated to increase as progress is made on a new Single Local Plan (SLP) and as a result of the governments housing projections.
- 8.5 The Council is not at present able to demonstrate a 5 year supply of deliverable housing sites as required by the NPPF and as a consequence must consider the proposal against the Framework's presumption in favour of sustainable development (paragraph 11) The Council is obligated, under paragraph 11, to grant planning permission unless the policies in the Framework provide a clear reason for refusal or the adverse impact of doing so would out-weigh the benefits when assessed under the framework.
- 8.6 This requires a balancing exercise of the economic, social and environmental impacts of development.
- 8.7 The site would not comprise designated land (Green Belt or AONB) within the NPPF and as such is susceptible to residential development under paragraph 11. Furthermore paragraph 77 of the NPPF would encourage the development of unallocated sites on the edges of settlements to meet a need for starter or entry level homes.

Affordable Housing

- 8.8 Policy NP1 of the Core Strategy requires the Council to take a positive approach to the consideration of development proposals and work pro-actively with applicants to find solutions for development proposals that help to improve the economic, social and environmental conditions in Dacorum.
- 8.9 This scheme attempts to resolve the impasse between the applicant and the case officer referred to in paragraphs 4.6, 4.7 and 4.8 regarding the provision of affordable housing in the scheme. The proposals have been negotiated having regard to the provisions in the NPPF, Policy CS18, CS19 and CS20 of the Core Strategy to provide an acceptable alternative to scheme 4/00024/19/MFA, thus avoiding the need to debate the requirements within the NPPF and to provide a more sustainable form of residential use of the site. It is anticipated that scheme 4/00024/19/MFA will be withdrawn in the event of a successful outcome.

- 8.10 The proposed scheme provides a greater mix of housing types and affordable tenures in accordance with Policies CS18 and CS19 of the Core Strategy and specifically seeks to address the issue of local need for affordable units as set out in Policy CS20, that would not be provided if an entry-level housing scheme only was constructed.
- 8.11 The scheme, as distinct from application 4/00024/19/MFA will provide a number of units of the type and tenure identified as being required through the Tring Rural Parish Housing Needs Survey (June 2018) and with the local connection required under Policy CS20 of the Core Strategy.
- 8.12 The Tring Rural Parish Housing Needs Survey was produced by CDA Herts. CDA Herts work with rural communities to explore the issue of affordable housing and identify whether there is a need for affordable local housing and how to meet that need. CDA Herts concluded that there was a need¹ to provide 3 x 1 bed units, 9 x 2 bed units and 1 x 3 bed units. The greatest need was for affordable rental units although there is also a demand for shared ownership tenures recognised through this work.
- 8.13 Amongst the gross number for affordable housing units a need for 4 x 1 bed flats and 6 x 2 bed houses was identified. This proposal will provide 7 units for affordable rent including, the 4 x 1 bed flats (gross) needed at this tenure, 3 shared ownership units and 4 discounted market homes. 8 x 2 bed units and 2 x 3 bed units will also be secured for affordable housing purposes reflecting the size of property required in the Parish. Larger units would be provided at a discounted market rate. This split of tenures is considered to reflect the tenure requirements identified in the CDA Herts report on local housing need and in particular the communities preferred split between rental and shared ownership properties in Figure 13 thereto (60:40).
- 8.14 The delivery of housing to address and identified local need is afforded significant weight in the decision to recommend the grant of planning permission in this case.
- 8.15 The need to support the delivery of these tenures of affordable homes in this locality through the inclusion of open market units within the scheme has support in paragraph 77 of the NPPF and Policies NP1 and CS19 of the Core Strategy. This has been considered with the benefit of an appraisal of the overall scheme viability of both this application and the undetermined proposals at 4/00024/19/MFA.
- 8.16 Policy CS19 would normally expect the mix of affordable tenures to reflect a 75:25 split between rental and shared ownership tenancies. However, Policy CS19 of the Core Strategy is clear that judgements about the level, mix and tenure of affordable homes should have regard to housing need and overall scheme viability. Paragraph 77 of the NPPF suggests that rural housing schemes should primarily address local needs and be supported by the provision of open market units where necessary to support scheme viability.
- 8.17 Although open market housing would not normally be supported under Policy CS20 of the Core Strategy, in this case, the inclusion of open market housing is considered necessary to support the viability of the proposals and to provide a commensurate (lower) scheme value per hectare to that pursued under the alternative proposals (400024/19/MFA) The alternative use value is a material consideration in considering the viability of development and in the judgement of affordable housing requirements.

¹ The gross need is halved in order to provide greater certainty that there will be an unmet future local demand for any projects that come forward (CDA Herts 2018)

- 8.18 It should be noted that in overall terms, the provision of 50% affordable housing across tenures is a significant level of affordable housing which should be supported.

Layout and Design

- 8.19 The scheme is considered to represent a high quality residential scheme in accordance with Chapter 12 of the NPPF, Policies CS10, CS11, CS12 and CS13 of the Core Strategy and Saved Appendix 3 of the Local Plan.
- 8.20 The layout and arrangement of residential units, landscaping and amenity space is considered to strike an appropriate balance between the need to make best use of land and provide a soft, landscaped, natural and defensible boundary at the northern edge of the settlement of Wilstone.
- 8.21 The density of the proposed development, equating to 24 dwellings per hectare² falls between the low density residential bungalows in Tring Road (13 dph) and higher density housing at Grange Road (27dph) whilst around 25% of the application site area would be provided as public open space. The relatively low density of the proposed development, nature of boundary treatment and limited number of properties to Tring Road would not in result in a significant urbanisation of Tring Road nor result in significant wider harm to the character and appearance of the rural area. This is considered appropriate for the edge of village location and given the range of different house forms utilised within the layout.
- 8.22 The layout of the scheme allows for a continuation of the strong linear frontage of properties to Tring Road and will infill a gap in built form between Grange Road/Tring Road and Wilstone Wharf. The internal layout allows properties to address either the principal access route or private drives. Dual frontages and 'L' shaped buildings are used in sensitive locations to increase active frontages to the street and open space areas. Back to back distances between properties are often significantly in excess of the 23m distance within Saved Appendix 3 of the Local Plan, whilst the arrangement of properties also allows generous private external amenity spaces.
- 8.23 The proposed dwellings would be of a traditional design and reflect the local vernacular of residential buildings within the location. They have been amended through the course of this application in accordance with the advice of the Conservation and Design team and further drawings have been submitted to fully address the comments in the associated representations below. As such they are now considered to be appropriate in terms of their design, bulk, scale, height and mass in accordance with Policies CS10, CS11 and CS12 of the Core Strategy. A modest material palette would be used comprising brick, render, timber weatherboard cladding and tile/slate roofs in accordance with the recommendations of the Conservation and Design section. These are set out in drawing P220 SP 03 Revision B (Proposed Materials Plan).
- 8.24 Although a high level of on-street parking is to be provided to the rear of plots 4-11 the provision of soft landscaping would break up the amount of hard standing and provide visual relief to this street. There is still a need to consider amendments to the boundary treatment of this area in accordance with the comments of the Conservation and Design team and given some concerns with regards to the appearance of fencing in this location. This could be relieved by the inclusion of walls or hedges to provide a more satisfactory appearance. It is recommended that such details are secured in accordance with condition 10 to this report. An element of surveillance to the car park at the rear of plots 4-11 would be provided from fenestration in the flank elevations of plots 12 and 18, with unrestricted views provided from the front elevation of plot 19 along the associated access. To a lesser

² Based on the developed site area of 1.18ha.

extent the occupants of 90 Tring Road may also be aware of activity within this area. It is therefore considered that, despite the concerns of the Crime Prevention Officer, sufficient measures are incorporated in the scheme within the interests of crime prevention and security.

Impact on Heritage Assets

8.25 The submitted Archaeological Assessment indicates that the development identifies that there is negligible to low potential for the site to incorporate archaeological remains or heritage assets. No concerns have been raised by the Conservation and Design team in relation to heritage assets within the vicinity of the application site including the grade II listed Wilstone Bridge, whose setting will not be adversely affected by the proposals in accordance with Policy CS27 of the Core Strategy.

Impact on Residential Amenity

8.26 The proposed residential units have been arranged in broad accordance with Saved Appendix 3 of the Local Plan 1991-2011 in order to ensure a satisfactory level of residential amenity for future occupants.

8.27 The buildings have been carefully sited to ensure that there is also no significant adverse impact upon the residential amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

8.28 The main impact of development will be upon the residential amenities of properties in Grange Road. The proposed terrace at plots 12-14 would be two storeys in height and would be located some 24.8m from the main rear elevation of properties in Grange Road. This distance significantly exceeds the recommended back to back distance in Saved Appendix 3 of the Local Plan and is considered to provide an acceptable relationship to ensure that there is no significant loss in privacy, daylight or sunlight thereto.

8.29 The relationship between 90 Tring Road and plots 8-11 is also considered to be satisfactory in view of the distance and juxtaposition of properties.

Access, Parking and Movement

8.30 The proposals include a new priority T junction with a kerbed entrance leading to an internal access road and a series of private driveways. The proposed access design is of an acceptable width to enable two vehicles to pass one another and the general designs are in accordance with design criteria as laid out in Roads in Hertfordshire: Highway Design Guide.

8.31 The T junctions been designed with appropriate visibility splays for the speed and juxtaposition of Tring Road and is considered to be a safe and convenient access onto Tring Road for the level of use by both future occupants and service providers including refuse and fire vehicles in accordance with Policies CS8 and CS12 of the Core Strategy. Within the site, the highway layout allows sufficient space for the access and circulation of larger vehicles with designated refuse stores provided within acceptable distances for refuse tenders. Each residential unit would be accessible by fire tenders in the event of an emergency. As such the internal layout of the estate is considered to be acceptable in accordance with Policies CS8 and CS12 of the Core Strategy

8.32 Vehicular parking will be provided through a combination of garages, on-plot driveway parking and off-road street parking or parking courts. The level of parking complies with the standards contained within the Car Parking Standards SPD (November 2020), based on an

analysis of parking provision being provided on an allocated basis. Furthermore, 6 visitor spaces are to be provided in accordance with this SPD. The provision of active EV charging points is also in accordance with this SPD in respect of the houses and visitor spaces. Active EV charging points will be provided to all houses with additional charging points provided on-street at a general ratio of 1 per dwelling. (The visitor spacing identified in purple on drawing Proposed Parking Plan will not be provided with a charging point). The one bedroom flats forming plots 8-11, will be provided with a total of two charging points. Whilst this 50% provision is on the basis of unallocated spaces, the SPD also allows such provision for allocated spaces on a case by case basis. In this particular case, the level of provision is considered to be acceptable given that this affordable housing is being provided as social rented units to address a local housing need, which typically has lower car, and in particular lower EV vehicle, ownership levels.

- 8.33 The accessibility of both the main village and the canal towpath will be improved through the extension of the existing footpath network and with the provision of new footpath connections through an area of public open space in accordance with Policies CS8 and CS12 and utilising the provisions under Section 106 of the Town and Country Planning Act 1990 (As Amended). Cycle stores will also be provided within the curtilage of each dwelling and communally elsewhere to encourage the use of alternative means of travel to the private car.
- 8.34 There is no objection from the highway authority to the proposals on either a highways capacity or safety perspective and as such there would be no objection to the proposals under Policies CS8 and CS12 of the Core Strategy and Saved Policies 51 and 54 and Appendix 5 of the Local Plan 1991-2011.

Ecology and Landscaping

- 8.35 A detailed Preliminary Ecology Assessment (PEA), Tree Survey and detailed soft landscaping plans (REC22889-11 Sheets 1 and 2) have been submitted with the application.
- 8.36 The PEA concludes that the arable field itself is of negligible ecological value, whilst the field margins and surrounding hedgerow are not currently managed to provide any notable benefits for wildlife. The most significant hedgerows are those to the Tring Road frontage and alongside the Grand Union Canal with the hedgerow at the frontage of the site meeting the 'important' threshold within the Hedgerow Regulations 1997.
- 8.37 The Tree Survey and layout plans show that three trees (H1, H3 and G4) will need to be removed to enable development of the site to occur. A further tree adjacent to the canal is recommended for removal irrespective of development on safety grounds. The trees to be removed are classified as C2 tree, being low quality trees with limited life or immature tree species.
- 8.38 The proposed development seeks to retain all of the existing hedgerows around the site with the exception of a narrow area to be removed to facilitate access to the site through a T junction. This loss is off-set by supplementary planting both to the existing hedgerow at Tring Road and through additional soft landscaping along the remaining boundaries to the site. The PEA also concludes that the proposed development is unlikely to result in any significant impacts on protected species including, amphibians, invertebrates, plants and badgers. This is due to the fact that these species are likely to be absent from the footprint of the proposed development and the immediate surrounding areas

- 8.39 The Tree Survey concludes that there would be no detrimental impact upon any trees of significance upon or surrounding the site and with careful planning and the provision of tree protection measures that these should not prevent the development of the site.
- 8.40 The improvement of existing landscape features through native planting together with the provision and sensitive management of field margins and public open space are considered to have potential to provide biodiversity gains in accordance with Policy CS26 of the Core Strategy. The attenuation pond could provide good habitat and biodiversity enhancements to the site.
- 8.41 Further details of the soft landscaping and ecological improvement measures should be conditioned and should build upon those plans already provided and recommendations in the PEA. This should also cover the provision of a detailed lighting scheme designed to target and minimise light spill beyond the built up areas of the site.

Sustainable Construction

- 8.42 The application does not set out specifically how the requirements of Policies CS28 and CS29 are to be addressed by this submission. Sustainable building design and construction are an essential part of the Council's response to the challenges of climate change, natural resource depletion, habitat loss and wider environmental and social issues.
- 8.43 Whilst we would anticipate that buildings will be constructed to achieve or exceed the Building Regulation requirements for thermal efficiency, energy consumption and water consumption and would note the inclusion of landscaping, biodiversity measures and EV charging points. It is recommended that further details in relation to sustainable design and construction be secured by a planning condition.

Drainage and Flooding

- 8.44 The drainage of the site is a Sustainable Urban Drainage system incorporating an attenuation basin. This is generally considered appropriate in accordance with Policies CS26 and CS32 of the Core Strategy subject to detailed design.
- 8.45 The Lead Local Flooding Authority attended the site on the 28th October 2020 and issues relating to the flooding of the site have been discussed in detail during the course of November 2020. The Lead Local Flooding Authority have confirmed that their objections in principle have been overcome as a result of additional information provided by the applicants. The full comments from the LLFA, including the need to apply any planning conditions, will be provided in the addendum to this report.

Developer Contributions and Infrastructure

- 8.46 All new developments are expected to contribute towards the costs of on site, local and strategic infrastructure in accordance with Policy CS35 of the Core Strategy. The Council seeks to secure such infrastructure contributions through a combination of CIL and through an appropriate use of planning obligations under Section 106 of the Town and Country Planning Act 1990 (As Amended)
- 8.47 The Council has an adopted Community Infrastructure Levy (CIL) under which financial contributions are secured from all new residential development towards on site, local and strategic infrastructure works necessary to support development. The site would be located within Zone 2 (Elsewhere) wherein a charge of £150 per square metre of new residential development (as increased by indexation) will be levied in accordance with the CIL

Charging Schedule. The Councils adopted Regulation 123 list sets out how such sums will be spent on infrastructure.

- 8.48 There are no objections to the scheme from associated infrastructure providers including the County Council and utility providers. Despite resident's concerns with the sewerage infrastructure for the village, the provider has indicated that there is sufficient capacity or that capacity may be increased to accommodate the development.
- 8.49 A planning obligation under Section 106 of the Town and Country Planning Act 1990 (As Amended) will be required to ensure that the type and tenure of affordable housing may be secured in accordance with Policies CS19, CS20 and CS35 of the Core Strategy.
- 8.50 In addition, it will also be necessary to secure pedestrian access to the canal and bus stop improvements in accordance with the advice of the Highway Authority and to ensure that adequate provision is made to access the site by alternative means of transport to the private car. A contribution of £16,000 is required to improve local bus stops as set out in the advice of the highway authority. These obligations are considered to be reasonable and necessary in accordance with Regulations 123 and 124 of the CIL Regulations and as a result of our consideration of the submitted Transport Assessment and the requirements of Policy CS8 of the Core Strategy.
- 8.51 The Council will also seek to secure the use and management of open space in accordance with Saved Appendix 6 of the Local Plan 1991-2011, through the s.106 agreement.

Planning Balance

- 8.52 The only negative aspects to the scheme under consideration are the loss of open space and arable land at the edge of the village of Wilstone. According to the Agricultural Land Classification maps from Natural England, this land Grade 3, moderate quality, agricultural land. The subdivision of Grade 3 land no longer appears to be mapped by Natural England. Low quality agricultural land (Grade 4) is identified elsewhere at the edge of the village and beyond this towards Puttenham. This loss of open space is considered to result in slight environmental harm given its limited value for farming purposes and limited ecological value.
- 8.53 The scheme is considered to be a high quality and sustainable residential scheme providing a logical extension to the village of Wilstone and supporting its natural growth. The proposals will result in no significant harm to the character of the village and its surroundings.
- 8.54 The proposed development would provide housing and local affordable housing under paragraph 77 of the NPPF. This would be located in close proximity to the rural settlement of Wilstone where it can enhance and maintain the viability of the village in accordance with paragraph 78 thereto.
- 8.55 Some economic benefits should be experience in both the short and long term including the provision of construction jobs whilst the scheme is implemented and as a result of increased local expenditure within the village. Future residents of the scheme are likely to support local facilities and services. These facilities include the community shop, farm shops, public house and village hall.
- 8.56 The scheme is also considered to deliver social and environmental benefits through the delivery of public open space and improved access to the canal and surrounding countryside. It is possible to deliver improvements in the biodiversity value of the site,

through the creation of new habitat and through careful landscaping and site management. These environmental improvements would clearly out-weigh the loss of the poor quality arable field in this location.

Other Matters

Farm Access

- 8.57 Farmland to the north and east of the site is accessible from both Rosebarn Lane and Wingrave Road and could continue to be accessible from the main access road and turning head adjacent plots 16 and 26 with the agreement of the applicant. This access road could easily be extended to facilitate additional development should the need arise and as such I am satisfied that the proposals would not unduly prejudice the optimisation of other land in accordance with Saved Policy 10 of the Local Plan 1991-2011.

Noise

- 8.58 The Environmental Health Officer has expressed some concerns regarding the proximity of the site to a commercial units including that described as a scaffold yard. This yard is some distance from the application site and we are not aware that it has not been cause for concern by occupants of Wilstone Wharf on the opposite side of the canal nor residents to Grange Road or Tring Road. It is however recommended that a noise assessment be undertaken to consider the noise associated with commercial uses in the vicinity of the site and if necessary mitigation measures are provided to ensure a satisfactory residential environment for future occupants.

9 CONCLUSION

- 9.1 The proposed development will deliver significant planning benefits in terms of the delivery of affordable rural housing and this weighs significantly in favour of the grant of planning permission. The proposed development is a high quality sustainable residential scheme which is well designed and responds positively to its surrounding environment. Accordingly the proposals are considered to meet with the aims and objectives of the NPPF and must be granted planning permission in accordance with paragraph 11 of thereto.

10 RECOMMENDATION

- 10.1 That the application is **DELEGATED** with a **VIEW to APPROVAL** subject to the completion of a planning obligation under S106 of the Town and Country Planning Act 1990 as amended and subject to the conditions below:

That the following Heads of Terms for the planning obligation are agreed:

- The provision of 50% affordable housing comprising 7 units for social rent, 3 units for shared ownership and 4 units of low cost (discount market) housing,
- The provision and maintenance of a footpath and cycle link between the plot 1 and the Grand Union Canal,
- The provision and maintenance of a footpath link between the site and existing pavement to Grange Road and Tring Road, and
- A contribution of £16,000 towards the upgrade of existing bus stops serving the development.

Condition(s) and Reason(s):

Please note that additional planning conditions will be required to meet with the requirements of the Lead Local Flood Authority.

- 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:**

Plans

P220 BS 01 (Bike Store)
P220 DG 01 (Detached Garage)
P220 LP 01 Revision B (Location Plan)
P220 SP 01 Revision P (Proposed Site Plan)
P220 SP 02 Revision A (Proposed Surface Materials and Boundary Treatment)
P220 SP 03 Revision B (Proposed Materials Plan)
P220 SP 04 Revision A (Proposed Parking Plan)
P220 SP 05 Revision A (Proposed Tenure Plan)
P220 SS 01 Revision B (Street Scenes)
P220 T 553 01 Revision B (Elevations to Plots 8 to 11)
P220 T 553 02 Revision A (Floor Plans to Plots 8 to 11)
P220 T 754 851 01 Revision A (Elevations to Plots 6 and 7)
P220 T 754 851 02 (Floor Plans to Plots 6 and 7)
P220 T 754 1003.01 (Elevations to Plots 4 and 5)
P220 T 754 1003.02 (Floor Plans to Plots 4 and 5)
P220 T 851 01 Revision A (Elevations to Plots 12 to 14)
P220 T 851 02 (Floor Plans to Plots 12 to 14)
P220 T 851 03 Revision B (Elevation to Plots 17 and 18)
P220 T 851 04 (Floor Plans to Plots 17 and 18)
P220 T 953 02 Revision A (Elevations to Plots 19 and 20)
P220 T 953 03 Revision A (Floor Plans to Plots 19 and 20)
P220 T 974 01 Revision B (Elevations to Plots 2, 21 and 24)
P220 T 974 02 Revision A (Floor Plan to Plots 2, 21 and 24)
P220 T 974 03 Revision B (Elevation to Plot 15)
P220 T 974 04 Revision B (Elevation to Plot 16)
P220 T 974 05 Revision A (Elevation to Plot 25)
P220 T 974 06 Revision B (Floor Plan to Plots 16 and 25)
P220 T 974 07 Revision A (Floor Plan to Plot 15)
P220 T 1334 01 Revision A (Elevations to Plots 3 and 26)
P220 T 1334 02 Revision A (Floor Plans to Plots 3 and 26)
P220 T 1334 03 (Elevation to Plot 27)
P220 T 1760 01 Revision A (Elevation to Plot 1)
P220 T 1760 02 (Floor Plan to Plot 1)
P220 T 1760 03 Revision A (Elevation to Plots 22 and 23)
P220 T 1760 04 Revision A (Elevation to Plot 28)
P220 T 1760 05 Revision A (Floor Plans for Plots 22, 23 and 28)

Documents

**Arboricultural Report (May 2020) by Sylva Consultancy
Flood Risk and Drainage Statement (June 2020) and Technical Note (October 2020)
by Glanville**

Heritage Assessment (May 2020) by Albion Archaeology

Preliminary Ecological Appraisal (June 2020) by Windrush Ecology Limited

Transport Statement (April 2020) by Glanville

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

Design

- 3. No development shall take place until 1:20 details of the new external joinery including glazing pattern, vertical and horizontal cross section details and finish. These drawings shall show the window set within the surround. These shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Core Strategy.

Access and Highway Conditions

- 4. The development hereby approved, shall not be used, until the means of access, parking and circulation areas have been provided fully in accordance with drawings P220.SP.01 Revision P and P.220.SP.04 Revision A**

Reason: To ensure the provision and retention of adequate access and parking facilities for the site in accordance with Policies CS8 and CS12 of the Core Strategy.

- 5. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:**

- **Formalised pedestrian crossing point on Tring Road with an acceptable level of pedestrian to vehicular visibility in either direction, pedestrian dropped kerbs and tactile paving (designed in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces).**
- **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 highway works as outlined above)**
- **The provision of access to adjacent farmland from the turning head between plots 16 and 26 or such other access as may be agreed with the local planning authority**

Reason: In the interests of highways safety and in accordance with Policies CS8, CS12 and CS26 of the Core Strategy.

- 6. Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing number P.220.SP.01 Revision P have been submitted to and approved in writing by the Local Planning Authority.**

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).

7. **The development hereby permitted shall not be occupied until the offsite highway improvement works referred to in Condition 6 shall be completed in accordance with the approved details.**

Reason: In the interests of highways safety and in accordance with Policies CS8 and CS12 of the Core Strategy.

8. **Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan number 8180891/6101 B. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

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).

9. **No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include details of:**

- a) **Construction vehicle numbers, type, routing;**
- b) **Swept path analysis for the largest anticipated vehicle to use the temporary access;**
- c) **Traffic management requirements;**
- d) **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e) **Siting and details of wheel washing facilities;**
- f) **Cleaning of site entrances, site tracks and the adjacent public highway;**
- g) **Timing of construction activities (including delivery times and removal of waste);**
- h) **Provision of sufficient on-site parking prior to commencement of construction activities; and**
- i) **Post construction restoration/reinstatement of the working areas and temporary access to the public highway.**

Reason: In the interests of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy.

Landscaping Conditions

10. **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:

- **means of enclosure, including the materials and/or hedging plants to be used for any enclosures, together with the location of any hedgehog gates;**

- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- finished levels and contours in relation to existing site levels, eaves and ridge heights of neighbouring properties;
- any exterior lighting works and
- the siting and design of any bird boxes, bat boxes and other habitat creation.

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

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

Reason: To ensure the adequate landscaping of the site in accordance with Policies CS12, CS26 and CS29 of the Core Strategy.

11. **No development shall take place until the measures for the protection of trees have been provided in accordance with the Tree Protection Plan within the Arboricultural Report by Sylva Consulting dated May 2020 Ref 20058. All protective measures shall remain in-situ and be free from the storage of construction material, plant and machinery for the duration of the construction period.**

Reason: To ensure the adequate protection of trees and landscaping features in accordance with Policy CS12 and Saved Policy 99 of the Local Plan 1991-2011.

12. **The development hereby approved shall not be occupied until a plan for the management, maintenance and ecological improvement of the public open space and site boundaries has been submitted to and approved in writing by the local planning authority. The site shall thereafter be maintained and improvements implemented fully in accordance with the approved details.**

Reason: To ensure the satisfactory management of open space in the interests of visual amenity and biodiversity and in accordance with Policies CS12 and CS26 of the Core Strategy.

Contamination

13. **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.**

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.

14. **If the Local Planning Authority is of the opinion that the report which discharges condition 14, 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.**

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.

- 15. 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 15, above; has been submitted to and approved by the Local Planning Authority.**

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

- 16. 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 16 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.

Waterways

- 17. Prior to the commencement of the development, a Risk Assessment and Method Statement shall be submitted and agreed by the Local Planning Authority which includes:**

- a) details of any proposed protective fencing to be erected to safeguard the waterway infrastructure and canal towpath boundary**
- b) a method of preventing pollution of the ditch and canal (if hydraulically linked) from overland flows or polluted groundwater and**
- c) an assessment of the risk to canal assets and if piling methods are to be used the need for vibration monitoring to protect the canal and lock infrastructure during the course of construction.**

All works shall be carried out in accordance with the approved details.

Reason: To comply with paragraph 170 of the National Planning Policy Framework as the ecological environment in this location is sensitive and should be protected from disturbance, dust, run off, waste etc entering the canal.

- 18. Piling and other deep foundation designs using penetrative methods shall not be carried out other than with the written permission of the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To safeguard the structural integrity of the grade II canal bridge and to ensure that there is no pollution of the watercourse in accordance with Policies CS27 and CS31 of the Core Strategy

Noise

- 19. Plots 1, 22, 23 and 28 shall not be occupied until an assessment of noise has been undertaken to determine whether there would be any noise nuisance arising from commercial operations to the north of the application site and the need for mitigation measures has been submitted to and approved in writing by the local planning authority. The mitigation measures shall be implemented in accordance with the approved details.**

Reason: To ensure a satisfactory level of residential amenity for future occupants of the scheme in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

Sustainable Transport

- 20. The development, hereby approved, shall not be occupied until full details of the Electric Vehicle Charging Points including the type of charger, power supply and a scheme for the maintenance and management of charging points has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to occupation and shall thereafter be retained.**

Reason: In the interests of access and highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD.

Permitted Development

- 21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 1995 (As Amended) or any revisions thereto there shall be no development falling within the following schedules to the specified units without the express planning permission of the local planning authority**

Schedule 2 Part 1 Class A – Plot 18

Schedule 2 Part 1 Classes B and C - Plots 1, 2, 3, 15, 16, 19, 20, 24, 25, 26 and 27

Schedule 2 Part 2 Class A – All plots

Reason: In the interests of the visual amenity of the area and residential amenity in accordance with Policy CS10, CS11 and CS12 of the Core Strategy.

HIGHWAY INFORMATIVES:

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

AN) 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

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>

CONTAMINATION

Any contamination, other than that report 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.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Tring Rural Parish Council	<p>Tring Rural Parish Council objects to this application because the proposal runs contrary to the National Planning Policy Framework (the Framework) approach of development in the countryside.</p> <p>The Framework promotes an effective use of land in order to meet the need for homes, while safeguarding and improving the environment. It states that in rural areas, development should be responsive to local circumstances, reflect local needs and be supported where it will enhance or maintain the vitality of rural communities.</p> <p>The Framework seeks to make efficient use of land and optimal use of the potential of each site and expresses the desirability of maintaining an area's prevailing character. The proposal would harm the character and appearance of the landscape, causing an urbanising encroachment into the countryside.</p> <p>The planning application proposes to introduce twenty-eight dwellings on a greenfield site, to the detriment of its verdant and open characteristics and resulting in the loss of arable land. Dacorum's Core Strategy clearly states that the countryside is an important part of the borough's heritage and is enjoyed by both residents and visitors. It is an area where primarily open uses such as farming and forestry should flourish. It is home and workplace to a diverse community in whose care the long-term future of the countryside rests. Development must be controlled to secure that future and prevent damage to the intrinsic quality and purpose of the countryside.</p> <p>Wilstone is a small village of approximately 280 homes, in a rural location that provides few facilities and services. There is a public house, a community shop, a farm shop, a recreation ground, a church and a village hall. These facilities and services are relatively narrow and considered to be unlikely to serve the day-to-day needs of potential future occupiers of the development.</p> <p>Wilstone is defined as a 'smaller village' in the Council's Settlement Hierarchy Assessment, these smaller settlements are considered not to be sufficiently sustainable to accommodate further significant development because of the limited range of services and facilities they provide.</p> <p>Although there would be an increase in local household spending and demand for services, importantly there is no evidence to confirm that local provision in Wilstone or settlements further afield would be under threat in the absence of the development.</p> <p>The development would prevent future access - confirmed by a local farmer, who currently cultivates crops on the site and the 2-hectare field behind the development field. The proposal will, in effect permanently cut off access for farm machinery and combine</p>

harvesters, to nearly 2 hectares of prime agricultural land into the rear of the development field and the field behind it. There is no alternative access.

The imposition of twenty-eight dwellings and associated hard landscaped areas would represent an uncharacteristic urban intrusion not reflective of the outer edge of a village in a rural area and not protecting and enhancing our natural, built and historic environment. As a result, the proposal would be fundamentally at odds with the landscape qualities that define the site, causing harm to the character and appearance of the area.

The proposal also fails to accord with, the Council's Development Plan (DPD) which seeks to continue to safeguard the character of villages and the surrounding countryside. The Council's Strategic Objectives within the Core Strategy are;

- To enable convenient access between jobs, homes and facilities.
- Minimise the impact of traffic and reduce the overall need to travel by car.
- Conserve and enhance the function and character of the market towns, villages and countryside.
- Ensure the effective use of existing land and previously developed sites.

The application does not accord with The Settlement Hierarchy (which is a material consideration when determining planning applications) and Policies CS1, CS2, CS7, and CS8 of the adopted Dacorum Borough Council Core Strategy.

The Core Strategy Settlement Hierarchy, takes into account current population, historic role, level of services and the constraints and opportunities of each place in the Borough, to determine the main principles that are used to guide development in each location. Decisions on the scale and location of development are made in accordance with the Settlement Hierarchy. In the Settlement Hierarchy Wilstone is listed as a 'Small Village Within the Rural Area and an Area of Development Restraint.'

Policy CS7 states that small-scale development for housing, employment and other purposes will be permitted at Aldbury, Long Marston and Wilstone, provided that it complies with Policy CS1: Distribution of Development and Policy CS2 Selection of Development Sites. The proposed site represents a large parcel of pasture land fronting a narrow country lane on the outskirts of Wilstone. The local landscape is rural in nature and the proposal would not be infill or part of ribbon development; rather it would be development in the open countryside.

Although the bus service in the village offers direct services to several nearby settlements, including Tring, Leighton Buzzard and Aylesbury,

these services are severely limited and infrequent and future residents of the development would be heavily reliant on this inadequate provision should they wish or require to access surrounding facilities and services by means other than via private travel modes. With the service limitations, it would be unlikely that future occupiers of the development would seek to, or be conveniently able to depend on the bus services to serve their day-to-day needs. There is no public transport from Wilstone to Tring Station or to Cheddington Station.

SUSTAINABLE TRANSPORT

Policy CS8 states that all new development will contribute to a well-connected and accessible transport system whose principles are to give priority to the needs of other road and passenger transport users over the private car in the following order:

- pedestrians
- cyclists
- passenger transport (buses, trains and taxis)
- powered two wheeled vehicles
- other motor vehicles;

The larger settlement of Tring with considerable facilities and services is located approximately 3 miles to the south/east of the site. It is connected via the Lower Icknield Way and Tringford Road which are not lit and not served by a footway for the majority of its extent between Wilstone and Tring. The roads do not provide specific facilities for cyclists, such as a defined lane for their use. Neither walking or cycling to Tring would be likely to represent an attractive option for future occupiers of the development.

The proposal's location would therefore promote private modes of transportation, which raises particular concerns about unsustainability due to the not insignificant extent of development that is proposed. The majority of journeys by future occupiers would be undertaken by private car and this conflicts with policies within the Framework taken as a whole.

Taking into account Wilstone's limited size and narrow array of facilities and services, the scale of development proposed would represent a significant addition to the settlement.

The Rural area is protected in Dacorum's Core Strategy by Policy CS7. "These are the least sustainable areas of the borough, where significant environmental constraints apply. These include areas of high landscape quality, such as the Chilterns Area of Outstanding Natural Beauty, and the countryside between settlements. This needs to be protected to ensure its rural character is retained and settlements keep their separate identities."

ESTABLISHING A PRECEDENT

Although in planning terms, each planning application must be considered on its own merits and facts and circumstances, this proposal, if granted may create a significant precedent for the locality, making it difficult to refuse future proposals for similar housing development on greenfield sites in Wilstone and Long Marston

EFFECT ON THE CHARACTER AND APPEARANCE OF THE AREA

The proposal would provide a sudden and uncharacteristic connection between the village and its surrounding rural landscape; the character, area, setting and appearance. The site is part of the surrounding field network of Grade 3 arable land, rather than a part of the settlement's edge and the proposal would have a significant adverse effect upon the landscape character of its wider surroundings. It would not contribute to protecting and enhancing our natural, built and historic environment. It would also have a prominent harmful visual impact, particularly when viewed from The Grade 2 listed Bridge on Tring Road, which is an important and regularly used approach into the village.

The proposal would cause harm to the character and appearance of the area and will represent an outward extension of the settlement boundary into the open countryside.

TRAFFIC WITHIN THE PARISH

Tring Rural Parish Council challenge the use of the Nomis Consus database, by the applicant as a projection of car ownership needs in the village. We do not consider the forecasts within the applicant's transport statement provide a realistic reflection of the likely highway intensification that the proposal would have and is contrary to the Framework's aim, to limit future car use.

Certainly, the starting point of less than 1 car per residence for Wilstone is incorrect. Most homes in the settlement have at least 1 car and the majority, 2 vehicles or more. We believe that traffic movements from the proposed development will be substantially greater than those predicted, will have an adverse impact on the settlement and will not enhance or maintain the vitality.

SUMMARY

Tring Rural Parish Council object to this application on the following grounds:

- It is conflicts with the National Planning Policy Framework.
- It conflicts with Dacorum Borough Council's Core Strategy
- It is not sustainable development and prevents access

	<p>to agricultural land at the rear.</p> <ul style="list-style-type: none"> • It will have a detrimental effect on the character and appearance of the area, including visual impact. • It establishes a precedent for further similar development on the Greenfield areas outside the development boundaries of the settlements within Tring Rural Parish. • It will have a considerable effect on traffic within the village. <p><u>Amended Plans</u></p> <p>Tring Rural Parish Council would reiterate its initial objection to the above planning application.</p>
Hertfordshire Constabulary	<p>In relation to crime prevention I would ask that not only the affordable housing but the whole development is built to the police minimum security standard Secured by Design.</p> <p><u>Amended Plans</u></p> <p>In relation to crime prevention and security I would ask that not only the affordable housing but the entire site is built to the police minimum standard Secured by Design.</p> <p>I do have some concerns with the lack of surveillance in the parking area at the back of plots 4,5,6,7 and 8-11, usually from a crime prevention perspective parking at the front or side of the property is preferable to aid natural surveillance. The surveillance is poor it also requires a walkway between plots 7 and 8-11, and how will this area be lit. If the parking spaces were at the front it would mitigate my concerns.</p>
Hertfordshire County Council – Ecology Unit	Comments awaited
Hertfordshire County Council – Growth and Infrastructure Unit	<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. We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department. 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><u>Amended Plans</u></p> <p>Hertfordshire County Council's Growth & Infrastructure Unit do not</p>

	<p>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. 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>
Hertfordshire Highways	<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><u>CONDITIONS:</u></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> <ul style="list-style-type: none"> - Formalised pedestrian crossing point on Tring Road with an acceptable level of pedestrian to vehicular visibility in either direction, pedestrian dropped kerbs and tactile paving (designed in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces). - 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 highway works as outlined above). <p><u>Reason:</u> 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>2a. Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing number P.220.SP.01 have been submitted to and approved in writing by the Local Planning Authority.</p> <p><u>Reason:</u> 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).</p> <p>2b. Prior to the first occupation /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.</p> <p>3. Provision of Visibility Splays Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the</p>

details indicated on the approved plan number 8180891/6101 B. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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. 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).

5. Construction Management

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

The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Any traffic management requirements
- 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. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities to avoid school pick up/drop off times;
- g. Provision of sufficient on-site parking prior to commencement of construction activities;
- h. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

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

HIGHWAY INFORMATIVES:

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway

are carried out in accordance with the provisions of the Highway Act 1980:

AN) 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

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>

COMMENTS / ANALYSIS:

The proposal comprises of the construction of 28 residential dwellings on land off Tring Road, Wilstone. Tring Road is designated as an unclassified local access road, is highway maintainable at public expense. Tring Road is subject to a speed limit of 30mph to the south of the site through the village and subject to a speed limit of 60mph fronting most of the site and at the location of the proposed vehicle access.

A Transport Statement (TS) has been submitted as part of the application.

ACCESS:

The proposals include a new priority "T" junction with a kerbed bellmouth entrance leading to an internal access road, the layout of which is shown on submitted drawing number P.220.SP.01. The proposed access design is of an acceptable width to enable two vehicles to pass one another and the general designs are in accordance with design criteria as laid out in Roads in Hertfordshire: Highway Design Guide.

Visibility splays of 2.4m by 80m (to the north of the access) and in excess of 43m (to the south of the access) have been illustrated on the submitted plan number SK01. Following consideration of the location and nature of the highway, HCC as Highway Authority considers that these levels are acceptable and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets. These levels were also previously approved as part of the

pre-app meeting with HCC as Highway Authority.

The proposals include a 2m wide pedestrian footpath linking the internal site footpaths/footways and the existing footway close to the junction of Tring Road and Grange Road, which is considered to be acceptable to facilitate a pedestrian route into the village centre via Grange Road and Rosebarn Lane. There is an existing highway footway on the west side of Tring Road (the opposite side to the application site). A dedicated crossing point on Tring Road with pedestrian dropped kerbs and tactile paving on either side would be recommended to ensure that pedestrian access to and from the site to the village hall and recreation ground is maximised for all users and to ensure that the proposals are in accordance with LTP4 and NPPF.

It is unlikely that HCC as Highway Authority would agree to adopt any of the proposed roads as the route would not be considered as being of utility to the wider public. However the works would need to be built to adoptable standards to be in accordance with guidelines as documented in Roads in Hertfordshire: Highway Design Guide. The developer would need to put in place a permanent arrangement for long term maintenance. At the entrance of the development, the road name plate would need to indicate that it is a private road. 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.

SECTION 278 WORKS:

The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the approval of the design and implementation of the works that would be needed on highway land including:

- Works to create the vehicle bell mouth access from Tring Road.
- Works to create the proposed footpath across the existing highway verge directly to the north-east of the junction of Tring Road and Grange Road.
- Dedicated crossing point for pedestrians on Tring Road with tactile paving and pedestrian dropped kerbs.

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to provide the extra information as requested and obtain an extent of highway plan to clarify the works which would be within the existing highway. Please see the above conditions and informatives.

It is recommended that a Stage 1 Road Safety Audit is carried out and submitted as part of the Section 278 application, which would indicate whether any provisions or Traffic Regulations Orders may be required from a road safety perspective.

PARKING

The proposal includes the provision of 70 car parking spaces, which is higher than the current standard of 49.25 spaces as outlined in Dacorum Borough Council's (DBC's) parking standards (the TS refers

to draft parking standards). HCC as Highway Authority would object to a level of car parking that is higher than the maximum as outlined in the parking standards and would recommend that the level of parking is reduced accordingly. However it is considered that this reason on its own would not be significant enough to recommend refusal from a highways perspective and DBC as planning and parking authority would ultimately need to be satisfied with the level of parking.

Furthermore electric vehicle charging provision is included as part of the proposals, the details of which are supported by HCC as Highway Authority to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan.

Provision has been made for cycle parking through a mixture of garages, sheds and cycle stores, the provision of which is considered to be acceptable by HCC as Highway Authority.

TRIP GENERATION & DISTRIBUTION:

Following consideration of the expected trip generation (which have been submitted in Section 4 of the TS), the development would not have a significant enough impact on the local highway network to recommend refusal from a highways perspective.

ACCESSIBILITY AND SUSTAINABILITY:

The site is located on the northern edge of the village of Wilston within a reasonable walking distance from the village amenities. HCC as Highway Authority would not have any specific objections to the location of the proposals from an accessibility perspective with the potential to act as an extension to the existing village curtilage. The town of Tring is approximately 5km from the site and within an acceptable distance to promote cycling as a travel option.

The nearest bus stops are located along Tring Road approximately 270m to the south of the site and therefore within an acceptable accessibility distance (generally accepted to be within 400m) to encourage travel by bus to and from the site. The bus stops are served by services to Aylesbury and Tring six times a day in addition to less frequent services to Hemel Hempstead, and Leighton Buzzard.

The nearest railway station at Cheddington is located 5.7km north of the site and therefore within a reasonable cycling distance.

PLANNING OBLIGATIONS:

DBC has adopted the Community Infrastructure Levy (CIL) and therefore contributions towards local transports schemes as outlined in HCC's South West Herts Growth & Transport Plan would be sought via CIL if appropriate.

Nevertheless in order to make the proposals acceptable in planning terms to promote and maximize sustainable travel options, it is recommended that a 106 planning obligation is sought towards improvements at the two nearest bus stops on Tring Road, which are

	<p>the nearest public transport provision. Developer contributions for the provision of improved hardstanding and easy access Kassel kerbing at both stops would be required to ensure that the bus stops are accessible to all (£8000 per stop, £16,000 total).</p> <p>REFUSE & SERVICE VEHICLE ACCESS:</p> <p>Swept path analysis (drawing no.s 8180891/6202 and 8180891/6203) have been submitted as part of the TS to illustrate that a refuse and delivery vehicle would be able to utilise the proposed access, internal access road and egress to Tring Road in forward gear, the arrangements of which are considered to be acceptable by HCC as Highway Authority. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>EMERGENCY VEHICLE ACCESS:</p> <p>The access arrangements would enable emergency vehicle access to within 45 metres from all dwellings. This adheres to guidelines as recommended in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses.</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. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of any highway and access works. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informative and request for a pedestrian crossing point on Tring Road.</p> <p><u>Amended Plans</u></p> <p>Supplemental information has been submitted in relation to the application. HCC as Highway Authority has no specific comments in relation to the submissions.</p> <p>HCC as Lead Local Flood Authority would need to be consulted on the submitted drainage details.</p>
<p>Hertfordshire County Council – Lead Local Flood Authority</p>	<p>Amended Plans</p> <p>Following our letter dated 01 September 2020 the applicant has submitted amended plans and additional information in support of the application. However, these plans are not related to surface water drainage or flood risk. Therefore, they do not address our outstanding objection as detailed within comments in our previous letter. We therefore maintain our objection as detailed in our letter dated 01 September 2020. Please see that letter for full detailed comments.</p> <p>Informative to the LPA / applicant</p>

	<p>It is acknowledged that this application follows an earlier submission by Rectory Homes on the southern part of the site for a development of 15 dwellings (9 x 2-bed houses and 6 x 3-bed houses) with associated access, car parking and landscaping. The applicant has detailed within the FRA how the application number in respect of this earlier application is 4/00024/19/MFA. As LLFA we were not consulted on the other application at this site. We would therefore request that the LPA has regard of the comments made in this letter in relation to the earlier application at this site.</p> <p>We would like to highlight how the entire site is at Reservoir Flood Risk, and the applicant may wish to seek advice from the Environment Agency.</p> <p>As there is a Section 19 Flood Investigation due to historical flooding in Long Marston and the surrounding area, we would recommend that detailed design of the drainage scheme is provided prior to approval at planning.</p> <p>We ask to be re-consulted with the points detailed in our letter dated 01 September 2020 addressed. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate surface water drainage assessment has been submitted.</p> <p><u>Additional Information:</u></p> <p>Further comments will be provided in the Addendum to this report.</p>
<p>Conservation and Design</p>	<p>We welcome the revised proposals which have addressed our previous concerns. There are some minor points which should however be reviewed.</p> <p>a) It would be recommended that the proposed pedestrian link to the canal be constructed rather than show as possible on the proposed site plan.</p> <p>b) The boundary treatment to units 7,8, 15-17 still appears to be close boarded fencing rather than other options of brick or hedging as previously discussed.</p> <p>c) House 2 should have a chimney added to enhance the visual interest of the scheme from the roadside.</p> <p>The principle issues in relation to the houses are now the proposed materials in relation to the roof tiles. It would be recommended that ideally the roofs, particularly to the roadside, be clay tiles rather than the proposed forcrete tiles. These tiles are a brown colour and are not reflective of those red/orange tiles used in the locality. The use of a sunrise blend tile might be more appropriate than the autumn red proposed although we would need to see samples of this material to confirm this is acceptable. The proposed brick choice is acceptable. Any windows, in particular to the street frontage should have a set-back rather than appearing flush with the elevations to ensure that</p>

	<p>they sit comfortably with the architectural style.</p> <p><u>Additional Comments</u></p> <p>In relation to the grade II listed canal bridge.</p> <p>The canal bridge dates to the construction of the canal and is a typical pattern book example of its type. The setting of the bridge has changed over time due to the construction of the coal wharf and later the housing approved recently. It derives its main importance in relation to the canal. The proposed housing is set back from the bridge and there is some landscaping which will limit its impact. The Materials have been chosen to be in keeping with those seen in the area.</p> <p>The setting must be considered in the round and when viewed from the most important relationship, the canal, as it forms a way marker there would be minimal noticeable change. To the road approaches there would be a very limited change but it would not impact on the appreciation of the bridge. The landscaped buffer would reduce the harm and retain the feeling of a rural canal bridge.</p> <p>Overall we therefore believe that the impact on the setting of the bridge is less than substantial and at a very low level.</p> <p>As such we would not object.</p>
<p>Environmental Health - Contamination</p>	<p>Having reviewed the application documents I am able to confirm that there is no objection to the proposed development, however, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and that where found to be present it will be remediated.</p> <p>This recommendation reflects the introduction of housing on the site and the possibility of elevated concentrations of contaminants to be present either naturally, or through their introduction to the ground via the formal or informal uses of the application site and neighbouring land.</p> <p><u>Contaminated Land Conditions:</u></p> <p>Condition 1:</p> <p>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> <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</p>

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:

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

- (iii) 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.
- (iv) 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.

Having reviewed the application documents I am able to confirm that

	<p>there is no objection to the proposed development, however, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and that where found to be present it will be remediated.</p> <p>This recommendation reflects the introduction of housing on the site and the possibility of elevated concentrations of contaminants to be present either naturally, or through their introduction to the ground via the formal or informal uses of the application site and neighbouring land.</p>
<p>Environmental Health – Noise and Pollution</p>	<p>I note that there are commercial units close to the application site. This appears to be a scaffold business.</p> <p>This may be a potential source of noise for future residential occupiers from early morning and weekend operations. We require further information on this premises, whether it is likely to represent a source a noise and if this is the case most likely we will require a noise assessment to determine suitability of the proposed site.</p>
<p>Canal and River Trust</p>	<p><u>Amended Plans</u></p> <p>We are a charity who look after and bring to life 2000 miles of canals and rivers. Our waterways contribute to the health and well-being of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the well-being of our nation. The Trust is a statutory consultee in the Development Management Process</p> <p>The main issues relevant to the Trust as statutory consultee on this application are:</p> <ul style="list-style-type: none"> a) Possible mitigation measures as a result of flooding from Startops Reservoir b) Drainage c) Accessibility <p>Based on the information available our substantive response (as required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) is to advise that suitably worded conditions and/or a legal agreement are necessary to address these matters. Our advice and comments are as follows:</p> <p>The site falls within the inundation zone of Startops Reservoir, which is located to the south west of the site rather than Wilstone Reservoir as mentioned in the FRA. The possible breach of the reservoir therefore represents a flood risk that must be properly considered by the developer under paragraph 163 of the NPPF which states that the development should be appropriately flood resilient with any residual risk safely managed.</p> <p>The applicants flood risk assessment acknowledges that the site is at</p>

risk from overtopping or a breach but considers the risk to be very low as the site is some distance from the reservoir with agricultural land in between.

It may be possible to make the development more appropriately flood resistant and resilient by alterations to the proposed landscaping to include a low bund around the eastern perimeter of the site to deflect the flow of any flood water towards the canal. This could be incorporated into the landscaping, however to be most effective this would require the removal of access from the site into fields to the east. If the Council feel that this is necessary or appropriate then the matter could be dealt with by the submission of a reserved landscaping scheme and the Trust would request that this is duly considered. The access could be reinstated at a later date if access across the surrounding land is formalised and if appropriate alternative measures to minimise the impact of flooding are provided.

Drainage

The proposal includes the discharge of water from roofs and roads via an attenuation basin to the ditch running along the boundary with the canal. We welcome the clarification that the ditch does outfall into the canal. The trust confirms that the detail provided is acceptable and we are pleased to note that the ditch and headwall will be cleaned out and maintained in future.

Accessibility

The Trust encourages the use of waterways and towpaths for leisure, recreation and sporting activities as part of the natural [national] health service acting as blue gyms and supporting physical and healthy outdoor activity. The County and Borough Council are working with the Trust to secure improvements to sustainable transport routes in the area and the canal towpath is recognised in the Core Strategy as an important movement corridor. As well as towpath improvements there is a need for other wide ranging improvements such as signage and seating and improvements, particularly for cyclists such as widening the towpath and providing improved access ramps at certain locations.

It is noted that the site lies adjacent to the canal towpath, which provides a free public resource for walking and cycling and provides access to green infrastructure, both of which can benefit the well-being of the local community and future residents. The towpath forms part of the Grand Union Triangle, a sustainable transport route and leisure route promoted by Buckinghamshire County Council and Dacorum Borough Council.

There is a towpath access point at the nearby canal bridge. However the applicant has contacted the Trust to discuss a more direct access point. This may be acceptable subject to a detailed assessment of the location of the access point, the design of the access route and its means of adjoining the towpath as well as payment of a small license fee to make the connection. This should be discussed with the Trusts Estates and Engineering team. The possible increased usage of the

canal towpath as a sustainable transport route serving the site may result in the degradation of the towpath surface.

The Trust can provide numerous examples of similar situations where developers have made accessibility improvements as a form of mitigation to either offset additional usage of the towpath to reach the site or to improve access links onto the towpath for the benefit of both future residents and existing users. This is considered necessary for the scheme to comply with Policy CS8 (Sustainable Transport) and CS35 (Developer Contributions) of the Core Strategy.

It is recognised that this development is small scale and thus any proportionate contribution may be unable to meet the cost of improving a significant length of towpath however it may be possible to pool contributions to provide a meaningful improvement to the canal towpath in the vicinity of the site.

The Canal and River Trust therefore requests that further discussions take place on this matter to determine if there is support for a contribution to be requested and what this may be in line with the Community Infrastructure Levy Regulations 2010 (As Amended)

Conditions:

1) Prior to the commencement of the development, a Risk Assessment and Method Statement shall be submitted and agreed by the Local Planning Authority which includes:

a) details of the proposed protective fencing to be erected to safeguard the waterway infrastructure and canal towpath boundary

b) a method of preventing pollution of the ditch and canal (if hydraulically linked) from overland flows or polluted groundwater and

c) an assessment of the risk to canal assets and if piling methods are to be used the need for vibration monitoring to protect the canal and lock infrastructure during the course of construction.

All works shall be carried out in accordance with the approved details.

Reason: To comply with paragraph 170 of the National Planning Policy Framework as the ecological environment in this location is sensitive and should be protected from disturbance, dust, run off, waste etc entering the canal.

2) Further details of the proposed surface water drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and thereafter implemented in accordance with the agreed details.

Reason: To comply with paragraph 170 of the National Planning

	<p>Policy Framework and to determine if any surface water will enter the canal and if so the potential for pollution of the waterway and volume of water.</p> <p><u>Additional Comments:</u></p> <p>It may be possible to create a new access from the site to the towpath. The access will require an agreement from the Trusts Estates Team, who make a charge for the agreement to use our land. They would only enter into an agreement if the location, design etc was considered acceptable. In this case, due to the change in levels this is slightly more complicated than just a gate onto the towpath and it would be expected that the applicants agree the design with us, and carry out the work to create the new path and maintain it in the future. This work and the design and position of the access would need to be agreed with our Infrastructure Services Team and would need to comply with the Trusts' Code of Practice for work affecting the Canal & River Trust'.</p> <p>If there is no 'in principle' objection to this then you would need to enter into the Trust Code of Practice process to agree the position, design details etc.</p> <p>Please see: https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice</p> <p>As the drainage ditch does end up flowing into the canal this will need to be looked at by our Water Engineers.</p>
NATS Safeguarding	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p> <p><u>Amended Plans</u></p> <p>NATS no objection remains as submitted.</p>

Thames Water	<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>Water Comments</p> <p>On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p> <p>There are water mains crossing or close to your development. Thames Water do not permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</p> <p>The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Address/Neighbour	Comments
Ward Councillor Nick Hollinghurst	Wilstone is a small village and is well known to me as the local Dacorum Borough Councillor.

	<p>The location is not appropriate for development before other land holdings within the village core are developed and there are no mitigating factors, e.g. brownfield land, replacement dwellings.</p> <p>The local plan sets Wilstone into the Rural Area as a village subject to development restraint.</p> <p>The access onto the highway will be difficult due to the proximity of a hump back bridge with poor visibility.</p> <p>The proposed development does not use up the full area of the field in which it is situated and is an inefficient use of the available land insofar as it will compromise any further development adjacent to it.</p> <p>The village has recently accommodated a canal side development nearby but another 28 dwellings close by will strain the services, facilities and amenities of what is at the moment a balanced and harmonious rural community.</p> <p>I request that this controversial development be dealt with by the full Planning Committee.</p> <p><u>Additional Comments</u></p> <p>My objection is based on the following points:</p> <ol style="list-style-type: none"> 1. It is outside the village envelope located on previously undeveloped land contrary to DBC policy on development in the Rural Area. 2. The access from Tring Road between a blind bridge and a 75 degree curve in the road is at a point of poor visibility in both directions 3. The development is in a village with poor public transport provision and as such it fails to demonstrate sustainability 4. It does not feature in the emerging Local Plan with which it conflicts. 5. It represents an inefficient use of land insofar as it blocks off other plots and hampers access to a farm to the rear and to the north of Grange Road.
CPRE Hertfordshie	<p>CPRE Hertfordshire object to this proposal for residential development in the Rural Area Beyond the Green Belt which is contrary to policies in the National Planning Policy Framework and The Dacorum Core Strategy, 2006 – 2031.</p> <p>This proposal appears to be an extension of application 4/00024/19/MFA for 15 dwellings submitted by the same applicant, which has not yet been determined by the Council. That application was put forward as an entry level exception scheme under paragraph 71 of the NPPF. The provisions of para. 71 do not apply to this application.</p> <p>Wilstone is defined in the Dacorum Core Strategy as a small village within the Rural Area Beyond the Green Belt. These are described as “the least sustainable areas of the borough”.</p>

It is acknowledged that some development will be required within the countryside. "In order to ensure that rural communities continue to thrive there may be the need for specific rural sites for affordable housing ...The location of these sites will be considered through the Site Allocations DPD."

The identification of local needs will be informed by village appraisals. This is not a site allocated through the DPD.

Policy CS7 says that small-scale development for housing will be permitted at Aldbury, Long Marston and Wilstone, provided that it complies with Policy CS1: Distribution of Development and Policy CS2 Selection of Development Sites.

Policy CS20 will only permit small scale schemes for local affordable housing in and adjoining the selected small villages where they meet an identified local need the scheme is of a scale and design that respects the character, setting and form of the village and surrounding countryside.

The NPPF says that the size of a development must be proportionate to the size of the settlement. The scale of development has to be considered in context. In a large town or city 28 houses would be small scale. There are currently approximately 280 houses in Wilstone. This development would increase its size by 10%. That is not small scale. This site, though immediately adjoining, is outside the settlement boundary. Consequently it will result in an outward extension of the settlement into the open countryside.

While there appears to be no specific affordable housing needs appraisal for Wilstone itself, in 2018 an assessment of housing need in Tring Rural Parish, covering all six villages, was carried out. That identified a need for 13 affordable housing units. Based on the demand figures in Table 6 of that assessment, Wilstone has a need for 4 affordable homes.

The Planning Statement accompanying this application states that the site has "a number of local facilities and services accessible on foot and public transport to local services and facilities". That is a little disingenuous. The village has a village hall, a pub and a part-time convenience shop.

Employment, educational, health, recreational and retail facilities are all located in Tring, some 5 kilometres away. The nearest railway stations are at Tring (7km.) and Cheddington (5.7km.)

In the Chartered Institute of Highways and Transportation 'Guidelines for Providing for Journeys on Foot' the acceptable walking distance is 1km and the desirable 800m. (The absolute maximum distance for a fully mobile person is 2km.) Department of Transport 'Policy LTN1/04 on Walking and Cycling' says "The mean average length for walking journeys is approximately 1 km and for cycling, it is 4 km."

Consequently all significant services are significantly over an acceptable walking distance (Not the 'acceptable' 2 km. mentioned in the Transport Assessment). The Redline 164 bus service only runs once an hour to Tring, with a break midday for 2 hours and stops at 6:00pm. Star travel 167 to Leighton Buzzard has one bus per day and 207 to Hemel Hempstead once a week. This is not conducive to sustainable commuting.

	<p>Given that the majority of units on the site are for family housing, it is inevitable that those households will be car dependent. NPPF para 103 says that “development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.” In our view, this development is not sustainable.</p> <p>The site is currently in arable cultivation. There is no reference in the application to the agricultural land classification of the site. The Agricultural Land Classification Map for the Eastern Region (ALC008) shows that the site is classified as Grade 3. Both the NPPF and Saved Policy 108 of the Dacorum Local Plan give protection to Grades 1, 2 and 3a. Policy 108 says that development on Grade 3a land will be refused. The Council will have to satisfy itself on the classification of this site before determining the application.</p> <p>On the proposed design and layout of the development, we note that in the Statement of Entry Level Housing Needs prepared for application 4/00024/19/MFA Rectory Homes stated that “flats are not proposed on the site in Wilstone due to the nature of this development site and its location.” Consequently we are surprised that 28% of the affordable housing in this application, less than a year later, are flats. There is no explanation for the fundamental change.</p> <p>It is not clear that the proposed public open space will integrate and connect with walkers along the Grand Union Canal, for wider public benefit; in fact the whole relationship of the built form to the Canal feels poorly considered and an opportunity missed. The layout and built forms generally are quite arbitrary lacking a coherent approach to the site or context.</p> <p>We are also concerned that the proposed layout indicates the potential for both vehicular and pedestrian access to the adjacent field, facilitating future development. Should the Council be minded to approve this application this potential should be removed.</p> <p>This unsustainable development will clearly have an adverse impact on the openness of the Rural Area Beyond the Green Belt and extend the village beyond its settlement boundary. In our view, this application does not meet the requirement of the policies in either the NPPF or the Dacorum Core Strategy and should be rejected</p>
1 Chapel Fields	<p>The comments relating to a previous application for 15 houses on the above site, number 4/00024/19/MFA still apply.</p> <p>Policy CS1 Wilstone is identified in the Core Strategy as a small village within the rural area and in order to protect it, it is an area of development restraint.</p> <p>Policy CS2 the site is outside the village boundary and building outside the development boundary is contrary to the general planning policy. Wilstone has been rated as poor in its accessibility audit outcome in Dacorum's Settlement Hierarchy Study.</p> <p>Wilstone has no key services, i.e. NO primary school, post office, NO surgery, Children's Centre. The closest higher tier settlement is Tring.</p>

	<p>This current application is for the development of land on a non-brownfield, previously undeveloped green field site outside the village boundary and does not sit with previous granted permissions for housing development. Development of this site would set a precedent and make it difficult to refuse future proposals for similar or adjacent housing development in Wilstone and Long Marston</p>
<p>3 Chapel Fields</p>	<p>This development directly goes against the needs of village residents, as well as the research carried out for the developer ("Tring Road, Wilstone Entry-Level Housing Needs" for Rectory Homes by Lichfield's) and by Tring Rural Parish ("Housing Needs Survey: 2018").</p> <p>These studies showed a significant need for smaller, affordable homes; suitable for single occupants/parents and young families. The Parish Council study identified a need for 2 bedroom houses (63% of recipients), as well as 1 or 3 bedroom houses. This application is proposing 15 more big houses that won't be affordable to villagers that are in need of housing. These 15 houses, which are additional to the 13 'affordable' properties, appear to be 4-5 bedroom houses on large plots of land. These will be vastly unaffordable to the villagers in need of housing. We have just had 8 large properties built in the village in the last year, starting at £650,000 upwards, none of which were bought by those 'in need' that live in the village. The Lichfield's study states that in order for the houses to be of use to the village, the values need to be around £316,000 (without H2B) or £354,000 (with H2B) a discount of up to 20% on a 2 bed or 20-30% on a 3 bed.</p> <p>As well as the unsuitability of the housing proposed, I object to the quantity. The village already has too many people driving through it on a daily basis. The majority of drivers fail to adhere to the speed limit. 28 new houses will bring at least 56 new cars through the village; based on the size of the houses, you can guarantee at least 2 cars per household. There needs to be a review of the traffic calming strategies in the village before any more houses can be built.</p> <p>There is no need at present for any more large houses in the village. The village needs smaller, affordable homes that are in reach of those on lower incomes. The developer seems to have completely ignored their own research, the needs of the villagers and the local plan</p> <p>Amended Plans</p> <p>Further to my comments on 4th August 2020 and in response to the amended drawings uploaded on 8th Sept 2020:</p> <p>The comments and concerns of the village residents have not been acknowledged in the updated proposals. The development still fails to address the needs of the village or contribute to the local population in a positive way.</p> <p>Referring to the response by highway officer, Adam Whinnett (signed 22nd July 2020, uploaded 23rd July 2020), whose observations clearly indicate the impact the development would have on the village's existing infrastructure. The response suggests substantial investment and alterations would be required in order to accommodate the impact of the development on the</p>

village. There are conditions to be met concerning the highways, pedestrian use through the village, pedestrian crossing points, and bus services. However no indicative plans have been submitted to show intention of meeting these conditions yet.

Mr Whinnett also comments on the number of parking spaces allocated to residents of the proposed site. The original allocation was for 70 spaces, which has been reduced to 68 in the new amended drawings and following Mr Whinnetts comments. The current standard is for 49.25 spaces, outlined in DBCs parking standards. A reduction of 2 spaces shows little regard for the authority of the highway officer, a lack of willingness to meet the highway standards, and raises concerns that the other observations and conditions will not be sufficiently met.

Further, the development is proposing just 6 visitor parking spaces for the 28 proposed dwellings. This will not provide enough space for visitors to park and will encourage parking outside the t-junction, along Tring Road and elsewhere in the village.

The proposed t-junction is located in close proximity to a dangerous corner on Tring Road. The speed limit from the north is 60mph but reduces to 30mph for the village. However this is only after the corner turns, meaning cars regularly pass this corner in excess of 30mph. Furthermore, the road width narrows after the corner (visible on plan), meaning cars regularly cross onto the other side of the road at speed. The late speed limit change, poor visibility and difference in road width make this a very dangerous section of road in the village. There is no designated footpath either, so pedestrians are forced to walk on the road. With the added complications of a t-junction here, it will only be a matter of time before there is a road collision or a pedestrian is knocked over.

This is a substantial development being carried out next to a grade II listed canal bridge. Access to the site will not be possible via this bridge. Therefore it is assumed that all construction traffic will need to come through the village. Not only will this cause significant noise pollution for the village residents, but it will pose a danger to the pedestrians who walk through the village. There are a number of sections of road through the village which don't have footpaths so pedestrians regularly walk on the road and will be put at risk by the use of this road by construction traffic. Further, the section of Tring Road by the village hall is a blind corner, the visibility of which is blocked by a 10ft+ fence. The residents of the adjacent terraced houses park on the road, which they are fully entitled to do, so the passing width of the corner is reduced significantly from what is shown on standard maps. Large construction vehicles will not be able to turn this corner with ease and could cause damage to the residents cars, pose danger to the pedestrians walking here and obstruction to other road users.

This is a case of building houses for the sake of building houses to make a profit. The development is too vast and disproportionate to the village, the houses are too big and are unaffordable to village residents in need of housing, and there has been little consideration for the surrounding area; the site blocks neighbouring fields rendering them inaccessible to farmer's vehicles and the site has no relationship to the adjacent footpaths or the canal.

	<p>It is clear that the developer has little regard for the village's existing residents, their way of life or the character and beauty of the village.</p>
<p>4 Chapel Fields</p>	<p>I object to this planning application in the strongest terms and for the following reasons:-</p> <ul style="list-style-type: none"> - 28 additional houses in the small village of Wilstone represents a 10% increase in its size and would substantially change the character of the village and very negatively impact the community - the level of traffic through the village would increase substantially and increase the noise, pollution and risk of accidents. There is only one road through the village and no alternative routes for traffic. The main road already has no footpath through the village posing a danger to pedestrians and substantial extra traffic would increase the risk of accidents and reduce willingness of people to walk. - the bottle neck for traffic coming over the canal bridge would worsen increasing the risk of accidents on an already weak bridge. - the development is proposed on green field land ruining the character of that end of the village. All other recent developments have been on brownfield land and this should continue rather than spoiling the countryside - the development clearly contradicts policies CS7, CS1 and CS2 - the village does not have amenities nor jobs for the proposed extra residents meaning they would have to travel out of the village constantly with the consequent negative impact on the environment. <p>I also wish to complain about this process. A public consultation meeting should be held and if Covid 19 restrictions prevent such a meeting taking place the whole process should be stopped until it is possible to do so. This affects the whole community and they must be allowed to have their opinions heard.</p> <p><u>Amended Plans</u></p> <p>My objections to the plan remain and are unchanged as a result of revised documents posted by the developer. Added to this, the area is prone to flooding as recent rainfall has more than adequately demonstrated and covering green field land with more concrete and tarmac will increase run off further and add to an already chronic problem. This development must not go ahead!</p>
<p>10 Chapel Fields</p>	<p>Can you tell me how to make an objection on the grounds that this is a major development on a green field site which would expand this small rural village by approximately 10%</p> <p>This is despite there being no facilities in Wilstone like doctors, supermarket/shops or school. I believe this would contravene your own policies concerning development. This development is outside the village boundary and thus contravenes policy CS2</p> <p>I would also like to object strongly about increased noise and light pollution</p>

	<p>this development would bring with approximately 60 extra vehicles using the village roads</p>
<p>15 Cheddington Lane/ Wilstone Allotments Association</p>	<p>1. Ref Transport Statement Appendix C Page 23: Proposed Site Plan. 'A new pedestrian access formed through existing hedge'. This access is onto land owned by Tring Charities and includes Wilstone Allotments. All tenants of the allotments are very concerned that this access will add to our ongoing security problems. We have had numerous incidents of trespass, vandalism, theft, damage to sheds and greenhouses since the allotments were set up in 2011. The site location is difficult to monitor despite tenants vigilance and residents support. Why is the gate on the plan? What is it for? There is no explanation given.</p> <p>2. Ref Planning Statement Wilstone June 2020: Page 27 - 6.66 'It is accepted that the development will have an impact and thus create a need for financial contributions for certain services to mitigate its impact and make it acceptable in planning terms....'</p> <p>Wilstone Community Shop provides a vital and essential range of services to the wider as well as local community (as seen during the Covid 19 pandemic when it stayed open throughout), but it is due to close in 2021 unless funds can be raised to purchase the property from the owners of the building who are retiring.</p> <p>£300,000 is needed to be raised. A substantial donation towards this purchase from the developers would be generously received by the Wilstone Community Shop Management and Fund Raising Committee.</p>
<p>17 Dixons Wharf</p>	<p>This proposal is significantly too large for the village and sets a dangerous precedent in relation to development on greenfield land within the context of a small village in a rural environment. The environmental considerations have been substantially underplayed, including the ecology of the area. The ecology report glosses over resources not found (on a single survey occasion) and uses the absence of historical records to suggest that species are absent, when in fact they are regularly present in the fields in this area, such as barn owl, skylark, lapwing and scarce breeding species including yellow wagtail. In addition to all of the other planning policies that would be breached by this application, there is no suggestion of the requirement to deliver biodiversity net gain (soon to become mandatory under the Environment Bill) and the plans reflect that with their tokenistic approach to landscaping, where significant and genuine gains are in fact needed to address the widely acknowledged climate and biodiversity crises. The infrastructure of the village is not in a condition or of a scale that would allow for the effective absorption of this many new residents and vehicles and should not be permitted. The many recent developments on brownfield land within and adjacent to the village have amply demonstrated the success of that approach to reinvigorating the village and allowing for small-scale expansion without threatening the character of the area, which it is vital to maintain.</p> <p><u>Amended Plans</u></p> <p>There is nothing in the revised planning application that has sought to offer genuine concession or allay the concerns of the majority of commentators on the previous plans, namely the scale of the proposed development and the</p>

	<p>resultant strain to existing community facilities and infrastructure.</p> <p>I note the indication of a 'potential connection to the canal' through the site, which suggests that the proponent has no real interest in, or commitment to, providing it. The increase in size of attenuation basin, whilst making more of the site impermeable, is not a sustainable solution for localised flooding impacts either.</p> <p>Unfortunately for the proponent, they can do nothing about the fact that the site remains a greenfield one and is consequently wholly inappropriate for development of this nature in this village location and context.</p>
21 Dixons Wharf	<p>This application seems to me to possibly breach Policy CS1 and certainly to breach policy CS2 as it is on a green site outside the village boundary.</p> <p>As there was already considerable objection to the earlier 15 house proposal (4/00024/19/MFA), this 28 house proposal would seem to be totally out of keeping with the village's supposed protected status.</p>
22 Dixons Wharf	<p>I would like to please strongly object to this development for the following reasons:</p> <ol style="list-style-type: none"> 1. The site is green field and therefore I struggle to understand how this development is even being contemplated in the first instance. There are plenty of brown field sites in the area without digging up farmland / grassland. This alone should be enough to refuse this application in itself. 2. Wilstone has no facilities to support a 10% increase in the population that this development constitutes. 3. The roads are unfit for more traffic 4. The development will be overcrowded, and (like every new build development these days) there won't be enough parking or enough green space built in, and the space will be 'rammed full' of identikit characterless houses. 5. The area has already had sizable developments in Dixons Wharf (where I live) and Lukes Lane. This is enough for this area 6. I am aware that developers have in the past 'tipped the balance' on getting planning approval by offering additional money for local services, which seemingly helps to get planning applications through. I find this behavior unacceptable / unfair as individuals such as myself who would love to build our own house on a plot find that it is impossible to locate a plot with planning permission as green field sites for are non-starters and as individuals we cannot afford to make the monetary contributions that corporate developers do. There should be a level playing field between commercial developers (who build awful, soulless houses designed to maximize profit) and individuals who would build much more appealing houses given the opportunity.
51 Ellingham Road, Hemel Hempstead	<p>This would be over-development in a village, increasing housing by 10%, Previous development has only been allowed on brown sites or previously</p>

	<p>developed areas; this would be on agricultural land and the site is outside the developed area of the village.</p> <p>The site would bring approx. 50 plus cars to the area where road access is poor. The sewerage system in the area is overloaded and this would worsen conditions.</p> <p>The site is often waterlogged and subject to flooding.</p> <p>There is no public schooling available in the village and shops consist only of a farm shop and a community shop which has a threatened future.</p>
Hornbeam House, 2 Lendon Grove	<p>This would be a great shame for this unspoilt rural community. The roads surrounding this are already far too busy to cope with additional traffic from a development of this kind. There is also limited local infrastructure to cope.</p> <p>With new developments cropping up all over, it would be a great shame to lose yet more much needed green land that supports rural communities and wildlife in the area.</p>
1 Grange Road	<p>We object to this proposal on the following grounds:</p> <p>Wilstone is classed as a Rural Area and an Area of Development Restraint</p> <p>It would set a precedent for the conversion of arable land to housing and could lead to or encourage further development along Tring Road particularly to the south and in the fields to the south of the site. Government data shows that rural housing is now growing at much greater rate than urban which has largely been stable over the last few years</p> <p>Dacorum policy for rural areas allows for small scale development for housing, employment and other purposes at Aldbury, Long Marston and Wilstone (CS7)</p> <p>Over the last 20 years or so the housing stock in Tring Rural PC has increased by over 20% with the majority being open market housing. If the current proposals are included this will represent an increase of 25%. The size of developments is increasing and the proposal is the largest to date. The trend is to build exclusive developments which Herts CC will not adopt on the edge of villages. These do not represent logical extension to the villages.</p> <p>The developer does not explain how social rent housing will fit in with an unadopted development that will require some form of management organisation and additional fees to cover maintenance, insurance etc.</p> <p>The cost of rural open market housing is reckoned to be 20% above urban land so a 20% reduction for affordable in a rural setting is unlikely to make it truly affordable. In addition there are management fees and hidden costs associated with living in a rural area. The net result is that these developments will only attract those from outside the local area who can afford to live in the countryside and commute to work.</p> <p>Rectory Homes suggest that the village is well served by bus and rail routes and make much of walking and cycling. It is true that there is a choice of stations with routes to London or the Midlands, but whether you use Tring,</p>

	<p>Cheddington or Wendover, they are all difficult to get to and have limited parking. The bus routes are limited and run at times that are not generally suitable for commuting. Some services only run during Bucks school terms.</p> <p>Wilstone has more amenities than many villages but for access to services such as Post Offices, banks, senior schools, medical facilities and recycling centres requires a trip to a local town.</p> <p>There are no pavements in the centre of Wilstone so school children cannot walk from the proposed site to the bus stop by either route without walking some way on the highway. Children and parents then have to wait on the highway dodging cars and vans going to the village shop. Senior children have to make their own way too Tring as there is no room on the school bus.</p> <p>Walking using the many footpaths is great in the summer for leisure but as a means of getting to places like Tring on a daily basis is simply not a realistic option for most people.</p> <p>The road routes from Wilstone are not cycle friendly and often highly dangerous.</p> <p>All of these residents will be very dependent on the car and most multi-occupancy households will have 2 cars. This leads to significant numbers of car trips than might occur in an urban area.</p>
23 Grange Road	<p>I object to the plans on the following grounds:</p> <p>Policy CS1 points out that Wilstone is an area of development restraint.</p> <p>Policy CS2 of building outside the village boundary therefore encroaching onto green countryside, this site is outside the village boundary, therefore will be encroaching onto countryside.</p> <p>Changing the character of the village and the months/years of misery for the community during yet more construction.</p> <p>The local school is full to capacity as are the local doctor's surgeries.</p> <p>We already have issues with speeding and heavy traffic through the village, where this site is proposed means that all the works traffic will have to travel all the way through the village to site, damaging roads and causing risk to lives (very few footpaths) and property.</p> <p>The wildlife that occupy the field would be a sore loss to the community and area.</p> <p>The damage and pollution to the neighbouring area</p> <p>These properties still won't be 'affordable' for first time buyers in this area because of house prices being so high across the parish.</p> <p>There are two brown field sites identified close by in Tring, there's no need to take away any green field</p> <p>There are real concerns about flooding and over use of an already stretched</p>

to its limits sewerage system

As for transport/vehicle movements, the bus service to and from the village is sporadic at best.

Commuting using a bus would be impossible as the last bus gets into the village before 5 o'clock and that's only in Bucks school term time.

There's no real local employment, the village shop is run by volunteers and the local pub and farm shop have low staff turnover and it's a long way to Tring or Aylesbury with no footpath on the road to either, so we could expect another 50+ vehicle movements per day in the village should all dwellings be filled.

Agricultural vehicles would also be forced to access the remaining area via Rosebarn Lane rather than through the gate on Tring Road. Rosebarn lane is a foot path, clearly unsuitable for agricultural vehicles and used daily by children going to and from the bus stop.

We are aware that it will not be taken into consideration but we are expecting, should planning be granted that provisions have been made for parking of construction workers other than using Grange Road and Tring Road to dump their vehicles. The top of Grange road is used 4 times daily by the school coach as it is the safest place to turn around, it would also hinder the residents being able to park near their homes

We are mostly concerned that this development, if granted, will open the flood gates for development of the rest of the green space within the village, ruining the character of it and causing many years of misery during construction, ending with loss of privacy for us all.

Amended Plans

I object to the plans on the following grounds:

Policy CS1: Distribution of development. Wilstone is identified in the core strategy as a small village within the rural area and in order to protect it, Wilstone is an area of development restraint.

The proposed development does not satisfy Policy CS2: Selection of Development Sites. The site is not located within the defined Wilstone village boundary. In the Dacorum Borough Council Settlement Profiles Paper (October 2017), Wilstone is identified as settlement number 14. On the accompanying map in that document, it is evident that the site location of the proposed development is outside the village boundary.

In Dacorum's Settlement Hierarchy Study (October 2017), Wilstone has been rated as poor in its accessibility audit outcome. Today as then, Wilstone has no higher order services (as defined in that study i.e. no secondary school, supermarket, employment, indoor sports facilities, library, dentist or pharmacy).

Wilstone has no key services (as defined in that study i.e. no primary school, post office, GP surgery, Children's Centre). It has a village hall, food shop

(part time hours) a pub and a children's play area. The study also identified that the closest higher tier settlement, Tring, is 5 km away and has limited public transport provision.

There is a lack therefore of existing services and facilities in Wilstone. Furthermore, residents of the proposed development will be reliant on cars as a main means of transport to use nearest services and facilities.

The study on Wilstone in the Dacorum Settlement Profiles Paper (October 2017) identifies average vehicles per household as 1.7 (based on a 2011 statistical survey). With the proposal seeking 28 new dwellings, this will equate to some 47.6 new vehicles in the village. This is likely to have a significant impact on the local highway network at peak hour and other times. The applicant's supporting planning statement estimates there being 15 vehicles additional to morning peak hour and 16 for the afternoon peak hour. It would be useful to know how these figures have been determined.

In the applicants supporting planning statement it is stated (6.67) that "the site is located in an area suitable for small-scale growth with a number of local facilities and services accessible on foot and public transport to local services and facilities". It is evident from Dacorum's own settlement hierarchy study (October 2017) when referring to Wilstone (and as mentioned above) that this is not so.

Further, in the supporting planning statement, 6.73 states "the associated construction jobs and local investment during it's build out as well as longer term expenditure in the local economy will be of economic benefit to the local area, helping to sustain local services and facilities within the village". As mentioned previously, there are no higher order services in the village (secondary school, supermarket, indoor sports facilities, library, dentist and pharmacy) to be supported. Of the services available, there is the opportunity to support the village shop (part time hours) and the pub, the latter also patronised by customers who travel in from outside the village (walkers and car drivers). Other key services such as a primary school, post office and children's centre do not exist. In making these observations, we do not believe they afford "positive weight in the planning balance" (applicants planning statement 6.73) and ask whether members and officers are of the same opinion.

The change to the character of the village and the months/years of misery for the community during yet more construction, destroyed verges hedgerows and litter as there was during the construction of Wilstone Wharf.

The local primary school is full as is the secondary school they had 517 applications for 240 places last year, as are the local doctor's surgeries, dentists and other services.

We already have issues with speeding and heavy traffic through the village, where this site is proposed means that all the works traffic will have to travel all the way through the village to site, damaging roads and causing risk to lives (very few footpaths) and property.

The wildlife that occupy the field would be a sore loss to the community and area.

	<p>The damage and pollution to the neighbouring area</p> <p>These properties still won't be 'affordable' for first time buyers in this area because of house prices being so high across the parish.</p> <p>There are two brown field sites identified close by in Tring, there's no need to take away any green field</p> <p>There are real concerns about flooding and over use of an already stretched to its limits sewerage system</p> <p>Our objection under Policy CS2 therefore is that the proposed development:</p> <ol style="list-style-type: none"> 1. Does not use previously developed land and buildings; 2. Is not in an area of high accessibility; 3. Does not have good transport connections; 4. Does not have full regard to environmental constraints; 5. Does not respect local character and landscape <p>We are aware that it will not be taken into consideration but we are expecting, should planning be granted that provisions have been made for parking of construction workers other than using Grange Road and Tring Road to dump their vehicles. The top of Grange road is used 4 times daily by the school coach as it is the safest place to turn around, it would also hinder the residents being able to park near their homes</p> <p>I am concerned that this development, if granted, will open the flood gates for development of the rest of the green space within the village, ruining the character of it and causing many years of misery during construction, ending with loss of privacy and any green land around for us all.</p>
24 Grange Road	<p>This application 20/01754/MFA, does not appear to supersede the previous application 4/00024/19/MFA for 15 dwellings, which is pending consideration.</p> <p>This application for 28 dwellings represents a 10% increase in the total number of dwellings in the village of Wilstone, a significant increase for a small village within the rural area.</p> <p>The village offers no amenities other than a pub and a volunteer run village shop for a village in excess of 300 households</p> <p>The development, based on a recent statistical survey, would increase the number of vehicles in the village by approximately 50. The resulting increase in traffic through the village and demands for parking places disproportionate strains on the infrastructure and an increased risk for pedestrians, especially on the bend by the village hall</p> <p>The development on a green field site, sets a dangerous precedent for future builds, given that previous developments to date, have been on brown field sites.</p>

	<p>The planning application states that the site is not at risk of flooding. However there have been various recent flood events in Wilstone.</p> <p>The Parish council has closely liaised with the Herts County Council Environment Resource Planning, Flood Risk Management team since 2014, whom it would be prudent to consult given their familiarity with the local area.</p> <p>The village needs more smaller and genuinely affordable properties</p>
27 Grange Road	<p>The precedent of allowing development of this type in a small village, on a greenfield site, in an area that is supposedly subject to the CS1 policy for developmental restraint is not one I support and the increase by 10% of the current village size in a single development seems completely contrary to the policy. It will add major strain on the few public amenities Wilstone has. It also contradicts Policy CS2 in that the development is outside of village boundaries and as such encroaches into the surrounding countryside.</p> <p>This development is simply ridiculous in many ways and is incompatible with the small rural village community that Wilstone is.</p>
29 Grange Road	<p>I object to this application.</p> <p>The following are my objections to the application number 4/00024/19/MFA which wasn't even validated, never mind determined. These objections still stand, for the same reasons, even though some of the documents I refer to aren't included in the current application.</p> <p>There was a Pre-application (4/000427/18/PRE) associated with the above application which mentioned a similar number of dwellings to the current proposal. I can only assume the advice wasn't positive for the developer.</p> <p>My observations, objections and points of note are as follows:</p> <p>Requirement for Affordable Housing in this Location</p> <p>On the applicant's own admission, they do not have the data to support the level of evidence required to meet the NPPF exception test. Quoting from the Litchfield Report - Exception Site Evidence document in para 2.34 "the stage 2 projections are not yet published (and) are needed to determine the number of potential first-time buyers by type, which is needed for this assessment". The entire document is based on assumptions drawn from data which is, by their own admission, required but unavailable.</p> <p>The NPPF (2018) para 71 states "unless the need for such housing is already being met within the authority's area". Para 4.7 of the same Litchfield Report states "it is possible that some affordable houses for sale are already committed in the 5-year housing supply. We have not reviewed all recent permissions." This shows the applicant has not taken the Adopted Local Plan into account.</p> <p>The proposal is contrary to the Adopted Local Plan in that the Dacorum Site Allocations written statement identifies Wilstone as a 'Small Village' and therefore an 'area of development restraint'. The same document identifies three allocated sites within Tring as well as LA5 for potential development</p>

within the area. There should be no requirement to develop a green field site over the two brown field sites already identified within Tring.

Para 5.7 states "between 2001 - 2017 substantial fall in younger working age adults and young children". In Grange Road alone there are 31 children born within this time frame and approx. 20-30 more across the wider village.

Traffic Statement

Para 2.12 Pedestrian access - "...connecting to the footway network..." - this land is outside the boundary of the proposed development site (the red line) as indicated by the site location plan thereby making connection, as a part of this development, impossible and leaving pedestrians to cross a 60mph road on a bend in order to reach the nearest available footpath. The applicant appears to have not understood this issue.

Para 4.2 Walking & Cycling states "...influenced by perception and prejudices of... local topography and attitudes towards particular travel modes." - There are very few footpaths in the village as a whole, none in the centre of the village and none on the roads leading into or out of the village. There are also no cycle paths on any of the surrounding 60mph roads. This development is aimed at first-time buyer families meaning a high potential for small children and pushchairs. I would suggest that common sense and safety is more likely to be a factor to preventing people walking or cycling to local areas than 'perception, prejudices and attitudes'.

The minimum acceptable distances for walking and cycling are stated as being 2km and 5km respectively. Whilst Tring is 4.5km away by road, these roads are, in the main, 60mph narrow country lanes with no footpath or cycle path making the journey very dangerous, particularly for younger children/inexperienced cyclists.

It is possible to walk to Tring using footpaths however it means using the canal towpath network and results in a approx. 5.8km walk one way - outside the minimum distance stated.

Para 4.7 Bus services - Circular 164 route provides 6 buses per day from the village. The timetable does not work for commuters to Aylesbury as the last bus returns to the village at 16:42. It is also important to note that the 07:27 and 16:42 only operate during Buckinghamshire school term times. Wilstone is in Hertfordshire so term times can differ to Buckinghamshire and children can and do attend both Buckinghamshire and Hertfordshire schools.

Traffic Impact

TRICS data analysed is not like for like - data was taken from surveys in Shropshire, Staffordshire, North Yorkshire, Cheshire and Greater Manchester

Selected location for surveys is 'Edge of Town' - Wilstone is a rural village

Sub-category selected is 'residential' where 'village' is an option

Car ownership shown as 1.1 - 1.5 avg per dwelling - Dacorum has previously been identified (within Exception Site Evidence document) as being 'Affluent

Rural' and "have high levels of car ownership" therefore TRICS data is showing less traffic generated than will actually take place.

Compare to Grange Road

- Approx 45 dwellings avg 2 cars per property = 90 vehicles
- Over 50% leave the road between 07:30 and 09:00 weekdays
- Scale down to 15 properties for comparison and this equates to 15 am outbound vehicle movements as opposed to data suggesting 7 am outbound movements. The proposal will therefore result in significantly (double) the traffic movements currently identified.

Sustainability

Village shop

- Is a community shop run by volunteers. It is only open in the mornings (07:30 to 14:00 (Mon - Fri) 07:30 to 13:00 (Sat) and 09:00 to 12:00 (Sun))
- Premises are on a 3-year lease only and villagers are currently actively trying to find ways to keep it open. If the lease is not renewed there will be no village shop. This happened some years ago when the Post Office moved out and the shop shut. It is only open now because the community took it on.

Bus Service

- 6 buses per day
- Timings unsuitable for commuters to Aylesbury or Hemel Hempstead
- Timings unsuitable for school hours in Tring
- 07:27 and 16:42 services do not operate during Buckinghamshire school holidays
- Buckinghamshire school holidays do not necessarily coincide with Hertfordshire school holidays

Local employment

- Village shop is volunteer run, therefore does not offer an employment opportunity
- The Half Moon Public House has a very low staff turnover
- Other businesses in the village are mainly sole-trader/self-employed/work from home
- Main commuter towns are Aylesbury (7 miles) and Hemel Hempstead (10 miles) and both would require private transport e.g. a car to access

Other points to consider should the application be granted:

	<p>Access to Remaining Field</p> <ul style="list-style-type: none"> - Where is this proposed to be? - Rosebarn Lane is not accessible to vehicles - It is a public footpath - There is a drainage ditch running the full length of the lane down one side - This needs to be addressed as part of the application to avoid highway safety issues resulting from large tractors with attached equipment using unsuitable access points/tracks. <p>Construction Traffic</p> <ul style="list-style-type: none"> - Full construction plan to be put in place - Canal bridge is 10T MGW and a listed building - Construction traffic over 10T will have to come through the village - No construction traffic should be allowed to park in Grange Road before 09:00 and after 15:00 to allow residents access to their properties and parking - No deliveries to the site should be allowed before 09:00 - Parking for construction workers should be identified away from Grange Road e.g. a temporary car park on the construction site or adjacent to it - Grange Road is a cul de sac with a high % of school age children, full risk assessment of any construction traffic using Grange Road should be undertaken and safety action taken to ensure children can still play safely in and around the area. <p>Future Development</p> <ul style="list-style-type: none"> - The application form states that 'pre-application advice was sought on a large residential proposal for the application site and adjoining land (4/00427/18/PRE)'. Presumably the outcome wasn't favourable resulting in this revised application. The concern is that, should this be granted planning permission, it would be setting a precedent for future development of the remaining field and those adjoining. The pre-application advice indicates this is highly likely to be part of the developer's future plans. By proposing to site the new access road to the north of the development, rather than leaving it where it is currently, they are providing themselves with easy future access to any further development of the site in the future.
31 Grange Road	<p>Wilstone does not need a new development with existing developments already being built in Tring.</p> <p>The increase in the size of the village spoils the nature of the village. The village is enjoyed by 100s of people from local towns and communities as a</p>

	<p>tourist spot because it is an attractive village.</p> <p>Wilstone can't cope with the increase in size by 10%. Parking in the village, especially Grange road is terrible and with an extra 50 cars would be even worse.</p> <p>Local schools and doctors would struggle to offer places especially with huge developments already in Tring. Parents could even find themselves having to send children to schools out of the local community.</p> <p>The sewage system in the village is poor and there is definitely a stench in certain parts of the village.</p> <p>Local traffic is already very high with roads and bridges often needing repair due to the heavy traffic.</p> <p>There is a lot of wildlife in the area that would also suffer as a result of the development.</p>
38 Grange Road	<p>Wilstone has seen significant brown field development recently at Dixons Wharf, Wilstone Wharf and Tring Road.</p> <p>This additional proposal would increase the village size by 10% and is to be developed on a green field site in a rural countryside location and outside of the small village boundary. This would set a precedent that would leave our small community at further risk of overdevelopment.</p> <p>There is also the proposed houses at the end of Grange Road to be included.</p> <p>The potential increase of up to 2 cars per household would increase the strain already felt on the local roads. At the end of the village where the development is proposed is a blind bend straight onto a weight restricted, listed canal bridge. The other direction is a 90 degree blind bend where the road narrows, cars park all along one side and there is not footpath for pedestrians going to and from the hall/recreation ground/shop. This is already a danger with people often ignoring the no right turn sign into the village hall car park.</p> <p>Parking is at capacity in the village and there would be no overflow along adjoining roads</p> <p>There are few buses, the shop is small and closes at 1pm and there are no continuous footpaths through the village.</p> <p>The local school is often oversubscribed. The playground is inadequate for children older than toddlers.</p> <p>There must be other sites that would be more suitable for development and not on a greenfield site?</p>
40 Grange Road	<p>Proposal contradicts Dacorum's Core Strategy identifying Wilstone as a small village in a rural area with development restraint. The site is a green field site falling outside of the village boundary thus contradicting general planning policy protecting rural settlements from overdevelopment or encroachment.</p>

	<p>There are no higher order services or key services in the village. To facilitate these services necessitates driving to Tring or using limited public transport.</p> <p>The site is prone to surface water run off which pools at the top of Grange Road. The groundwater monitoring submitted dates from 2018 following severe drought and compromised levels.</p> <p>Groundwater levels have only recently recovered to normal levels rendering supporting data as invalid.</p> <p>All recent developments in the village have been on brown field sites, not land that has been in agricultural use.</p>
<p>7 The Green, Lower Icknield Way</p>	<p>28 New homes in a village of only 280 homes is a 10% increase with around 47 extra cars.</p> <p>Wilstone is identified in the core strategy as a small village and is protected.</p> <p>Wilstone has NO schools, library, GP surgery, pharmacy, post office, limited public transport and a part time shop which is under threat of closure. This is a green field site outside the boundary of the village and not like the last development which was brown field.</p> <p>The go ahead on this site would set a precedent and make future developments hard to stop. This development is way out of proportion to the size of Wilstone.</p> <p>100's and 100's of new homes are being built right now in Tring and Aylesbury and surrounding areas so this development is not needed and will make the village too big with no supporting services.</p> <p><u>Amended Plans</u></p> <p>Wilstone has 280 houses already. 28 more is an increase of 10% with an extra 48 vehicles.</p> <p>Wilstone has had 10 houses built in the village already over the last 2 years.</p> <p>Wilstone has no school, GP, library, dentist, or pharmacy and only a small part time shop which is under threat of closure. Tring is the closest higher tier settlement. Houses in Wilstone are not needed as Tring, Long Marston, Cheddington and Alyesbury all have large developments being built now.</p> <p>The sewage system cannot cope now with 280 houses we have.</p> <p>Other developments in Wilstone were brown field sites, this one is not.</p> <p>All the construction traffic would have to come through the whole of the village as the other end has a 10 ton max humped back bridge over the canal</p> <p>Wilstone has been rated as poor in its accessibility study.</p>

<p>2 The Mill</p>	<p>This opportunistic and speculative application must be refused.</p> <p>Reasons:</p> <ol style="list-style-type: none"> 1. Overdevelopment of rural location. 2. Road safety - the site is on a blind bend near a canal bridge, totally unsuitable for access. 3. Drainage - it is known that the water table is very high in this site and there is insufficient drainage already for the surrounding properties. 4. Insufficient infrastructure - this is blatant overdevelopment of a village already spoiled by numerous recent developments 5. Traffic - there are already safety concerns re site traffic, the school bus service will be adversely affected. <p>Please refuse this application, there is no need for further unaffordable housing in this village as seen by the number of unsold recently built properties which have blighted the village.</p> <p>The application conflicts with the following local policies: CS1 and CS2 outside village boundary</p> <p>Poor Accessibility</p> <p>Greenfield site</p> <p>A totally inappropriate development all round.</p> <p>Stop the decimation of this village by greedy property speculators who have totally ruined its character and spirit.</p>
<p>9 New Road</p>	<p>I wish to object to this development. Wilstone is a fantastic community, however, the reality is that it is poorly served by local amenities and transportation links. All new dwellings will require ample parking for at least a family of 2+, however, without any suggested investment in local transportation - these new dwellings will simply add to local traffic related pollution and congestion - eroding the character of this village.</p> <p>In addition, there is no evidence that either developers or Dacorum / Herts plan to invest in any of the infrastructure to support this large development - eg. the Wilstone pumping station supporting management of sewage is already over capacity, continually requires maintenance and clear out from tankers, etc.</p> <p>In addition, Wilstone is served by a local pub and volunteer run village shop, however offers no employment which allows individuals to be supported without the necessity of a private car to leave the village.</p> <p>I strongly object.</p>
<p>13 New Road</p>	<p>First a comment on process. Why were so few villagers consulted on this</p>

huge development?

Wilstone is a rural community, subject to development constraint. A development that proposes increasing the size of the village by approximately 10% is not small scale. (and is therefore not compliant with CS1).

The proposed development is outside the village boundary (and is therefore not compliant with CS2).

The development of a Greenfield site would result in loss of habitats and would set a precedent for other developments of greenfield sites.

In their planning statement the developers state

'1.3 Wilstone is 2km from Tring.'

In fact it is 2.5 miles. However and importantly, it is 4 miles from Tring station. Whilst cycling and walking are possible, the roads are too busy for many people to be comfortable cycling for 30 minutes in rush hour and although it is a lovely walk along the canal, most people would not tag on a more that 2 ½ mile walk to their working day even in summer.

A significant number of Wilstone residents are commuters and it is anticipated that many residents of the proposed development would also commute. It is highly likely that people travelling to Tring station in order to get to work will drive; parking at Tring station is beyond capacity already and is full before 8am.

The developers also state:

2.3 ' Bus stops are available along Tring Road offering services to the local service centres of Tring and Aylesbury'.

However there are few buses. .

They number;

Monday- Friday: 5/day to Aylesbury (via Tring)

Saturday: 6/day to Aylesbury (via Tring).

Friday: 2/day to Hemel Hempstead (via Tring)

Tuesday: 1/day to Ivinghoe

Services start at about 7.45am and end at about 4.30pm. There is no evening service.

There are NO direct buses to Tring station.

With such limited public transport, it is not a viable option for going to work or many routine activities for most people; they will drive. This will result in the increased emission of greenhouse gases.

The developers also state:

'2.4 In light of the extent of local services and facilities in the village and within walking and cycling distance, and public transport links to larger settlements, Wilstone is considered to occupy a sustainable location for development.'

The above data demonstrate that this is not true. This is not a sustainable development in a sustainable area.

The developers also state:

'5.5 At paragraph 8, the NPPF identifies three dimensions to sustainable development which include economic, social and environmental considerations. It states that these roles should not be undertaken in isolation as they are mutually dependent'

IN fact:

NPPF para 8 states

'a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;'

In this application, the development of Greenfield land outside a village boundary is not considered suitable in an area of low sustainability. There is no attempt to identify, coordinate or provide infrastructure.

' b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;'

Dacorum policy CS1 states that the identification of housing need is informed by village appraisal. The TRPC housing needs survey demonstrated need for 15 houses not 28. Accessible services are limited within the village comprising a part time village shop, a farm shop, a pub and a church.

and 'c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

The use of agricultural land for development does not protect or enhance our natural environment and increased numbers of cars necessitated by poor transport links is not compatible with moving to a low carbon economy.

Therefore this development does not comply with NPPF para 8.

	<p>The developers also state:</p> <p>'6.36 The majority of the vegetation on site (which is largely limited to the site boundaries) will be retained and extensive new landscaping is proposed across the site to help assimilate the development into its surroundings, including strengthening all site boundary vegetation as well as across the site generally. A new area of public open space will be created in the northern section of the site which will comprise grassland, wildflower areas and areas of mixed native shrubs.'</p> <p>The proposed area of public open space is adjacent to one of the wettest parts of the canal towpath: the towpath itself and the adjacent field are often flooded and is more likely to be a bog garden.</p> <p><u>Amended Plans</u></p> <p>I have seen the amended plans and would like to reiterate my previous comments. The proposed development does not comply with either the NPPF or Dacorum Core Strategy. It is on agricultural land and is not sustainable.</p> <p>In addition I would like to add that the recent flooding demonstrates that this area is not suitable for development. This will be exacerbated by the removal of the vegetation from the nearby field.</p>
19 New Road	<p>We have just had one development and I think Wilstone is becoming over developed leading to loss of village.</p> <p>Traffic will be a lot worse as only one way to A41 through Wilstone. More cars will create a noisy road and with more cars coming through at speed there is a higher incidence of accidents.</p> <p>We don't need another development. Loss of more open space in Wilstone. Far too many houses to be built on the small plot.</p> <p><u>Amended Plans</u></p> <p>I think the number of dwellings is far too high for the area. Currently the sewage plant cannot cope with the number of houses already in Wilstone. It would create a further run off of water increasing the chance of flooding. Access onto the road would increase The danger of public walking along the land as there is no pavement. For the area the number of houses in the development is far too high.</p>
The Threshing Barn, 45 New Road	<p>I wish to object to this proposal because it is simply too big for a small, rural village of only 280 dwellings - another 28 dwellings increases this total by 10%.</p> <p>I understand the proposal contravenes Dacorum's core strategy policies CS1 and CS2.</p> <p>Wilstone has no key services such as a GP surgery, dentist, pharmacy, post office, primary school etc and only a limited public transport service to access these services for those who do not have a car.</p>

	<p>This will inevitably lead to an increase in traffic through the village where some properties are literally just a few feet from the main road as there's no pavement.</p> <p>Building on an undeveloped green field site outside the village boundary runs counter to recent other developments in the village where they have been restricted to brown field sites, such as Dixon's Wharf, Wilstone Wharf and no 17 Tring Road.</p>
<p>Garden Cottage, Rosebarn Lane</p>	<p>Wilstone does not have the infrastructure to support this scale of building. The sewers are already under enormous pressure, the electricity supply is subject to regular power cuts and the only road through the village is increasingly busy making it unsafe for pedestrians. In parts there aren't even pavements leading to construction vehicles passing within 2m of cottage windows.</p> <p>The old canal bridge is already under extreme pressure and will not withstand the extra demands from the increased traffic caused by the development</p> <p>The schools are already over subscribed</p> <p>The doctors surgeries in Tring are struggling to serve the growing number of people accessing its services</p> <p>Parking in the village is already a huge problem</p> <p>Wilstone is designated to be a village but its character is slowly being eroded. There is already considerable building work for new homes taking place in all the surrounding areas and I don't see the need to push Wilstone beyond the limitations of a village.</p>
<p>Kingfishers, Sandbrook Lane</p>	<p>Wilstone is a small village of about 280 dwellings - the proposed plan of 28 dwellings would increase this by 10%.</p> <p>Wilstone has no key services such as a GP surgery, dentist, pharmacy, post office, primary school etc and only a limited public transport service to access these services for those who do not have a car. In addition there is no direct public transport to Tring railway station.</p> <p>There is bound to be a significant increase in traffic (a minimum of 47 extra vehicles) and the sharp bend on Tring Road opposite the village hall is a blind turning with no pavement and is an obvious danger to pedestrians.</p> <p>The sewage pumping station in Sandbrook Lane is apparently at almost full capacity resulting not only in frequent odours which spread across the village but also has had a recent cracked pipe which led to an approximate week long convoy of lorries down Sandbrook Lane to solve the problem.</p> <p>It is also understood that the proposed development contravenes Dacorum's core strategy policies CS1 and CS2</p> <p>Building on an undeveloped green field site outside the village boundary runs counter to recent other developments in the village which have been restricted to brown field sites such as Dixons Wharf, Wilstone Wharf and 17</p>

	Tring Road.
The Old Cowhouse, Sandbrook Lane	<p>Greenfield development.</p> <p>Outside village boundary</p> <p>Contrary to general planning policy protecting rural settlements in an area of development restraint.</p>
Buckingham Lodge, Tring Road	<p>I object to this development on several grounds:</p> <p>The proposed development is out of proportion to the size of this small village. It would constitute a 10% increase in size, which is too large for the already stretched local services. The nearest school is in Long Marston and is over-subscribed. The doctor's surgeries in Tring and Aston Clinton are already stretched.</p> <p>Wilstone is identified in the Core Strategy as a small village within the rural area and in order to protect it, it is an area of development constraint.</p> <p>The proposed development is on a green field site and outside the village boundary.</p> <p>The development would increase traffic with the introduction of approximately 50 extra cars into the village. It would also lead to parking congestion and put more strain on parking in nearby Grange Road.</p> <p>Contractors parking on roads and verges during construction would cause major problems, and hazards to other road users and pedestrians.</p> <p>It sets a precedent, making it difficult to refuse future proposals for similar or adjacent housing development in Wilstone and Long Marston.</p>
10 Tring Road	<p>Those of us who have noticed the application have had insufficient time to consider it and look at all the documents in detail. However, I have noticed that one of the associated documents attached to the application under the heading "application details" is 20_01754_MFA-APPLICATION_DETAILS-1091285.pdf.</p> <p>This is the wrong file and relates to a large development in West Hemel Hempstead for "up to 1,100 dwellings...including a "gypsy travellers site" [sic.]</p> <p>What this means is that we do not have the correct application documents attached to this application and therefore the application cannot be determined: For our community to be able to consider it we need the correct documents. This application should never have passed validation.</p> <p>I have already commented that the flood risk assessment is grossly inadequate because the flood risk assessment considers only the site and not Wilstone or Long Marston.</p> <p>However, I have just noticed that document WILSTONE_JUNE_2020-1091280.pdf states under 6.47 that foul flows will be discharged to an</p>

existing sewer in Tring Road, and that 6.48 states that "The submitted Flood Risk Assessment and Drainage Strategy demonstrates that the site is at low risk of flooding and the proposed drainage design will replicate greenfield conditions, taking account of climate change, such not to increase the risk of flooding elsewhere."

This is complete nonsense; there is no way in which this application replicates "greenfield conditions".

The existing sewer network in Wilstone is already overloaded; the pumping station already cannot cope adequately with peak flows and regularly overloads the village with its stink. The proposed site also has inadequate drainage and it will increase the risk of flooding in both Wilstone, and Long Marston, which is downstream of Wilstone.

Furthermore, this application is contrary to Policy Cs7 of Dacorum's cores strategy to permit only small scale development, contrary to Policy Cs1 as Wilstone is a small village and is an area of development restraint; contrary to Policy CS2 as it is outside the village boundary.

This represents the loss of a greenfield site, it would have a very significant on a small community, despite what the planning documents claim, nobody within the community benefits from this proposal, and it should not go ahead.

Amended Plans

The applicant has provided a report by Glanville consultants which concerns the increased flood risk posed by the site.

The report claims in 5.2 that it has been "proven" that the site drains towards the headwall located in the north west of the site.

The report also claims in 2.5 that a 3D model was generated [not available] *claiming* to show that the site drains towards the north west of the site and in 2.7 that there is a pipe connecting the ditch to the grand union canal. There may well be a pipe connecting the ditch to the grand union canal however, these claims do not support the assertion that the site drains to the north west, or that it does so during periods of heavy rain; and the report certainly does not prove that it does, or that the proposed drainage provisions are adequate.

Land drains carry water in both directions depending upon where the water has accumulated and where the flow of rain water is easier. The grand union canal frequently overflows during periods of heavy rain as water from the levels between the higher locks move down the canal. The ordnance survey map for the area shows that the proposed development site is broadly flat but slopes towards Tring Road. The natural flow of the water in this location is towards the old stream bed which Wilstone Church and the Long Row Cottages are built along and which runs down the back of the recreation ground.

On the 4-5th October 2020 we had a weekend of exceptionally heavy rain. Water flowed up through the manholes and grids on Tring Road where the road turns sharply at the Village Hall. The depth of water in the Village Hall car park was above 8 inches in depth. The ditch in front of the proposed

	<p>development site was full and so was the Grand Union Canal. This kind of event happens in Wilstone and we know that it has been happening for a long time, even before the current concerns about climate change: There is no way during periods of heavy rain that water can move in the direction claimed by the applicant's report without it being pumped there, and even if it were to be pumped there it would probably drain back.</p> <p>This report does <i>*not*</i> adequately address the risk of flooding: The proposed development of this site would significantly increase the risk of flooding in Wilstone during periods of heavy rain and the proposed remedies are grossly inadequate.</p> <p>The recent clearance of trees on the plot of land at the junction of Tring Road and Wingrave Road is further exacerbating the problem because trees are one of the factors that are known to slow down the run off of water and remove excess water from the ground.</p>
13 Tring Road	<p>Wilstone is a small rural village that is already struggling to cope with the number of developments that have already been granted. The school bus provision is already full and spills out into a taxi service. The existing nearby infrastructure - doctors, schools, parking etc. are already being pushed to the limit.</p> <p>Wilstone is identified in the Core Strategy as a small village within the rural area, and it is an area of development restraint. The development site is outside the village boundary. Building outside the boundary was one reason why another planning application, much more in keeping with the village (4/04008/15/FUL), was refused. Allowing a large scale development by a developer obviously looking to profit instead of a single development by an active member of the village community would appear to be contradictory and unfair.</p> <p>Additionally, all recent developments (eg. Dixons Wharf and Wilstone Wharf) were on sites of existing buildings. This application is to develop on a fully greenfield site, which are surely another reason why Wilstone has been identified as an area of development restraint.</p> <p>Overruling any of these objections sets a dangerous precedent that would make it much more difficult to refuse further development in local greenfield sites.</p>
17B Tring Road	<p>This development is not fitting for a village of only 280 dwellings.</p> <ol style="list-style-type: none"> 1. Wilstone does not have the infrastructure or key services to support this increase in population or vehicle traffic 2. This proposal is for development on a green field site outside the village boundary. This does not fit with the recent approvals and developments which have all been on brown field sites. 3. I understand it contradicts local planning policy CS1 of Dacorum's Core Strategy. This identifies Wilstone as a small village within a rural area, which is placed under development restraints in order to protect it. A new development of the proposed nature does not protect the integrity of the village.

21 Tring Road	<p>We object to the above application and are of the opinion that it contradicts local planning policy objectives.</p> <p>Policy CS7 of the Adopted Core Strategy (September 2013) applies. Therein, "small-scale development for housing...will be permitted at...Wilstone, provided it complies with Policy CS1: Distribution of Development and Policy CS2: Selection of Development Sites". However, when referring to Policy CS1: Distribution of development, Wilstone is identified in Dacorum's settlement hierarchy as a small village within the rural area (Core Strategy, table 1, page 41). The village is an area of development restraint:</p> <p>"These are the least sustainable areas of the borough where significant environmental constraints apply. These include areas of high landscape quality, such as the Chilterns Area of Outstanding Natural Beauty, and the countryside between settlements. This needs to be protected to ensure its rural character is retained and settlements keep their separate identities". Dacorum's own settlement hierarchy is defined as:</p> <ol style="list-style-type: none"> 1. Areas where development will be concentrated: Hemel Hempstead 2. Areas of limited opportunity: Berkhamsted, Tring, Bovingdon, Kings Langley and Markyate and; 3. Areas of development restraint: of which Wilstone is named as a small village within the rural area amongst other small settlements <p>In the Dacorum Settlement Hierarchy Study October 2017, the following comments were made: (paragraph 2.2.10):</p> <p>"In the Inspectors' report on the Core Strategy it was noted that he fully supported the settlement hierarchy (paragraph 41) in finding this element to the plan sound. He was satisfied that Hemel Hempstead should continue to be the focus for development given it's sustainability credentials and it was therefore reasonable for the market towns and larger villages (Wilstone is identified as a selected small village within the rural area) to accommodate lower levels of growth. He remarked "However, it must be remembered that many of these settlements are more constrained than Hemel Hempstead, for example by the Chilterns AONB (which should be afforded the highest status of protection) and therefore more weight should be attached to securing sustainable growth in the Borough's main town (paragraph 39)". To what extent have officers and members explored and exhausted all development opportunities following the hierarchical approach as adopted by Dacorum Borough Council as part of the decision making process when considering this planning application 20/01754/MFA?</p> <p>The proposed development does not satisfy Policy CS2: Selection of Development Sites. The site is not located within the defined Wilstone village boundary. In the Dacorum Borough Council Settlement Profiles Paper (October 2017), Wilstone is identified as settlement number 14. On the accompanying map in that document, it is evident that the site location of the proposed development is outside the village boundary. In Dacorum's Settlement Hierarchy Study (October 2017),</p>

Wilstone has been rated as poor in its accessibility audit outcome. Today as then, Wilstone has no higher order services (as defined in that study i.e. no secondary school, supermarket, employment, indoor sports facilities, library, dentist or pharmacy). Wilstone has no key services (as defined in that study i.e. no primary school, post office, GP surgery, Children's Centre). It has a village hall, food shop (part time hours) a pub and a children's play area. The study also identified that the closest higher tier settlement, Tring, is 5 km away and has limited public transport provision.

There is a lack therefore of existing services and facilities in Wilstone. Furthermore, residents of the proposed development will be reliant on cars as a main means of transport to use nearest services and facilities. The study on Wilstone in the Dacorum Settlement Profiles Paper (October 2017) identifies average vehicles per household as 1.7 (based on a 2011 statistical survey). With the proposal seeking 28 new dwellings, this will equate to some 47.6 new vehicles in the village. This is likely to have a significant impact on the local highway network at peak hour and other times. The applicant's supporting planning statement estimates there being 15 vehicles additional to morning peak hour and 16 for the afternoon peak hour. It would be useful to know how these figures have been determined. In the applicants supporting planning statement it is stated (6.67) that "the site is located in an area suitable for small-scale growth with a number of local facilities and services accessible on foot and public transport to local services and facilities". It is evident from Dacorum's own settlement hierarchy study (October 2017) when referring to Wilstone (and as mentioned above) that this is not so

Further, in the supporting planning statement, 6.73 states "the associated construction jobs and local investment during its build out as well as longer term expenditure in the local economy will be of economic benefit to the local area, helping to sustain local services and facilities within the village". As mentioned previously, there are no higher order services in the village (secondary school, supermarket, indoor sports facilities, library, dentist and pharmacy) to be supported. Of the services available, there is the opportunity to support the village shop (part time hours) and the pub, the latter also patronised by customers who travel in from outside the village (walkers and car drivers). Other key services such as a primary school, post office and children's centre do not exist. In making these observations, we do not believe they afford "positive weight in the planning balance" (applicant's planning statement 6.73) and ask whether members and officers are of the same opinion.

Our objection under Policy CS2 therefore is that the proposed development:

1. Does not use previously developed land and buildings;
2. Is not in an area of high accessibility;
3. Does not have good transport connections;
4. Does not have full regard to environmental constraints;
5. Does not respect local character and landscape.

We further object to the planning application as development of this site

would set a precedent and make it difficult to refuse future proposals for housing development in this area of the village. We note on the site plan that there is a road head (adjacent to plots 16 and 26) with the potential to access the adjoining field and which also incorporates the village allotments.

Is it the intention of the local authority to consider this for future housing development?

The precedent for granting permission for housing development in and around Wilstone in recent years have all recognised that the sites have previously been developed and we draw your attention to these applications in particular:

1. Planning application: 4/01533/12/MFA - Dixon's Wharf, Dixon's Gap, Wilstone.

Change of use from B1 (business) to C3 (dwelling house) and construction of 21 dwellings.

Granted permission 08/11/12 recognising a previously developed "isolated location within the designated rural area"

2. Planning application: 4/02833/16/MFA - Victory House, Wilstone Bridge, Tring Road

Demolition of existing buildings and construction of 7 houses and 1 live/work unit with associated parking and access arrangements.

Granted permission 16/03/17. Planning officer's report to committee highlighted the brownfield status of the site and to grant permission would "improve the appearance of a previously developed, derelict site".

3. Planning application: 4/01331/17/FUL - 17 Tring Road, Wilstone
Demolition of house and garage and construction of 3, 3 bedroom dwellings

Granted permission 14/09/17. Planning officer report to committee highlighted the NPPF policy on the "effective use of land previously developed". It was considered that "the development would satisfactorily integrate with the street scape character"

This current application for the development of land on a non-brownfield, previously undeveloped green field site outside the village boundary does not sit with previous granted permissions (as above) for housing development. We request that council members defer the application and undertake a site visit and to also include the applications granted above.

A previous planning application for development (15 dwellings) on half this site 4/00024/19/MFA remains undetermined. In making an objection to this current application, we noted a difference in the number of local residents consulted (as evident from the online portal). For application 4/00024/19/MFA, 163 residents were consulted, raising 31 comments, 28 objections and no comments supporting the proposal. On this application, 20/01754/MFA, we note 58 residents were consulted and at the time of writing no public comments were on the online portal. I have written to the Lead Planning Officer who assured me that those who participated

	<p>previously would be contacted and have the opportunity to comment. We understand that there are minimum statutory requirements to publicise applications for planning permission.</p> <p>However, our concern remains that the public consultation for the current planning application (with twice the number of dwellings to that previously applied for and as yet undetermined) has not reached as many residents of Wilstone due to a reduced number of consultation letters being sent out.</p> <p>We trust this will be addressed and taken into consideration as part of council member discussions and decision making.</p>
22 Tring Road	<p>I object to the the planning application based upon the following reasons:</p> <ul style="list-style-type: none"> - 28 new homes is a dramatic increase of 10% of the village. - The application contradicts Policy CS7 of Dacorums Core Strategy. - The site is outside of the village boundary and therefore contradicts CS2 and does not protect Wilstone as a small rural village. - It is a greenfield site and should be protected. - This will pave the way for further developments on the outskirts of the village. When will it stop? - Traffic through the village would increase dramatically with an average of 1.7 cars per household, causing more noise and air pollution as well as over-crowded roads. <p>I would strongly urge the council to consider the negative impact that such a development would have on the local village and its community.</p>
24 Tring Road	<p>We object to the development of the 28 new dwellings and echo the comments of all other current villagers. From a personal viewpoint, we especially support the below points:</p> <p>This development directly goes against the needs of village residents, as well as the research carried out for the developer ("Tring Road, Wilstone Entry-Level Housing Needs" for Rectory Homes by Lichfield's) and by Tring Rural Parish ("Housing Needs Survey: 2018").</p> <p>These studies showed a significant need for smaller, affordable homes; suitable for single occupants/parents and young families. The Parish Council study identified a need for 2 bedroom houses (63% of recipients), as well as 1 or 3 bedroom houses. This application is proposing 15 more big houses that won't be affordable to villagers that are in need of housing. These 15 houses, which are additional to the 13 'affordable' properties, appear to be 4-5 bedroom houses on large plots of land. These will be vastly unaffordable to the villagers in need of housing. We have just had 8 large properties built in the village in the last year, starting at £650,000 upwards, none of which were bought by those 'in need' that live in the village. The Lichfield's study states that in order for the houses to be of use to the village, the values need to be around £316,000 (without H2B) or £354,000 (with H2B) a discount of up to 20% on a 2 bed or 20-30% on a 3 bed.</p>

	<p>As well as the unsuitability of the housing proposed, I object to the quantity. The village already has too many people driving through it on a daily basis. The majority of drivers fail to adhere to the speed limit. 28 new houses will bring at least 56 new cars through the village; based on the size of the houses, you can guarantee at least 2 cars per household. There needs to be a review of the traffic calming strategies in the village before any more houses can be built.</p> <p>There is no need at present for any more large houses in the village. The village needs smaller, affordable homes that are in reach of those on lower incomes. The developer seems to have completely ignored their own research, the needs of the villagers and the local plan</p>
28-30 Tring Road	<p>We object to the above application and are of the opinion that it directly contradicts local planning policy objectives.</p> <p>In reference to Dacorum's Adopted Core Strategy (September 2013), Wilstone is clearly identified and named as a "Small Village within the Green Belt and Rural Area" and thus, based on the outlined settlement hierarchy, "significant environmental constraints apply in this 'fourth tier' of small villages and their rural character will continue to be protected." A 10% increase on the existing number of village dwellings is neither small scale or protecting the rural character of this village</p> <p>"The Inspectors' report in the Core Strategy also duly notes that for such villages, such as Wilstone, falling in to these third and fourth tier settlements the highest status of protection should be afforded and weight should be attached to securing sustainable growth in the Borough's main towns. This proposed development conflicts with policy CS1.</p> <p>The proposed development also does not satisfy Policy CS2: Selection of Development Sites. The site is not located within the defined Wilstone village boundary, identified as settlement No 14 in the Dacorum Borough Council Settlement Profiles Paper (October 2017). On the accompanying map in that document, it is evident that the site location of the proposed development is outside the village boundary and therefore is not protecting the village from over-development and encroachment on to the existing open countryside.</p> <p>Moreover, Wilstone was identified as 'poor' in its accessibility audit outcome, as identified in Dacorum's Settlement Hierarchy Study (October 2017). Wilstone remains with no higher order services (as defined in that study i.e. no secondary school, supermarket, employment, indoor sports facilities, library, dentist or pharmacy).</p> <p>Wilstone has no key services (as defined in that study i.e. no primary school, post office, GP surgery, Children's Centre). It has a village hall, a part time, volunteer run shop, a pub and a children's play area. The study also identified that the closest higher tier settlement, Tring, is 5 km away and has limited public transport provision.</p> <p>In the applicants supporting planning statement it is stated (6.67) that "the site is located in an area suitable for small-scale growth with a number of local facilities and services accessible on foot and public transport to local services and facilities". Given the above, this position is clearly not the case.</p>

	<p>Furthermore, in the supporting planning statement, 6.73 states "the associated construction jobs and local investment during its build out as well as longer term expenditure in the local economy will be of economic benefit to the local area, helping to sustain local services and facilities within the village". As mentioned previously, there are no higher order services in the village (secondary school, supermarket, indoor sports facilities, library, dentist and pharmacy) to be supported. Of the services available, there is the opportunity to support the volunteer run village shop and the pub, the latter also used by customers who travel in to the village (walkers and car drivers). Other key services such as a primary school, post office and children's centre do not exist.</p> <p>The study on Wilstone in the Dacorum Settlement Profiles Paper (October 2017) identified average vehicles per household as 1.7 (based on a 2011 statistical survey). With the proposal seeking 28 new dwellings, this will equate to a minimum of 47.6 new vehicles in the village with if fair to assume and increase on the average 1.7 cars per household in line with 9 years of change. This is likely to have a significant impact on the local highway network at peak hour and other times. This surely has a direct impact on the rural integrity of the village and its environmental status?</p> <p>We further object to the planning application as development of this site would set a precedent and make it difficult to refuse future proposals for housing development in this area of the village. We note on the site plan that there is a road head (adjacent to plots 16 and 26) leaving the potential to access the adjoining field for further developments. Some thinking ahead on future developments and how this would further sit with CS2 policy would be good to understand from officers?</p> <p>Any previous granting of permission for housing development in and around Wilstone in recent years has recognised that the sites have previously been developed on site already occupied. This current application for the development of land on a non-brownfield, previously undeveloped green field site outside the village boundary does not sit with this approach for housing development, nor with policies as already outlined.</p> <p>As such, it is hard to see how this application supports Dacorum's six strategic objectives, as outlined in the core strategy document, or align with published policies on development and therefore why this application is appropriate for approval?</p> <p>We therefore object to this application and it's clear misalignment to Dacorum's Core Strategy and its supporting policies.</p>
36 Tring Road	<p>Wilstone is a small village (with no Post office, GP surgery , School and limited public transport) The villages existing sewage services are already strained (as demonstrated by the breakdown of the pumping station back in March 2020) Recent permitted developments have been built on previous designated "brown field sites" This proposed development would destroy farming land .(a greenfield site) The increased traffic , both during construction and subsequent building would place the already damaged roads under further strain. Access by large lorries could only enter and exit the village via the B489</p>

	<p>No suitable parking is available for construction workers etc No environmental trade off suggested. No enhancement or contribution to the villages existing amenities. ie upgrading of canal tow paths or large cash donation to village shop.</p> <p>An unacceptable increase in traffic through the village on completion of the development.</p> <p>The whole fabric and character of the village would be permanently altered to the detriment of current residents. (Both during construction and on completion)</p>
45 Tring Road	<p>I believe it to be too many houses and is on a green field site. Also it is outside the village boundary. I understand that Wilstone is identified in Dacorums Core Strategy as a small village and thus is in an area of development restraint.</p>
50 Tring Road	<p>I wish to object to this planning application based on the following:</p> <ol style="list-style-type: none"> 1. I consider the application contravenes the guidelines surrounding development in rural areas and Dacorum's own Core Strategy policies CS1, CS2 and CS7. 2. Wilstone is classified as a 'small village within the rural area' and therefore should be protected from overdevelopment. It currently has 280 houses so an increase of a further 28 amounts to a 10% increase, which I believe to be overdevelopment. 3. The site to be developed is a greenfield site, whereas NPPF guidelines support development of brownfield sites. 4. The land in question sits outside the village boundary, which is contrary to general planning policy which aims to protect rural settlements from overdevelopment. 5. Wilstone has no higher order services, i.e. schools, dentist, pharmacy or key services (GP surgery, Post Office) and limited public transport. The closest offering of these services is Tring, meaning a car or bus journey to access them. 6. Wilstone's infrastructure is already under severe pressure. The increase in people, cars and traffic from this development will exacerbate this further. Parking issues are already encountered with overspill parking on the surrounding roads from developments at The Mill and 17 Tring Road. 7. Development of this site would set a precedent and make it difficult to refuse future proposals both in Wilstone and surrounding rural areas.
55 Tring Road	<p>This application 20/01754/MFA, does not appear to supersede the previous application 4/00024/19/MFA for 15 dwellings, which is pending consideration.</p> <p>This application for 28 dwellings represents a 10% increase in the total</p>

	<p>number of dwellings in the village of Wilstone, a significant increase for a small village within the rural area. This proposed development appears to contravene policy CS7 in respect to being a small scale development and CS2 being outside the village boundary. The village offers no amenities other than a pub and a volunteer run village shop for a village in excess of 300 households. The development, based on a recent statistical survey, would increase the number of vehicles in the village by approximately 50. The resulting increase in traffic through the village and demands for parking places disproportionate strains on the infrastructure and an increased risk for pedestrians, especially on the bend by the village hall. An inevitable increase in traffic over the canal bridge will exacerbate the failing road surface already experienced from traffic over the bridge.</p> <p>The development on a green field site, sets a dangerous precedent for future builds, given that previous developments to date, have been on brown field sites.</p> <p>Whilst I am pleased that the HCC Lead Local Flood Authority have now had visibility of the proposed plans, their initial response was to object on grounds of flood risk and drainage concerns! I note that they have yet to comment on the revised plans. Whilst the revisions to this application state that they have addressed all of the concerns, I remain sceptical of the proposed mitigations given their reliance on water courses which remain unmaintained and the discharge into the Grand Union Canal which is prone to overtopping and with outflows into other unmaintained water courses outside of Wilstone.</p> <p>The water courses within the Parish are no longer fit for purpose with a devolved responsibility to Riparian Land Owners for their maintenance, which is clearly ineffective as is evident with several flooding events in Long Marston since 2014 and again as recently as 2020 which has flooded properties.</p>
57 Tring Road	<p>The proposed development, now almost 100% bigger than the original application, represents a 10% growth in this rural village. Yet there is already an inadequate bus service, local shopping, doctors and other facilities. Therefore it represents a significant increase in traffic through the village. Since the last survey on vehicles per households, 9 years ago, there has clearly been an increase and a sudden injection of even more vehicles will compound the problem. The village is accessed at two points, which for most of the time I have lived here, were a collection of huge pot holes. Even today, one access is still in a sorry state. I can't see how the council can grant planning that will add to the burden on our roads when the same council can't fix pot holes.</p> <p>The proposed site, unlike recent developments in or around the village, is on a green field site and therefore would set a precedent threatening our green spaces. In a world where someone can't put a fence up without incurring the wrath of the council, brazenly running roughshod over our green spaces is blatant hypocrisy.</p> <p>Taking up this green space is also building outside the boundaries of the village and thus runs contrary to policy concerning protection of rural</p>

	<p>settlements.</p> <p>Nothing about this planning application fits with existing planning policy concerning rural developments, green field sites or over stressing existing resources. For those reasons I object strongly to this planning proposal.</p>
58 Tring Road	<p>Objection</p> <p>Firstly, in light of Covid19 social distancing measures, and the restrictions on attending public meetings, we request that Dacorum Planning Authority extend the deadline for community response for a further week until August 11th 2020. This will give those who want to, the opportunity to constructively contribute and participate in the local planning process. This accords to Dacorum Borough Council's Strategy of Community Involvement for involving the community (in a meaningful and appropriate fashion) in the consideration of planning applications.</p> <p>We object to this planning application because we consider the application is contrary to the NPPF guidelines on the size of development in rural areas and Dacorum's Core Strategy, policies; CS1 Distribution of Development, CS2, Location and Management of Development, CS7 Rural Areas. The Core Strategy Settlement Hierarchy, lists Wilstone as a Small Village Within the Rural Area. The policy goes on to say; "These are the least sustainable areas of the borough, where significant environmental constraints apply. These include areas of high landscape quality, such as the Chilterns Area of Outstanding Natural Beauty, and the countryside between settlements. This needs to be protected to ensure its rural character is retained and settlements keep their separate identities. Decisions on the scale and location of development will be made in accordance with the settlement hierarchy."</p> <p>The amount of properties proposed cannot be justified, is disproportionate to the number of homes in the settlement of Wilstone and are not of a scale commensurate with the size of the settlement.</p> <p>We note that a previous application on the same site was for 15 affordable units on an Entry Level Exception Scheme (ELES). The NPPF states that Entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement. It goes on to make it clear that the size of a development must be proportionate to the size of the settlement, not compromise the protection given to areas or assets of particular importance in the NPPF and comply with any local design policies and standards. Although the proposed development in 20/01754/MFA is not an ELES. however in the amount of homes, it clearly contravenes both the NPPF guidelines and Core Strategy.</p> <p>Further, we object to the site location on the northern edge of Wilstone which will represent an outward extension of the settlement boundary into the open countryside.</p> <p>The site is greenfield, the NPPF supports the reuse of brownfield land.</p> <p>Crucially, development of this site would establish a precedent and make it difficult to refuse future proposals for similar housing development the parish</p>

	and other small villages in the Rural Area; Long Marston and Aldbury.
62 Tring Road	<p>We object to this proposal. We are also at a loss to understand how the application for a development of this size has not been communicated widely within the village for consultation.</p> <p>The site is greenfield rather than brownfield, on the edge of the village boundary. The 10% increase in dwellings is significant and disproportionate for the size of Wilstone. As we understand it, it would contravene Dacorum's core strategy policies CS1, CS2 and CS7.</p> <p>Wilstone has few existing services, with only a pub, limited bus service and a small community-run shop, which in itself is under threat of closure, without sizeable funding being raised. The village has no key services to support a development of this size.</p> <p>It will significantly increase the number of cars back and forth through the village, which is already struggling to cope with the current volume of traffic. Many of the existing properties in the village are also of any age, which necessitates on-road parking by many residents, thereby sometimes causing traffic congestion.</p> <p>We are also very concerned that the existing and old sewage infrastructure that serves the village will not be able to cope with this increase in dwellings (unless these properties are built with their own septic tanks). Only a few months ago during lock-down, the system overflowed and the village endured many days of multiple tankers coming into and out of the village, 24 hours a day, to collect untreated sewage.</p>
66 Tring Road	<p>Wilstone is a small village. The proposed new development will affect this small village through extra cars, extra people, extra demands on already over-subscribed local primary school in Long Marston and secondary school</p> <p>In Tring, extra demands on local doctors and dentist surgeries.</p> <p>The sewage system is already at full capacity with the other recent developments.</p> <p>This proposed development is just too big for this village.</p>
67 Tring Road	<p>The development is outside of village boundary on greenfield site.</p> <p>Development does not comply with Dacorum policy CS1 & CS2. Our objection under CS2 is that the proposed development:</p> <ul style="list-style-type: none"> a. does not use previously developed land and buildings b. is not in an area of high accessibility c. does not have good transport connections d. does not have full regard to environmental constraints e. does not respect local character and landscape

	<p>With respect to parking allocation within the development it must be taken into account that there is currently considerable road usage parking throughout the village and it is felt that the development would add to this via spillage outside of the development on to the existing village roads.</p> <p>In Dacorum's settlement hierarchy Wilstone is named as a small village and such a development would contradict the references made within this hierarchy structure.</p> <p>To grant such a development would set a precedent and make it difficult to refuse further housing development in this area of the village.</p> <p>We are concerned that publication of the application does not appear to have been communicated to as wide spread an audience as previous applications for development on this site.</p>
69 Tring Road	<p>We would object to this development</p> <p>I live in a bungalow opposite the proposed development, which will be a visual intrusion on the outlook of my property</p> <p>The housing is not in keeping with this section of Tring Road which are bungalows</p> <p>My bungalow is slightly opposite the entrance to Grange Road which is a very busy junction due to it being a turning point for traffic as there is a weight restriction to the canal bridge.</p> <p>The school buses use the junction of Tring Road and Grange Road as a turning circle four times a day as it collects children of Wilstone attending Tring Secondary School and Long Marston Primary School</p> <p>Tring Road is a cut through for traffic and is very busy at peak times. It can be difficult to reverse out of my drive due to the volume and speed of traffic. The entrance to the new development is on a dangerous section of road and would add to the problems currently experienced. The new development over the canal bridge of eight homes has added to the traffic along with no pavement from this site or cycle route.</p> <p>I believe that Dacorum's settlement strategy defines this as an "Area of development restraint: of which Wilstone is named as a small village within the rural area"</p> <p>Wilstone has already seen large developments in the past few years.</p> <p>I am also concerned regarding the water level. I have witnessed over the years the amount of surface water that lies at the junction of Tring Road and Grange Road and along the verge. Further down the road it floods regularly and I can only surmise that this will exacerbate the problems. There is also a sewerage problem in Sandbrook Lane where the pumping station cannot cope.</p> <p>I am concerned regarding the heavy vehicles and trade traffic that comes through the village if this development were to go ahead.</p>

70 Tring Road	<p>We object to the above application and are of the opinion that it contradicts local planning policy objectives</p> <p>Policy CS7 of the Adopted Core Strategy (September 2013) applies. Therein, "small-scale development for housing...will be permitted at...Wilstone, provided it complies with Policy CS1: Distribution of Development and Policy CS2: Selection of Development Sites".</p> <p>However, when referring to Policy CS1: Distribution of development, Wilstone is identified in Dacorum's settlement hierarchy as a small village within the rural area (Core Strategy, table 1, page 41). The village is an area of development restraint:</p> <p>"These are the least sustainable areas of the borough where significant environmental constraints apply. These include areas of high landscape quality, such as the Chilterns Area of Outstanding Natural Beauty, and the countryside between settlements. This needs to be protected to ensure its rural character is retained and settlements keep their separate identities".</p> <p>Dacorum's own settlement hierarchy is defined as:</p> <ol style="list-style-type: none"> 1. Areas where development will be concentrated: Hemel Hempstead 2. Areas of limited opportunity: Berkhamsted, Tring, Bovington, Kings Langley and Markyate and; 3. Areas of development restraint: of which Wilstone is named as a small village within the rural area amongst other small settlements. <p>In the Dacorum Settlement Hierarchy Study October 2017, the following comments were made: (paragraph 2.2.10):</p> <p>"In the Inspectors' report on the Core Strategy it was noted that he fully supported the settlement hierarchy (paragraph 41) in finding this element to the plan sound. He was satisfied that Hemel Hempstead should continue to be the focus for development given it's sustainability credentials and it was therefore reasonable for the market towns and larger villages (Wilstone is identified as a selected small village within the rural area) to accommodate lower levels of growth. He remarked "However, it must be remembered that many of these settlements are more constrained than Hemel Hempstead, for example by the Chilterns AONB (which should be afforded the highest status of protection) and therefore more weight should be attached to securing sustainable growth in the Borough's main town (paragraph 39)".</p> <p>To what extent have officers and members explored and exhausted all development opportunities following the hierarchical approach as adopted by Dacorum Borough Council as part of the decision making process when considering this planning application 20/01754/MFA?</p> <p>The proposed development does not satisfy Policy CS2: Selection of Development Sites. The site is not located within the defined Wilstone village boundary. In the Dacorum Borough Council Settlement Profiles Paper (October 2017), Wilstone is identified as settlement number 14. On the accompanying map in that document, it is evident that the site location of the</p>

proposed development is outside the village boundary.

In Dacorum's Settlement Hierarchy Study (October 2017), Wilstone has been rated as poor in its accessibility audit outcome. Today as then, Wilstone has no higher order services (as defined in that study i.e. no secondary school, supermarket, employment, indoor sports facilities, library, dentist or pharmacy). Wilstone has no key services (as defined in that study i.e. no primary school, post office, GP surgery, Children's Centre). It has a village hall, food shop (part time hours) a pub and a children's play area. The study also identified that the closest higher tier settlement, Tring, is 5 km away and has limited public transport provision.

There is a lack therefore of existing services and facilities in Wilstone

Furthermore, residents of the proposed development will be reliant on cars as a main means of transport to use nearest services and facilities. The study on Wilstone in the Dacorum Settlement Profiles Paper (October 2017) identifies average vehicles per household as 1.7 (based on a 2011 statistical survey). With the proposal seeking 28 new dwellings, this will equate to some 47.6 new vehicles in the village. This is likely to have a significant impact on the local highway network at peak hour and other times. The applicant's supporting planning statement estimates there being 15 vehicles additional to morning peak hour and 16 for the afternoon peak hour. It would be useful to know how these figures have been determined.

In the applicants supporting planning statement it is stated (6.67) that "the site is located in an area suitable for small-scale growth with a number of local facilities and services accessible on foot and public transport to local services and facilities". It is evident from Dacorum's own settlement hierarchy study (October 2017) when referring to Wilstone (and as mentioned above) that this is not so.

Further, in the supporting planning statement, 6.73 states "the associated construction jobs and local investment during its build out as well as longer term expenditure in the local economy will be of economic benefit to the local area, helping to sustain local services and facilities within the village". As mentioned previously, there are no higher order services in the village (secondary school, supermarket, indoor sports facilities, library, dentist and pharmacy) to be supported. Of the services available, there is the opportunity to support the village shop (part time hours) and the pub, the latter also patronised by customers who travel in from outside the village (walkers and car drivers). Other key services such as a primary school, post office and children's centre do not exist.

In making these observations, we do not believe they afford "positive weight in the planning balance" (applicants planning statement 6.73) and ask whether members and officers are of the same opinion.

Our objection under Policy CS2 therefore is that the proposed development:

1. Does not use previously developed land and buildings;
2. Is not in an area of high accessibility;

3. Does not have good transport connections;
4. Does not have full regard to environmental constraints;
5. Does not respect local character and landscape.

We further object to the planning application as development of this site would set a precedent and make it difficult to refuse future proposals for housing development in this area of the village. We note on the site plan that there is a road head (adjacent to plots 16 and 26) with the potential to access the adjoining field and which also incorporates the village allotments. Is it the intention of the local authority to consider this for future housing development?

The precedent for granting permission for housing development in and around Wilstone in recent years have all recognised that the sites have previously been developed and we draw your attention to these applications in particular:

1. Planning application: 4/01533/12/MFA - Dixon's Wharf, Dixon's Gap, Wilstone.

Change of use from B1 (business) to C3 (dwelling house) and construction of 21 dwellings

Granted permission 08/11/12 recognising a previously developed "isolated location within the designated rural area".

2. Planning application: 4/02833/16/MFA - Victory House, Wilstone Bridge, Tring Road

Demolition of existing buildings and construction of 7 houses and 1 live/work unit with associated parking and access arrangements.

Granted permission 16/03/17.

Planning officer's report to committee highlighted the brownfield status of the site and to grant permission would "improve the appearance of a previously developed, derelict site".

3. Planning application: 4/01331/17/FUL - 17 Tring Road, Wilstone

Demolition of house and garage and construction of 3 x 3 bedroom dwellings
Granted permission 14/09/17.

Planning officer report to committee highlighted the NPPF policy on the "effective use of land previously developed". It was considered that "the development would satisfactorily integrate with the street scape character".

This current application for the development of land on a non-brownfield, previously undeveloped greenfield site outside the village boundary does not sit with previous granted permissions (as above) for housing development. We request that council members defer the application and undertake a site visit and to also include the applications granted above.

	<p>A previous planning application for development (15 dwellings) on half this site 4/00024/19/MFA remains undetermined. In making an objection to this current application, we noted a difference in the number of local residents consulted (as evident from the online portal). For application 4/00024/19/MFA, 163 residents were consulted, raising 31 comments, 28 objections and no comments supporting the proposal. On this application, 20/01754/MFA, we note 58 residents were consulted and at the time of writing no public comments were on the online portal. I have written to the Lead Planning Officer who assured me that those who participated previously would be contacted and have the opportunity to comment.</p> <p>We understand that there are minimum statutory requirements to publicise applications for planning permission. However, our concern remains that the public consultation for the current planning application (with twice the number of dwellings to that previously applied for and as yet undetermined) has not reached as many residents of Wilstone due to a reduced number of consultation letters being sent out. We trust this will be addressed and taken into consideration as part of council member discussions and decision making.</p>
71 Tring Road	<p>We note that this application is for 28 dwellings along Tring Road, Wilstone opposite our bungalow. Our main objections to the development are: -</p> <p>1) At the beginning of the lockdown this year there where tankers operating 24/7 to remove effluent from the pumping station in the village because of the existing sewer had collapsed in several locations.</p> <p>With this application looking to increase the number of homes by 28 which is an approximate increase of 10% this will put additional strain on a system that is struggling with its current use.</p> <p>2)The proposed development is on a greenfield site and is outside the village boundary and is contrary to the general planning policy which ensures that rural settlements are protected from over development and encroachment in the countryside</p> <p>3) Dacorum Planning Policy CS1 (Distribution of Development) States that Wilstone is a small village within the rural area and in order to protect it, it is an area of development restraint. The only recent developments in the village have been on brownfield sites and this application is for a greenfield site.</p> <p>4) The existing road leading out of the village are bungalows and we would therefore request that the block of flats is changed to a bungalow so that the character of the road is maintained.</p>
86 Tring Road	<p>We would ask you to consider several valid points for objection contained within our letter of the 19th January 2019 and in relation to application 4/00024/19/MFA. We are not opposed to any development in the village but this disconnected, piecemeal development appears to be unbridled and must change the nature of this delightful village forever.</p> <p>Earlier comments on 4/00024/19/MFA</p> <p>There is far too much information to read and assimilate and provide an</p>

	<p>appropriate response within the submitted timescales.</p> <p>The application refers to the need for additional “affordable” housing in the village however cursory research indicates at least 6 affordable units in the village which are not sold.</p> <p>There are significant affordable housing developments in Aylesbury</p> <p>Is this development in addition or to replace those under consideration in Dacorums Schedule of Site Appraisals (October 2017)</p> <p>The above document makes reference to the possible inclusion of a village shop and other facilities – please advise how this document influences this decision.</p> <p>I am particularly keen to understand the position in relation to a village shop as the current shop in the village run by the community will need to be relocated as the lease on their premises is due to expire.</p>
90 Tring Road	<p>Our bungalow has two bedrooms and the front of our property with our lounge on the border of Grange Road and our kitchen/dining room and day room where we spend most of our day runs along the border in close proximity to the development.</p> <p>Policy CS7 of the Core Strategy states that small scale development will be permitted providing that it complies with the following policies....</p> <p>Policy CS1 Distribution of Development – Wilstone is identified in the Core Strategy as a small village in the rural area and is an area of development restraint.</p> <p>Policy CS2 Selection of Development Sites – The site is outside the village boundary. Building outside the village boundary is contrary to the general planning policy that ensures the rural settlements are protected from over development and encroachment on the countryside.</p> <p>This application is for the development of a non-brownfield site. It is agricultural land which a farmer rents annually to produce animal feed.</p> <p>Wilstone has a good mix of all age groups. The village has no school. The children of the village are provided with a school bus to travel to Long Marston and Tring. Both these schools are over-subscribed and some secondary pupils travel by taxi.</p> <p>There are currently around 250 homes being built in Tring which will be the catchment for these schools. Applications for admissions exceed supply and this is a similar situation for infant and primary places. Some children from Wilstone travel as far as Berkhamsted for educational needs.</p> <p>The road through Wilstone is narrow and surrounding roads make cycling unsafe on and outside the village surroundings. The bus service is infrequent and the majority of residents travel by car. There are very few pavements in the village and the pavement from Grange Road to the village hall is in very poor condition.</p>

There is also a development of 100 home currently being built in Cheddington, two miles from Wilstone which is in Aylesbury Vale. Although Cheddington has a small infant/primary school the overspill will put pressure on Long Marston school which will be approximately 1 mile from the new development.

Not shown on the location map is Wilstone Wharf, a new development of eight properties on the old brown site by the canal bridge by Victory House

There has been a development of three terraced cottages on Tring Road in the village along with new build detached houses in New Road. Planning consent has been given for a detached property opposite The Forge on Road, plus a further detached building in Chapel End Lane. This is 12 houses already completed within the last year along with two in progress.

If 28 houses are built, I feel that the village will be overdeveloped.

On planning application 20/01999/FHA at 36 Tring Road the planning notice is pinned to their side gate. Why is this application not on the gate leading into the proposed development where it would be more visible to residents than where it is placed further down the road opposite the site where it is only visible if you are walking?

I think residents of Wilstone should be given further time in which to respond to the application as very few residents were informed. There are also no comments to view on the portal.

Light and Overshadowing

The majority of properties at this stretch of Tring Road are bungalows and it is not in keeping to have a block of four flats with communal gardens so close to the boundary of our property. The flats will overshadow our bungalow and the roof height will be much higher dwarfing my home.

A bungalow would be more in keeping at this end of Tring Road. No.71 opposite runs further along the road. One bungalow would be more in keeping with this end of the road. There are also no disability living dwellings or senior citizens accommodation on the plan.

Overlooking/loss of privacy

Our driveway runs alongside the side of our property beside the boundary to the proposed development and our garage is situated at the back of our property on the boundary with the proposed development. We use this for storage and the drive we use as a patio in the summer months.

The development shows that the top flats 8-11 will have a lounge window overlooking our front bay room bedroom window. It will also take away our privacy as the window will look directly onto our front garden and front door from an elevated level and will take away privacy from this sitting out area.

There will also be a communal garden running along all the border of our living area. Who will ensure responsibility for the maintenance of the garden and hedges?

The boundary fence/hedge that runs along our property is a mismatch of old bindweed/ivy hedging and close board fence and needs replacing and

some large trees that run beside our garage we cannot access to cut. These trees are normally kept in check when contractors cut the hedge on tractors. These trees will not be maintained and I don't see any plans for replacement fencing only the planting of shrubs and trees.

Adequacy of parking and turning.

I am unhappy with the placement of the proposed parking. 20 parking spaces will run from the back dining room window through the development. These parking spaces will not have a village feel but one long service road which over time will not be maintained.

Noise and Disturbance

The impact of not only the building but how it would impact our life. Where will works traffic and staff park? If it is on site, there will not be enough space as the development progresses.

The while border of our property runs alongside the development. We will be overlooked by a two storey building.

I strongly object to the bin and bike store for the flats at 8-11 which overlaps our dining room/day room window and our side door. The bin store will cause smells coming into our living area and also the noise of rubbish being placed in the bins. I cannot see residents walking the distance from the property to the store as in is not a convenient distance. I expect bags of rubbish could be left in communal gardens – we have had rat infestations in the past being so close to the canal.

Vermin pest controllers from Dacorum have stressed that the canal is an ideal environment for rats and this has also been an issue for neighbours in Grange Road.

I appreciate that there will be vehicle charging points to every home but I doubt very much that owners at entry level will have an electric car nor would be a priority in their remit as there are currently only 352K electric cars in the UK.

I also object to the noise of twenty parking spaces that will run to my dining day room window. There will be extra pollution around our property and my husband is asthmatic. The noise and pollution will surround our property.

Why is the site plan designed so that the large row of 20 parking spaces is out our boundary and other residents of Grange Road? If the plans were flipped 180 deg the parking would run along the top end of the field near the proposed lake which would mean less pollution and noise for existing residents. It would also make the public amenity green available for the more densely populated housing giving children more freedom to play safely. I can only conclude that it is designed this way to achieve the highest market value possible for general home sales.

Visual Intrusion

Noise, fumes, pollution and intrusion of cars.

Proposed T junction and pedestrian access.

I have lived in the village over 13 years and can see first hand the issues with the T junction.

It is well documented that the amount of through traffic that comes through Wilstone has many drivers that are not adhering to the speed limits. The traffic will only become heavier with 100 dwellings at Cheddington as they cut through Wilstone to get to the A41.

The vision splay diagrams show a splay just outside our bungalow from the T junction but it does not display a splay line from a driver that would be in a vehicle in the middle of the road as you cannot see oncoming traffic until it has emerged near the bend near No.71.

Not only residents walk to the canal but dog walkers, fishermen and rambles walk through the village and visitors often park by the village hall for country walks. There is no pedestrian access connecting eight homes to the village from Wilstone Wharf and I was also surprised that a pavement was not put in place when Dixons Gap was built and followed by Wilstone Wharf. This section of Wilstone is crying out for a pavement. I see parents walking along with prams having to navigate speeding traffic.

Works Traffic

Wilstone Canal bridge has a weight restriction of 10T meaning deliveries would have to come through the village. There are a large number of children in the village who are transported to school by bus. There are no pavements from the village shop all the way down to the village hall. The road is narrow with many parked cars. Children also visiting the park have to walk on the road.

Whilst building Wilstone Wharf there was an overflow of workmens cars on Grange Road and also by the canal bridge. This has ruined the grass verges and caused significant disruption to village life.

Additional Comments

I would like to object to the proposed development.

I have lived beside the proposed site for thirteen years.

I am very concerned of the impact this development may have on our property knowing how high the water level on this site already impacts the land by our property.

When the groundwater levels were measured in October 2018 and three trial pits were sampled the water was just around one metre level underground. The summer of 2018 will be remembered for a six week spell from the end of June to the second week of August when daytime temperatures in parts of the country consistently topped 30c (86f) it was one of the hottest driest summers on record and even then the water level was around one meter.

Our water meter is located on the grass verge at the front of our property.

Thames water can only estimate our bill because the water level is always to the top of the cover. When we request a reading they have to send someone with a pump to clear the water in order to be able to reach the meter.

We normally have a large pool of water under our hedge on wet days and

	<p>also on part driveway/ road.</p> <p>Approximately around six weeks ago Highways inserted a kerb part way from the canal bridge along the perimeter of the proposed site in order to control the road having excess surface water. This resulted in all the run-off water running along the gully under the hedge on this proposed site and flooded the verge at the front of our property. In our thirteen years living in the property we had not experienced this before. On further investigation I walked to the canal bridge and the proposed land was very flooded and the water was running off the land at speed to the canal. Luckily the lock gate was partly open allowing the water to run further up the canal where the level was quite high the other side of the lock.</p> <p>The proposal to having a pathway to the canal from the development, where it is proposed to join the canal tow path at this point can also have a large amount of surface water.</p> <p>We recently had torrential rain and I understand several areas experienced flooding.</p> <p>The village suffered flooding in many areas off Tring Road, including some houses by the village hall (fire brigade in attendance), village hall car park and Tring Road by the park. Two households near the park would have been unable to leave their property without wearing wellington boots or by car.</p> <p>Regarding the proposed pumping station what is in place as back up should there be a power failure? We have numerous power cuts in the village having overhead cables & frequent when the weather is stormy. I would advise liaison with National Grid to confirm the frequency of power cuts in our area over the past number of years if relying on electrical power for the pump.</p>
<p>Goodspeeds, Watery Lane</p>	<p>My first comment is, that although I am a close neighbour of this proposed development I did not receive a direct communication about it, and only found out its existence from other neighbours.</p> <p>I have several reasons to object.</p> <ol style="list-style-type: none"> 1. This development on a green field is outside the village boundary and contrary to the local plan. Not only is it outside the village boundary but it is next to the settlement of Wilstone which is classed as a small village, and one which should not attract large developments. 2. The infrastructure of the village is not such that it can support such a development. Local roads are already crowded with traffic, and dangerous for walkers and cyclists due to the speed of vehicles, lack of pavements and poor quality of roads. There is a very limited bus service and there have been ongoing issues with the sewage network. The local schools are full as are the doctors 3. Whilst Wilstone can support small developments, it cannot support one of 28 additional homes. I do not believe greenfield sites outside of current settlement boundaries within the rural area are the correct locations for such developments.

8 Wilstone Wharf	<p>I oppose the development of this application on Green field land for 2 reasons:</p> <p>Firstly, it sets a precedent for granting further development on Green field sites surrounding the village.</p> <p>Secondly, Brown field sites will become available due to the recent Pandemic when a number of businesses will unfortunately close. With regard to the application 50% of the site is scheduled for affordable housing.</p> <p>However this is misleading because this will not be 50% of the total area of the proposed properties but based only on the number of houses to be built ie 14 houses out of 28 which will no doubt be much smaller.</p> <p>A 10% increase in housing stock in Wilstone is not supported by the existing infrastructure. There will be more cars and a lack of key services eroding the village character of this beautiful village.</p> <p>This planning application should be refused.</p>
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Agenda Item 5d

ITEM NUMBER: 5d

20/01403/ROC	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.)	
Site Address:	Land To Rear Of 7 And 9 Anglefield Road Berkhamsted Hertfordshire HP4 3JA	
Applicant/Agent:	Matfin and Edwin	Mr Adrian Bussetil
Case Officer:	Martin Stickley	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	Objection from Berkhamsted Town Council	

1. RECOMMENDATION

- 1.1 That the variation of the approved plans be granted.

2. SUMMARY

- 2.1 Planning permission was previously granted for the construction of two detached houses at the land to the rear of Nos. 7 and 9 Anglefield Road, Berkhamsted. The approved plans were previously varied under application 19/02793/ROC. These variations provided the re-siting of the forward projection of Plot 1 to the north-west and minor alterations to the fenestration of both Plots 1 and 2.
- 2.2 The current proposal would involve the variation of three conditions relating to application 19/02793/ROC. In essence, these conditions relate to: (a) the retention of the existing gravel shared driveway as opposed to a hard surface bonded resin driveway; (b) installation of domestic sprinklers rather than fire hydrants; and (c) the alteration of the proposed landscaping works.
- 2.3 The alteration of the driveway surface is a topic of concern for the neighbours, as it was a negotiation point relating to the original application in 2018. However, it is considered that the retention of the existing gravel surface would be more sustainable and would have a lesser impact on the surrounding trees.

3. SITE DESCRIPTION

- 3.1 The application site comprises land to the rear of Nos. 7 and 9 Anglefield Road within the residential area of Berkhamsted. There is a tree to the south of the site which is covered by a Tree Preservation Order (TPO).

4. PROPOSAL

- 4.1 Permission is sought for the variation of Conditions 2 (Approved Plans), 3 (Landscape Works) and 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.).

5. PLANNING HISTORY

Planning Applications (If Any):

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.

GRA - 24th January 2020

4/01684/18/FUL - Construction of two detached houses

GRA - 13th September 2018

4/01301/17/FHA - Two storey side and single storey rear extensions. new front entrance porch following removal of single storey wing, garage and Conservatory.

GRA - 4th August 2017

4/01055/03/FHA - Loft conversion with side dormer and rear gable

GRA - 27th June 2003

4/00850/00/FHA - Conservatory

GRA - 5th July 2000

Appeals (If Any):

6. CONSTRAINTS

CIL Zone: CIL1

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Red (10.7m)

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

Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)

SPD Zone 3

EA Source Protection Zone: 2

EA Source Protection Zone: 3

Town: Berkhamsted

T1 English Oak

T2 Hornbeam

T3 Common Ash

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

National Planning Policy Framework

Section 2 - Achieving sustainable development

Section 8 - Promoting healthy and safe communities

Section 12 - Achieving well-designed places

Dacorum Borough Core Strategy

- CS4 - The Towns and Large Villages
- CS8 - Sustainable Transport
- CS9 - Management of Roads
- CS11 - Quality of Neighbourhood Design
- CS12 - Quality of Site Design
- CS29 - Sustainable Design and Construction
- CS31 - Water Management
- CS32 - Air, Soil and Water Quality

Dacorum Borough Local Plan (Saved Policies)

- Policy 51 - Development and Transport Impacts
- Policy 57 - Provision and Management of Parking
- Policy 58 - Private Parking Provision
- Policy 99 - Preservation of Trees, Hedgerows and Woodlands
- Policy 129 - Storage and Recycling of Waste on Development Sites
- Appendix 1 - Sustainability Checklist

9. PROCEDURAL MATTERS

- 9.1 An application can be made under Section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and un-amended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.
- 9.2 On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.
- 9.3 It is within this legislative framework that the application is to be considered.

10. CONSIDERATIONS

Main Issues

- 10.1 The main issues to consider are:
- 10.2 The scope of the requested amendments and their impact on visual amenity, residential amenity, highway safety, trees and sustainability.

Requested Amendments

- 10.3 As noted within the Proposed Development section, the application seeks an amendment to planning application reference: 19/02793/ROC. More specifically, the amendments are to the following planning conditions:

- Condition 2 (Approved Plans)
- Condition 3 (Landscape Works)
- Condition 5 (Fire Hydrants)

10.4 A summary of each of the proposed changes is provided below.

Condition 2 – Approved Plans

10.5 The plans and documents approved under application reference: 19/02793/ROC were as follows:

- 17/119/101B – Proposed Block Plan
- 17/119/201B – Proposed Block Plan, Street Scene and Location Plan
- *Please note that the drawing above should be referenced 17/119/102B – there was an error on decision notice.*
- 17/118/1G – Proposed Plans, Elevations and Sections
- 17/119/1G – Proposed Plans, Elevations and Sections
- Arboricultural Report (no date) (application reference: 4/01684/18/FUL)
- DS31101501.03 – Tree Protection Plan (application reference: 4/01684/18/FUL)
- Site Management Plan (application reference: 4/01684/18/FUL)
- CS29 Checklist (application reference: 4/01684/18/FUL)

10.6 The condition is proposed to be changed to the following:

- 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
- 17/119/1G – Proposed Plans, Elevations and Sections
- 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

10.7 In summary, the following is proposed:

- Replace 17/119/101B with 17/119/101D;
- Replace 17/119/102B with 17/119/102D;
- Addition of 17/119/103;
- Replace the approved Site Management Plan with new revision;
- Replace the Tree Protection Plan with new revision;
- Inclusion of proposed Hard and Soft Landscaping Scheme.

Replacement and Addition of Plans

10.8 Garden sheds have been added in accordance with landscaping scheme and a note has been removed from the drawing regarding the surfacing material. The existing gravel driveway is now to be retained, maintained and repaired as may be required in accordance with the revised Site Management Plan. Dacorum's Conservation and Design Department have confirmed that they have no concerns with the retention of the gravel surface in terms of visual amenity.

- 10.9 The drawing has subsequently been updated to show the now extended footprint of 15 Anglefield Road as per approved drawing under application 4/01824/16/FHA.

Replacement of Site Management Plan (SMP)

- 10.10 The revised site plan has been submitted following a change of ownership at the site. The previous applicant had suggested replacing the existing roadway with tarmac topped with resin bonded gravel.
- 10.11 The revised SMP covers the following topics: access, deliveries, road cleaning/vehicle cleaning, dust, cleanliness, removal and disposal of waste, services, and welfare. The revised SMP is broadly the same as the previous but with the variation of the drive surfacing material. Hertfordshire County Council acting as the Highway Authority have raised no objection to the revised SMP or re-use of the gravel surface.

Replacement of Tree Protection Plan

- 10.12 The tree protection plan is unaltered in all aspect other than the note relating to the existing access road as follows:
- 10.13 From: Existing gravel surface on driveway along The Oaks shall be removed and replaced with a solid permeable surface such as permeable tarmac or resin-bonded gravel. There shall be no excavation below the sub-base of the existing driveway during this process
- 10.14 To: The existing driveway shall be used as ground protection during the construction process. In the event that it begins to break up, proprietary ground protection sheets shall be used. There shall strictly be no excavation below the sub-base of the existing driveway at any stage.
- 10.15 Dacorum's Trees and Woodlands Department (T&W) have raised no objection to the revised Tree Protection Plan and highlighted that the areas of protective fencing and ground boards would comply with the British Standard. T&W requested some further alterations to the proposed planting scheme but following further dialog with the Applicant an agreement was reached (see full correspondence in Appendix A).

Inclusion of Proposed Landscaping Plan

- 10.16 The proposed Hard and Soft Landscaping scheme provides detail on the hard surfacing materials e.g. paving, patios and paths, means of enclosure and soft landscaping details e.g. planting plans, trees to be retained, finished levels or contours, etc. The proposed layout, design and materials used in the landscaping scheme are considered acceptable and are felt to provide a high quality aesthetic and living environment in accordance with Policy CS12. Both Dacorum's Trees and Woodlands Team and Conservation and Design Department have reviewed the document and raised no objections in this regard.

Condition 3 (Landscape Works)

- 10.17 Condition 3 attached to planning application reference: 19/02793/ROC required the submission and approval of hard and soft landscaping details prior to development (excluding demolition). The condition also required the approved landscaped works to be carried out prior to the first occupation of the approved development.
- 10.18 The applicant proposes the following variation to Condition 3 (in italics): *"The approved hard and soft landscaping details shall be carried out prior to the first occupation of the*

development hereby permitted.” Given the conclusions reached within the previous section of this report and the prior submission of the landscaping details, it is considered that subject to some minor alterations to the above wording, the proposed variation is acceptable.

Condition 5 (Fire Hydrants)

- 10.19 The condition as originally imposed on the decision notice for application reference: was as follows (in italics):
- 10.20 *“No development (excluding groundworks) shall take place until details of fire hydrants or other measures to protect the development from fire have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details.*
- 10.21 *Reason: To ensure that sufficient strategic infrastructure is provided to support the development in accordance with Policy CS35 of the Core Strategy.”*
- 10.22 The condition was originally requested by Hertfordshire Fire and Rescue (HF&R) in response to consultation in respect of application reference: 04/01684/18/FUL and has been added to subsequent variation approvals.
- 10.23 The applicant has proposed the following variation (in italics):
- 10.24 *“In order to protect the development hereby permitted from fire it shall not be occupied until it a domestic sprinkler system has been installed in ordinance with Approved Document B.”*
- 10.25 HF&R have been consulted on the proposed variation. They stated that it appears that 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. This would be incorporated as per the aforementioned condition. HF&R have confirmed agreement to the domestic sprinkler system being installed in accordance with Approved Document B.
- 10.26 It is therefore considered that subject to a minor modification to the wording as detailed within the relevant condition as detailed within the relevant section of this report the proposed variation is acceptable.

Response to Neighbour Comments

- 10.27 The Oaks is a small private drive accessed from Cross Oak Road. It was originally constructed in the mid-70s and currently provides access to four dwellings, Nos. 1-3 The Oaks and 129 Cross Oak Road. The drive is owned by the Applicant and access rights to the aforementioned properties have been agreed. The properties to which this application relates are sited at the end of this private drive.
- 10.28 Five letters of objection have been received in relation to this proposal, these can be found in Appendix B. The concerns raised will now be discussed.
- 10.29 Evidence has been provided with regards to the suitability of both (old and new) surfacing materials. I consider that both would be acceptable. The relevant consultees appear to also

agree. No significant issues have been identified by the Trees and Woodlands Department. No issues have been raised with regards to highway safety by the Highway Authority.

- 10.30 Policy CS29 (Sustainable Design and Construction) states that the following principles should be satisfied: (c) Recycle and reduce construction waste which may otherwise go to landfill. It also highlights that development should incorporate permeable surfaces in urban areas. The proposal to retaining and maintaining the existing surfacing material fulfils both of these criteria. The neighbours have provided quotes from The Landscape Group and Addagrip. An assessment of these quotes has shows that a new surface would be the less sustainable option, noting the extent of work and materials required for the new surfaces (e.g. 25 tons of top layer, 16 tons of sharp sand as per the quote from The Landscape Group).
- 10.32 The neighbours have raised concerns over construction traffic and the degradation of the drive. The supporting highlights that, "*Following construction, any damage to the surface caused by the process will be repaired and topped with fresh gravel.*" I consider this as a reasonable solution to deal with any degradation of the gravel surface.
- 10.33 Concerns have also been raised with regards to the use of the existing drive with construction vehicles and the impact on surrounding tree roots. The supporting statement highlights that the existing road surface "*will not be disturbed it will continue to provide ground protection to tree roots during the construction process. Proprietary heavy duty ground protection matting will be used where necessary to further protect the surface of the driveway.*" The application is supported by a revised Arboricultural Report and Tree Protection Plan. Upon assessment of these documents I have no concerns with the protection of the surrounding trees. The T&W Team have raised no objection to the revised documents.
- 10.34 In terms of visual amenity, the proposal would preserve and integrate with the attractive streetscape in accordance with Policies CS11 and CS12. The gravel drive is consistent with other driveways in the locality.
- 10.35 Regarding residential amenity, the neighbours have raised concerns over the continued use of the gravel drive and the noise impacts associated with vehicles passing over it. Although the noise generated by a gravel drive may be louder than a resin bond drive, it is unlikely to result in an unacceptable impact on residential amenity. The scheme is therefore considered to have a limited impact on residential amenity in accordance with Policy CS12 and Paragraph 127 of the Framework.
- 10.36 Taking all of the neighbours comments into consideration and the supporting letters provided by the Applicant, I am satisfied that the proposal to retain the existing driveway would be the most sustainable option. Furthermore, it is likely to have lesser impact on the surrounding trees when considering works required to lay a new drive. In terms of drainage, both options appear satisfactory and no concerns are raised regarding this. I am of the conclusion that retention of the existing surface is acceptable in accordance with saved Policy 99 and Policies CS8, CS9, CS29, CS31 and CS32.

11. CONCLUSION

- 11.1 The proposal would involve the variation of three conditions relating to application 19/02793/ROC. In essence, these conditions relate to: (a) the retention of the existing gravel shared driveway as opposed to a hard surface bonded resin driveway; (b) installation of domestic sprinklers rather than fire hydrants; and (c) the alteration of the proposed landscaping works.

11.2 Evidence has been provided in relation to the reasoning behind these proposed changes and the application has gained support from the relevant consultees. It appears that the preferable option, in terms of sustainability, drainage and the protection of trees, would be the retention of the gravel surface. No other concerns are raised with regards to the other elements of the proposal.

12. RECOMMENDATION

12.1 That Planning permission be **GRANTED** subject to the following conditions:

Condition(s) and Reason(s):

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.

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</p>

	please contact the Growth & Infrastructure Unit.
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</p>

	<p>impact. These trees are as follows:-</p> <p>Prunus 'Umineko' x 2 and Acer Royal Red x 2 - 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</p>

	<p>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</p>

	<p>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	- 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 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 xxxxxxx xxxxxxx, 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. XXXXXXXXXXX, 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 Oaks to its existing residents and its new residents solely from the development project.

- Hence Officers should recommend refusal of the amendments sought to the Site Management Plan and Hard & Soft Landscaping Plan.

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 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>
<p>121 Cross Oak Road Berkhamsted Hertfordshire HP4 3HZ</p>	<p>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 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 communication should come from the current Planning Officer.

o Para 6, 7: The Council's objections remain valid and unaddressed (and hence should not be withdrawn):

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.

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 in building 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.

o Para 8, 9: Specialist consultees: they advise only on the issues of public interest and

	<p>statutory/regulatory requirements. Hence the absence of any objections to the 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</p>
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consideration should be resin bound. Conversely, Mr Waterhouse's original 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..

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-and-landscaping/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.

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 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

	<p>planning condition at the time of purchase, cost is not an admissible consideration. 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 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</p>
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	<p>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 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 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 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.

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.

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 on to Cross Oak Road, not The Oaks.

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 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:

- 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 costs incurred by existing residents due to construction and driveway use by the new residents.

	<p>- 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> <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. - 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 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 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:
 - 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.

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.

- 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 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.

	<ul style="list-style-type: none">- 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. 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.
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ITEM NUMBER: 5e

20/02507/FUL	Installation of 12 parking bays on amenity green in front of 7 to 9 Hasedines Road	
Site Address:	Amenity Green Front Of 7 To 9 Hasedines Road Hemel Hempstead Hertfordshire HP1 3RA	
Applicant/Agent:	Dacorum Borough Council	
Case Officer:	Martin Stickley	
Parish/Ward:	Hemel Hempstead (No Parish)	Chaulden And Warners End
Referral to Committee:	Council scheme and objection from resident	

1. RECOMMENDATION

1.1 That planning permission be granted.

2. SUMMARY

2.1 The site comprises a small area of amenity land fronting 6-12 Hasedines Road, Hemel Hempstead. The grassed area has no defining landscape features e.g. trees. Councillors identified the land as an area that would benefit from Dacorum's Verge Hardening Scheme. The proposal would provide new parking bays to alleviate on-street parking pressures. This is felt to provide benefits that would outweigh the modest harm to the streetscape.

3. SITE DESCRIPTION

3.1 The site comprises a grassed amenity area fronting 6-12 Hasedines Road, Hemel Hempstead.

4. PROPOSAL

4.1 The application proposes 12 parking bays. The application forms part of the 'Verge Hardening Project', which aims to highlight and prioritise areas of parking stress in the Borough, check the feasibility and cost effectiveness of parking schemes in those areas and ultimately obtain formal planning permission to deliver the needed additional parking.

5. PLANNING HISTORY

Planning Applications (If Any):

20/01136/FHA - Single storey side extension
 GRA - 29th June 2020

Appeals (If Any):

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
 CIL Zone: CIL3
 RAF Halton and Chenies Zone: Green (15.2m)
 Residential Area (Town/Village): Hemel Hempstead
 Residential Character Area: HCA3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

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

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of the Public Realm
CS25 - Landscape Character
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Parking Standards (2020)
Character Area Appraisal, HCA3 (Warners End) (2004)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The Dacorum Borough Core Strategy 2006-2031 (Policies CS11, CS12 and CS13) seeks to ensure that development avoids large areas dominated by car parking, preserves attractive streetscapes, avoids disturbance to surrounding properties and retains important trees or replaces them with suitable species if their loss is justified. Saved Policy 57 Provision and Management of Parking in the DBLP states: (g) In areas experiencing severe on-street parking pressures, consideration will be given to the establishment of residents parking schemes.

- 9.3 HCA3 (Warners End) highlights that, with regards to amenity land, the *“use of parts of these areas of amenity land for car parking may be acceptable if the resulting visual impact does not adversely affect the character and appearance of the area and established landscaping.”*
- 9.4 The proposals would result in the partial loss of a grass verge but it has no significant landscape features e.g. trees, shrubs, etc. The area is considered to make a limited contribution to local amenity. The large amount of on-street parking, including along the stretch of road that forms these proposals, currently detracts from the appearance of the area. There is the argument that the provision of more space for driving on the roads and for parking makes the overall driving experience easier, thereby encouraging more people to drive, and in turn quickly using up the additional capacity created. Nevertheless, local Councillors have identified the area as one with on-street parking pressures, which this proposal seeks to address.
- 9.5 A survey of the residents on Hasdines Road revealed that, of the respondents, 50% said ‘yes’ to extra parking bays on the amenity green. The Council received a further letter of support in response to this applications consultation, but two other letters raised concerns over the parking of commercial vehicles on the street. It was requested that the parking spaces be allocated to residents of the road.
- 9.6 The Applicant was contacted regarding the allocation of the parking bays to residents. They highlighted that *“unfortunately we cannot allocate bays as part of the Verge Hardening Scheme as it is funded by public money. As long as cars and commercial vehicles are taxed and insured they are legally entitled to park wherever they choose regardless if they live in the street or not.”*
- 9.7 The proposal would involve the loss of amenity land but would provide 12 parking spaces. However, it should be noted that the proposal would result in the loss of up to six on-street parking spaces. As such, this proposal is considered to provide a net gain of six spaces. These spaces would benefit the local community and road network. Furthermore, the new spaces would remove cars from the highway, improving the flow of traffic in the area and making it easier and safer for the properties on the other side of the road to access their own parking spaces. Considering this, no compelling objection is raised to the principle of development as long as the proposals protect the overall aesthetic and character of the streetscape.

Quality of Design / Impact on Visual Amenity

- 9.8 The creation of an extended parking area within this amenity green would result in a change to the appearance of the area through the introduction of additional hard surfacing and the loss of part of the amenity green. No trees would be lost.
- 9.9 Large grassed areas to the east and west of the proposed parking bays would be retained. These areas would remain easily visible and accessible, ensuring that the visual impact is minimised. Although clearly providing local amenity to the immediate residents of 6-14 (even), 7 and 9 Hasdines Road, it is not considered that the amenity green is of such importance within the wider locality to warrant its retention when fully weighed against the benefits of the proposal. This part of Warners End has far more significant areas of open space that would not be impacted by this proposal e.g. the parkland located 100m to the east.
- 9.10 Whilst accepting that the existing amenity green creates a pleasant outlook for adjoining residential occupiers, the area to be lost must be balanced against the benefit of providing additional parking for residents in the vicinity. Overall, the proposal is considered acceptable

in visual terms and would not have a significant adverse impact on the overall character or appearance of the street scene complying with Policies CS11 and CS12.

Impact on Residential Amenity

9.11 No significant adverse impacts. An impact is identified in relation No. 9, who, instead of having one car side onto their house, would now see three cars directly facing into the ground floor window at a relatively short distance away. Therefore, they may have impacts with regards to light and noise pollution (headlights / engine noise). However, the parking spaces would be some distance from the property and set on lower ground. As such, the proposal is not considered harmful enough to warrant refusal. Considering the nature, scale and location of the proposal, it is not felt to have a significant impact on residential amenity, complying with Policy CS12.

Impact on Highway Safety and Parking

9.12 No adverse impacts. It has been confirmed by the County Council that the position and layout of the parking area would not result in significant harm to matters of highways safety as a result of the proposal. The pavement (footpath) is unaffected by these proposals.

Drainage

9.13 Details of the ground soakaway have been provided and are considered acceptable to deal with surface water runoff.

Landscaping

9.14 As mentioned earlier, landscaping details would be secured by condition if this application is approved. No trees would be removed as a result of this proposal. Dacorum's Trees and Woodlands Department (T&W) are currently involved in a tree planting scheme across the Borough. This involves numerous sites in Hemel Hempstead. It was queried whether trees should be planted to further mitigate any impacts on the road. However, T&W responded with the following:

9.15 *"We are quite far along with tree planting as the trees are being delivered on Wednesday 25th November 2020. We have no identified planting sites at along Hasedines as there is no loss of tree for this verge hardening scheme. I am unsure why this would be a requisite from planning if there is no loss of tree cover but we could provide some planting sites for the next planting season."*

Response to Neighbour Comments

9.16 These points have been addressed above.

10. CONCLUSION

10.1 The principle of development is acceptable. The proposals would have a limited impact on visual and residential amenity. No concerns are raised with regards to highway safety or parking. As such, the proposal is deemed acceptable in accordance with the aforementioned policies.

11. RECOMMENDATION

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

Condition(s) and Reason(s):

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

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

- 2. The development hereby permitted shall be 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 A

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 foopath 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>

VEHICLE ACCESS & PARKING:

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 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

	<p>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>The carriageway on Hasedines Road is 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) 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>

<p>9 Hasedines Road Hemel Hempstead Hertfordshire HP1 3RA</p>	<p>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</p>
<p>6 Hasedines Road Hemel Hempstead Hertfordshire HP1 3RA</p>	<p>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 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>

ITEM NUMBER: 5f

20/02900/FHA	Demolition of existing single storey boot room extension and revised replacement single storey boot room / utility on existing footprint with altered roof	
Site Address:	Binghams Park Potten End Hill Water End Hemel Hempstead Hertfordshire HP1 3BN	
Applicant/Agent:	Mr & Mrs Symington	
Case Officer:	Jane Miller	
Parish/Ward:	Great Gaddesden Parish Council	Watling
Referral to Committee:	Applicant is a DMC Member	

1. RECOMMENDATION

That planning permission be GRANTED subject to conditions.

2. SUMMARY

2.1 The application seeks planning permission for the demolition of the existing single storey boot room extension and revised single storey boot room/utility on existing footprint with altered roof.

2.2 The proposal is considered to preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. Furthermore, the proposal would not have a detrimental impact on the listed building, Chilterns Area of Outstanding Natural Beauty, immediate surroundings, residential amenity and highway safety, thereby meeting the requirements of Policies CS5, CS12, CS27 of the Core Strategy (2013), Saved Policy 119 of the decorum Borough Local Plan (2004) and the NPPF (2019).

3. SITE DESCRIPTION

3.1 The application site is located to the north of Potten End Hill. Bingham Park is a two storey, residential, detached Grade II Listed Building set in substantial grounds, accessed via a long winding driveway.

3.2 The house is set to the rear of the site thus giving wide separation between the house and the main road much of which is used for grazing purposes/paddock, delineated by a post and rail fence and served by a twin stable block. There is hedging along the front boundary and a track to the rear.

3.3 The site lies within the Green Belt and the Chilterns Area of Outstanding Natural Beauty.

4. PROPOSAL

4.1 This application seeks planning permission for the demolition of the existing single storey boot room extension and revised replacement single storey boot room / utility on existing footprint with altered roof. There is a concurrent listed building application (ref: 20/02901/LBC).

4.2 This current application follows the previously granted planning application 4/04082/15/FHA (Two-storey front and rear extensions, replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements and relocation of oil storage tank, internal and external alterations and Repairs). That project is ongoing, with the above development partially completed.

4.3 This application is solely in respect of the boot room, referred to as the replacement single-storey side extension in previous application above. This revised scheme would result in a more simplified addition to that previously granted, by reverting to building on the existing footprint.

5. PLANNING HISTORY

Planning Applications

20/02901/LBC - Demolition of existing single storey boot room extension and revised replacement single storey boot room / utility on existing footprint with altered roof
PCO -

4/01373/83 - Historic File Check DMS for Documents and Further Details
DET - 28th November 1983

4/01778/18/DRC - Details as required by condition 5 (archaeology) attached to planning permission 4/04082/15/fha two-storey front and rear extensions, replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements
GRA - 23rd July 2018

4/04083/15/LBC - Two-storey front and rear extensions, replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements and relocation of oil storage tank, internal and external alterations and Repairs.
GRA - 31st March 2016

4/02027/08/FUL - Stable block
GRA - 16th December 2008

4/00963/06/FHA - Outbuilding for garaging and storage (amended scheme)
GRA - 27th June 2006

4/02399/05/FHA - Outbuilding for garaging and storage
REF - 9th January 2006

4/00633/99/LBC - Internal alterations, single storey rear extension, dormer window, insertion of other openings and mono pitched roof to replace flat roof
GRA - 27th May 1999

4/00632/99/FHA - Single storey rear extension, dormer window, insertion of other openings and mono pitched roof to replace flat roof

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4
Special Control for Advertisements: Advert Spec Contr
Area of Outstanding Natural Beauty: CAONB outside Dacorum
CIL Zone: CIL1
CIL Zone: CIL2
Green Belt: Policy: CS5
Listed Building, Grade: II,
Parish: Great Gaddesden CP
Parish: Nettleden with Potten End CP
RAF Halton and Chenies Zone: Red (10.7m)
EA Source Protection Zone: 2
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8 PLANNING POLICIES

Main Documents:

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

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development
CS4 - The Towns and Large Villages
CS5 – Green Belt
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS24 – The Chilterns Area of Outstanding Natural Beauty.
CS27 – Quality of the Historic Environment

Dacorum Local Plan

Appendix 7 – Small-scale House Extensions
Saved Policy 119

CONSIDERATIONS

Principle of Development

- 9.1 The application site is located within the Metropolitan Green Belt where there is a general presumption against inappropriate development. The government places great importance on the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. In the Green Belt, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.2 Paragraph 145 of the NPPF (2019) states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt and then goes on to list a number of exceptions to this rule. Most relevant in this case is that extensions of existing buildings are not considered to be inappropriate development provided they do not result in disproportionate additions over and above the size of the original building.
- 9.3 Policy CS5: Green Belt of the Dacorum Core Strategy (2013) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt. The policy permits certain types of small-scale development including limited extensions to existing buildings provided that the development has no significant impact on the character and appearance of the countryside.
- 9.4 The principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 9.5 The key considerations in this application are the development's
- ☐ Impact on the Green Belt;
 - ☐ Impact on the Area of Outstanding Natural Beauty;
 - ☐ Impact on the Listed Building;
 - ☐ Effect on the character and appearance upon the immediate area;
 - ☐ Effect on residential amenity of neighbour properties; and
 - ☐ Impact on Highway Safety

Green Belt Impact Assessment

- 9.6 The site is located within the Metropolitan Green Belt. The NPPF considers an extension or alteration of a building appropriate provided it does not result in disproportionate additions over and above the size of the original building.
- 9.7 As mentioned above, the site has benefited from previously granted planning permissions, most recently under reference 4/04082/15/FHA (Two-storey front and rear extensions, replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements and relocation of oil storage tank, internal and external alterations and Repairs). Following that permission, the works to this Grade II listed building are ongoing, and partially completed. No works have commenced to the boot room, referred to in the previous description as the 'replacement single storey side extension'
- 9.8 This current application, as amended, is solely in respect of the replacement Boot Room / utility, a single storey structure attached to the north side of the dwelling. The current plans seek to re-configure the replacement boot room design from that previously granted but not implemented.
- 9.9 As stated on the application form in respect of the existing boot room '*This part of the property was built and extended at different times, was poorly constructed without architectural or historic value and provides poor associated performance. This part of the property is in disrepair and has suffered structural movement*'.
- 9.10 The revised layout reverts to using the existing (smaller) footprint (approximately 5m x 6.5m), simplifying the single storey design with an altered roof, with two small twin gables to the north elevation and two conservation roof lights. The external materials include white painted render, painted timber framed windows and doors, with traditional slate roof.
- 9.11 The Planning Officer and Conservation Officer carried out a site visit and discussed the proposal and options with the applicants. Following the visit, amended plans were requested and received from the applicant, the design remained unaltered however the plans clarified those elements shown on the proposed plans which have previously been granted planning permission, but are yet to be completed. The red outline on the site location plan has been corrected, and the proposed addition of a roof light to the main roof has been removed from this application following advice from the Conservation and Design officer. That element will be dealt with under separate application if the applicants wish to apply at a later date. Finally, the description has been simplified, now referring solely to the boot room.
- 9.12 The proposed boot room will be compact and would not extend the footprint of the existing dwelling or impact on the skyline. The total floor area will be less than the earlier permission. It is considered that it would not cause any visual harm to openness and to accord with Green Belt Policy.

Impact on Chilterns Area of Outstanding Natural Beauty

- 9.13 The application site is located within the Chilterns Area of Outstanding Natural Beauty (AONB). In the AONB the prime planning consideration will be the

conservation of the beauty of the area. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Saved Policy 97 of the Dacorum Local Plan states that 'Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views.' Policy CS24 of the Dacorum Core Strategies states that the special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved. In addition, development is required to have regard to the policies and actions set out in Chilterns Conservation Board's Management Plan and support the principles set out within the Chilterns Building Design Guide and associated technical notes.

- 9.14 There is no increase in ridge height, the use of matching materials is considered acceptable on this rural site.
- 9.15 The development is therefore in accordance with saved Policy 97 of the Dacorum Local Plan and Policy CS24 of the Dacorum Core Strategy.

Impact on Significance of Heritage Asset

- 9.16 There would be no adverse effects.
- 9.17 The Conservation and Design officer has confirmed that the proposal is considered acceptable.
- 9.18 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
- 9.19 Saved policy 119 of the Dacorum Local Plan (2004) states that consent to alter or extend listed buildings will only be granted where it can be satisfactorily demonstrated that the proposal will be carried out in a manner appropriate to the scale, proportion and external and internal appearance or historic character of the building to which it relates.
- 9.20 Policy CS27 of the Dacorum Core Strategy states that all development will favour the conservation of heritage assets, and seek to ensure that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced.
- 9.21 Paragraph 193 of the NPPF (2019) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 9.22 The application site a Grade II listed dwelling house, however the existing boot room is a later addition, the application stated *'This part of the property was built and*

extended at different times, was poorly constructed without architectural or historic value and provides poor associated performance. This part of the property is in disrepair and has suffered structural movement’.

- 9.23 The Conservation Officer commented: *‘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’.*
- 9.24 Having given great weight to the proposed alterations and the impact they would have on the listed building, it is considered that the location of the extension to the rear is compact, built on the same footprint as the existing boot room, with a modest roof, such that it would have no impact on the setting or fabric of the listed building and would be constructed from appropriate materials.
- 9.25 As a result it is considered that the development would be in accordance with Saved Policy 119 of the Dacorum Local Plan, S.66 of the Planning and Listed Building Act 1990, NPPF (2019) and CS27 of the Dacorum Core Strategy.

Effect on Appearance of Building and Street Scene

- 9.26 Dacorum’s Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; intergrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials. Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 130 states permission should be refused for development of poor design that fails to improve the character and quality of an area.
- 9.27 The proposal would result in a replacement boot room built on the footprint of the existing with altered roof form which would not be visible from the highway. Given it's limited size, it is considered that the proposal does not appear unduly dominant in terms of bulk, scale and height to the parent building and streetscene and will use sympathetic materials to match existing.
- 9.28 Therefore it is considered that the proposal would be generally sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual and residential amenity. This accords with the local and national policies mentioned above.

Effect on Residential Amenity

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

9.30 Overall, it is considered that the proposal would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Parking and Access

9.31 No changes to the existing car parking and access arrangements are proposed. The property would maintain sufficient parking provision and it is considered that the proposal would not result in an unacceptable impact on highways safety.

CIL Liable

9.32 No (below 100sqm)

10 CONCLUSION

10.1 Based on the size and scale of the development, the proposal can be considered small scale with no significant impact on the character and appearance or openness of the Green Belt.

10.2 The proposed development would not detract from the character, appearance or design of the Listed Building, nor would it adversely affect the character and appearance of the Area of Outstanding Natural Beauty, the street scene, residential amenity of surrounding properties, or highway safety.

11 RECOMMENDATION

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

Condition(s) and Reason(s):

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

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

- 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).

- 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:

- 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</p>

	<p>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</p> <p>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 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>

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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
14	0	0	0	0

Neighbour Responses

Address	Comments

Agenda Item 5g

ITEM NUMBER: 5g

20/02901/LBC	Demolition of existing single storey boot room extension and revised replacement single storey boot room / utility on existing footprint with altered roof	
Site Address:	Binghams Park Potten End Hill Water End Hemel Hempstead Hertfordshire HP1 3BN	
Applicant/Agent:	Mr & Mrs Symington	
Case Officer:	Jane Miller	
Parish/Ward:	Great Gaddesden Parish Council	Watling
Referral to Committee:	Applicant is a DMC Member	

1. RECOMMENDATION

1.1 That listed building consent be GRANTED subject to conditions.

2. SUMMARY

2.1 The application seeks listed building consent for the demolition of the existing single storey boot room extension and revised single storey boot room utility on existing footprint with altered roof.

2.2 The proposal will not detract from the character, appearance or design of the Listed Building. The proposal meets the requirements of CS27 of the Core Strategy (2013), Saved Policy 119 of the Dacorum Local Plan (2004) and the NPPF (2019).

3. SITE DESCRIPTION

3.1 The application site is located to the north of Potten End Hill. Bingham Park is a two storey, residential, detached Grade II Listed Building set in substantial grounds, accessed via a long winding driveway.

3.2 The house is set to the rear of the site thus giving wide separation between the house and the main road much of which is used for grazing purposes/paddock, delineated by a post and rail fence and served by a twin stable block. There is hedging along the front boundary and a track to the rear. The site lies within the Green Belt and the Chilterns Area of Outstanding Natural Beauty.

4. PROPOSAL

4.1 This application seeks listed building consent for the demolition of the existing single storey boot room extension and revised replacement single storey boot room / utility on existing footprint with altered roof. There is a concurrent planning application (ref: 20/02900/FHA).

4.2 This current application follows the previously granted Listed Building Consent reference 4/04083/15/LBC (Two-storey front and rear extensions, replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements and relocation of oil storage tank, internal and external alterations and repairs). That project is ongoing, with the above works partially completed.

4.3 This application is solely in respect of the boot room, referred to as the replacement single-storey side extension in previous application mentioned above. This revised scheme would result in a more simplified addition to that previously granted, by reverting to building on the existing footprint.

5. PLANNING HISTORY

Planning Applications

20/02900/FHA - Demolition of existing single storey boot room extension and revised replacement single storey boot room / utility on existing footprint with altered roof
PDE -

4/01373/83 - Historic File Check DMS for Documents and Further Details
DET - 28th November 1983

4/01778/18/DRC - Details as required by condition 5 (archaeology) attached to planning permission 4/04082/15/fha two-storey front and rear extensions, replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements
GRA - 23rd July 2018

4/04083/15/LBC - Two-storey front and rear extensions, replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements and relocation of oil storage tank, internal and external alterations and Repairs.
GRA - 31st March 2016

4/02027/08/FUL - Stable block
GRA - 16th December 2008

4/00963/06/FHA - Outbuilding for garaging and storage (amended scheme)
GRA - 27th June 2006

4/02399/05/FHA - Outbuilding for garaging and storage
REF - 9th January 2006

4/00633/99/LBC - Internal alterations, single storey rear extension, dormer window, insertion of other openings and mono pitched roof to replace flat roof
GRA - 27th May 1999

4/00632/99/FHA - Single storey rear extension, dormer window, insertion of other openings and mono pitched roof to replace flat roof
GRA - 27th May 1999

6. CONSTRAINTS

Parking Accessibility Zone (DBLP): 4

Special Control for Advertisements: Advert Spec Contr
Area of Outstanding Natural Beauty: CAONB outside Dacorum
CIL Zone: CIL2
CIL Zone: CIL1
Green Belt: Policy: CS5
Listed Building, Grade: II,
Parish: Nettleden with Potten End CP
Parish: Great Gaddesden CP
RAF Halton and Chenies Zone: Red (10.7m)
EA Source Protection Zone: 3
EA Source Protection Zone: 2

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8 PLANNING POLICIES

Main Documents:

Planning (Listed Building and Conservation Areas) Act 1990 – Section 16(2) and 66(1)
National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

9 CONSIDERATIONS

- 9.1 There would be no adverse effects. The Conservation and Design officer has confirmed that the proposal is considered acceptable.
- 9.2 The main issue of relevance to the consideration of this application relate to the impact of the proposed alterations upon the character and appearance of the Grade II Listed Building.
- 9.3 Saved Policy 119 of the Dacorum Local Plan (2004) states that consent to alter a Listed Building will only be granted where it can be satisfactorily demonstrated that the proposed works would be carried out in a manner appropriate to the scale, proportion and external and internal appearance of the building. The National Planning Policy Framework (NPPF) (2019) seeks to ensure that heritage assets are preserved and enhanced.
- 9.4 The site has benefited from previously granted listed building consents, most recently under reference 4/04083/15/LBC (Two-storey front and rear extensions,

replacement single-storey side extension, demolition of outbuilding, construction of 2-bay carport, changes to access arrangements and relocation of oil storage tank, internal and external alterations and Repairs). Following that consent, the works to this Grade II listed building are ongoing, and partially completed. No works have commenced to the boot room, referred to in the previous description as the 'replacement single storey side extension'

- 9.5 This current application, as amended, is solely in respect of the replacement Boot Room / utility, a single storey structure attached to the north side of the dwelling. The current plans seek to re-configure the replacement boot room design from that previously granted but not implemented.
- 9.6 As stated on the application form in respect of the existing boot room '*This part of the property was built and extended at different times, was poorly constructed without architectural or historic value and provides poor associated performance. This part of the property is in disrepair and has suffered structural movement*'.
- 9.7 The revised layout reverts to using the existing (smaller) footprint (approximately 5m x 6.5m), simplifying the single storey design with an altered roof, with two small twin gables to the north elevation and two conservation roof lights. The external materials include white painted render, painted timber framed windows and doors, with traditional slate roof.
- 9.8 The Planning Officer and Conservation Officer carried out a site visit and discussed the proposal and options with the applicants. Following the visit, amended plans were requested and received from the applicant, the design remained unaltered however the plans clarified those elements shown on the proposed plans which have previously been granted listed building consent, but are yet to be completed. The red outline on the site location plan has been corrected, and the proposed addition of a roof light to the main roof has been removed from this application following advice from the Conservation and Design officer. That element will be dealt with under separate application if the applicants wish to apply at a later date. Finally, the description has been simplified, now referring solely to the boot room.
- 9.9 The Conservation Officer commented: '*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*'.
- 9.10 It is considered that the proposed works preserve the character and appearance of the Listed Building.
- 9.11 Overall, the proposal will not detract from the character, appearance or design of the Listed Building. The proposal meets the requirements of CS27 of the Core Strategy (2013), Saved Policy 119 of the Dacorum Local Plan (2004) and the NPPF (2019).

10 CONCLUSION

- 10.1 The proposed replacement boot room / utility will not detract from the character, appearance or design of the Listed Building. The proposal meets the requirements of CS27 of the Core Strategy (2013), Saved Policy 119 of the Dacorum Local Plan (2004) and the NPPF (2019).

11 RECOMMENDATION

- 11.1 That Listed Building Consent be **GRANTED** subject to the following conditions:

Condition(s) and Reason(s):

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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ITEM NUMBER: 5h

20/00979/FUL	Construction of new dwelling connected to existing semi-detached properties. External refurbishment of existing two properties (renewal of application 4/01574/17/FUL).	
Site Address:	3 Grove Farm Cottage Marshcroft Lane Tring Hertfordshire HP23 5PP	
Applicant/Agent:	Regis Group	Mr Paul Seager
Case Officer:	Jane Miller	
Parish/Ward:	Tring Town Council	Tring East
Referral to Committee:	Contrary to the views of Tring Town Council	

1 RECOMMENDATION

That planning permission be **GRANTED** subject to conditions.

2 SUMMARY

- 2.1 The principle of residential development is considered acceptable. The application seeks permission for the construction of a new three-bed dwelling connected to existing semi-detached properties and the external refurbishment of the existing two properties within a residential area of Tring.
- 2.2 This application is for the renewal of planning application 4/01574/17/FUL, the planning permission having lapsed on 19.10.20.
- 2.3 The proposal would not have a significant impact on the parent building, appearance and character of the surrounding area, residential amenity of the surrounding properties and highway safety.
- 2.4 The proposal is therefore in accordance with the aims of the National Planning Policy Framework (2019), Policies CS4, CS8, CS11, CS12, CS13 CS29 of the Dacorum Core Strategy (September 2013), and saved appendix 3, saved policies 99 of the Dacorum Borough Local Plan 1991-2011, and the Car Parking Standards SPD (November 2020).

3 SITE DESCRIPTION

- 3.1 The application site is located to the north west of Marshcroft Lane, on the corner with Ridge View. The site comprises a pair of mid 20c semi-detached two storey dwellings constructed in brick, with timber cladding at first floor, under a concrete tiled roof, with gardens to the side and rear, and off-street parking, within an established residential area of Tring.
- 3.2 The area is characterised by diversity in architectural design.
- 3.3 The site is adjacent to but not within the Metropolitan Green Belt.

4 PROPOSAL

- 4.1 Planning permission is sought for the construction of a new three-bed dwelling connected to existing semi-detached properties. External refurbishment of existing two properties (renewal of application 4/01574/17/FUL).

5. PLANNING HISTORY

Planning Applications

4/01574/17/FUL - Construction of new dwelling connected to existing semi-detached properties. External refurbishment of existing two Properties.
GRA - 19th October 2017

6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Contr
Article 4 Directions: Land by Marshcroft Farm, Bulbourne Road, Tring
CIL Zone: CIL2
Former Land Use (Risk Zone):
Green Belt: Policy: CS5
Parish: Tring CP
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
RAF Halton and Chenies Zone: Green (15.2m)
Residential Area (Town/Village): Residential Area in Town Village (Tring)
Residential Character Area: TCA19
Parking Standard: New Zone 3
Town: Tring

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

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

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Supplementary Planning Guidance/Documents:

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
Parking Standards Supplementary Planning Document (November 2020)
TCA 19

9 CONSIDERATIONS

9.1 Main Issues

The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein the principle of a residential development is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues to the consideration of this application relate to the impact of the proposed dwelling on the character and appearance of the area, the immediate street scene, and the residential amenity of the neighbouring properties

Quality of Design / Impact on Visual Amenity

9.3 Core Strategy Policies CS11, CS12 and CS13 state that development within settlements should respect the typical density in the area, integrate with the streetscape character and contribute to the quality of the public realm. TCA 19 states that development should not exceed two storeys.

9.4 This application is for the renewal of the previously granted planning application 4/01574/17/FUL- Construction of new dwelling connected to existing semi-detached properties. External refurbishment of existing two Properties.

9.4 Revised plans were requested and received during the course of the application process. Specifically these clarified the existing and proposed parking layout, and demonstrated the proposed internal layout of the parent dwelling.

9.5 It is understood that the entire site is within the same ownership as shown by the blue out line on plan 02 C existing site plan. The proposals would provide an enhancement to the appearance of the buildings.

9.6 The proposed attached dwelling is on the same footprint as that previously approved at DMC. The proposed parking also remains the same, but the revised plans clearly

show the inclusion of the two existing car parking spaces to the side/front of No.4, which will remain, and the allocation of those spaces, equating to two parking spaces per dwelling (drawing 04 H). This proposal will result in the addition of a double cross over between Nos. 3 & 4 and a reconfiguration and tidying up of the existing cross over which currently exists to the side of No.3

- 9.7 The proposal would be visible in the streetscene due to its end of terrace location and taking into account the site characteristics, the plots size, corner plot position, design and form it is considered that a development of this kind would be acceptable.
- 9.8 The application includes the external refurbishment of the existing pair of semi-detached dwellings (Nos.3 & 4) which would enhance the appearance of the existing dwellings and the addition of an extra cottage would not detract from the character of the area. The refurbishment and cladding of the elevations in timber, and creation of a pitched porched element to the façade, retention of chimneys, and chimney to the proposed dwelling would be welcomed. The redesign of the fenestration would be acceptable and introduces a more traditional appearance of the building. The proposal for the bay window, and plain terracotta clay tiles which would preserve the character of the street scene, as shown on Plan rev G proposed plans and elevations are acceptable. A condition will be added to the decision notice in respect of submitting details of external materials to ensure a satisfactory appearance to the development.
- 9.9 The proposal would not, in the view of the case officer, appear incongruous or have a detrimental impact on the character and appearance of the area. Overall, the development is considered to accord with saved Appendix 3 of the Dacorum Local Plan and Policies CS11, CS12 and CS13 of the Dacorum Core Strategy (2013).

Impact on Residential Amenity

- 9.10 Saved Appendix 3 of the Dacorum Local Plan (2004) states that residential development should be designed and laid out so that the privacy of existing and new residents is achieved. It further states that residential development should be designed and positioned in such a way that a satisfactory level of daylight and sunlight is maintained for existing and proposed dwellings. Policy CS12 of the Core Strategy compliments this and requires development to avoid visual intrusion, loss of sunlight and daylight to the surrounding properties.
- 9.11 The new house is located to the west of 3 Grove Farm Cottages, and is an infill plot adjacent to Ridge View. The property at 42 Marshcroft Lane has no windows on the flank elevation facing the proposal. The new dwelling does not breach the 45 degree line taken from the nearest habitable windows.
- 9.12 The properties situated at 6 and 7 Marshcroft Lane are situated on the opposite side of Marshcroft Lane, Saved Appendix 3 of the Local Plan does not suggest a front-to-front distance that might apply to dwelling on the opposite side of Marshcroft Lane relative to the proposed dwelling. The development would have the same street setback as the adjacent existing dwellings and on that basis it is not considered there would be unreasonable overlooking between the application site and dwellings opposite.

- 9.13 The windows on the first floor of the north eastern elevation effectively replace the existing windows at No. 4 Grove Farm Cottages and therefore it is not considered that there is any additional potential for overlooking.
- 9.14 The first floor windows in the proposed flank elevation will be obscured glazed and non-opening below 1.7m and a condition to this effect would be added to the decision notice to safeguard residential amenity.
- 9.15 Whilst Tring Town Council did not initially object to the application following consultation, when re-consulted with amended plans in respect of the general site layout/parking, they later objected with concerns for loss of amenity to residents of the parent dwelling and inadequate parking. Consequently the planning officer requested and received revised plans from the agent showing the proposed internal layout of the existing dwelling. It should be noted that the footprint of the proposed dwelling has not been changed from the previously granted planning permission.
- 9.16 Given the end of terrace location of the proposed dwelling, the greatest impact of the development would relate to the parent dwelling. However, the existing first floor windows at No. 3, which would be removed, serve the stairwell, and a secondary bathroom window, neither serving habitable rooms. Again the small ground floor side windows and door to No.3 would be removed. These serve the hall way, a utility room and kitchen, however the proposal includes internal alterations to the parent dwelling at No.3 which opens this area into a kitchen / diner with the kitchen units being moved into the current utility space, and thereby benefitting from a window directly into the rear garden as well as access to the rear garden from the dining area. This is shown on drawing 05 rev G Proposed Plans and Elevations. The parent dwelling has windows to the front and rear, and is considered to provide sufficient light for a typical three bed terraced property configuration. The first floor lay out to No.3 will remain unchanged.
- 9.17 The subdivision of the site into three plots would result in a smaller width rear garden for each property, the parent dwelling would have a rear garden length between 11m and 14m, the new dwelling would have a rear garden of minimum 11.5 metres deep and therefore considered acceptable in accordance with the requirements detailed in Appendix 3 of the local plan. However, given that the gardens will be reasonably small on this relatively constrained site, it would, in my view, be appropriate to restrict permitted development rights in respect of Classes A and, E for both the parent dwelling and proposed dwelling sites, and a condition will be added to the decision notice to this effect to enable a greater degree of planning control over future development on this site.
- 9.18 Taking the above into account, the development is considered to accord with saved Appendix 3 of the Dacorum Local Plan and Policy CS12 of the Dacorum Core Strategy.

Impact on Highway Safety and Parking

- 9.19 The Parking Standards Supplementary Planning Document was formally adopted on 18th November 2020. The new supplementary planning document propose a 'parking standard' (rather than a maximum or minimum standard).
- 9.20 Different standards for C3 use are provided as set out in the table in Appendix A, based on the three accessibility zones referred to in section 4.8 and shown in Appendix B. This shows 2.25 parking spaces for a 3-bed dwelling house in Zone 3.

Car Parking -

- 9.21 The Dacorum Borough Council Parking Standards Supplementary Planning Document (SPD) (November 2020) states that the starting principle is that all parking demand for residential development will be accommodated on site, with departures being accepted only in exceptional circumstances. The SPD identifies three accessibility zones and varies the parking requirement accordingly. The application site is located within Zone 3, with a three bedroom dwelling expected to provide 1.8 spaces per dwelling where the spaces are unallocated and 2.25 spaces where allocated. The proposed plans for the renewal of this application shows that the parking spaces are allocated, hence there is a deficit of 0.25 for the new dwelling. However, in this instance the deficit could be considered de-minimus, as whilst falling just below 2.25 it is noted that the application form states that new cycle spaces will be created and further, there are local bus stops/routes running close by, including along Station Road to both Tring Town Centre and Tring Railway Station and that both can also be accessed by bike or on foot. Whilst not ideal there is no restriction to on-street parking in the immediate vicinity.
- 9.22 Following comments received from the neighbour at 8 The Grove, the agent was contacted and he confirmed that the parking spaces to the front of the dwellings will be achievable with a minimum size of 2.4m x 4.8m as required. The dimensions are shown on drawing 04 rev H proposed site plan, as are the vehicular and pedestrian visibility splays.
- 9.23 Hertfordshire Country Council as Highway Authority considers that this proposal will not have a severe residual impact on the safety and operation of the surrounding highway, subject to the conditions and informative notes below.

Electric Vehicle (EV) Charge Points –

- 9.24 The Parking Standards SPD requires 50% of all parking spaces to have an active charging point, with all remaining parking spaces having passive provision. The terms active provision and passive provision are defined as follows:

Active provision for electric vehicles: an actual socket connected to the electrical supply system that vehicle owners can plug their vehicle into.

Passive provision for electric vehicles: the network of cables and power supply necessary so that at a future date a socket can be added easily. It is significantly cheaper and less disruptive to install the underlying infrastructure for EV charge points during construction than to retrofit later.

No details have been provided of EV charge points; therefore, this information will be required to be submitted and approved prior to first occupation of the development in

accordance with the Parking Standards Supplementary Planning Document (November 2020) Table 1 Electric Vehicle Charging Standard states that for such development, one dwelling, there should be provision for one active EV charging unit.

- 9.25 Having had regard to the size of the proposal, the parking provision is considered acceptable subject to conditions in accordance Policies CS8, CS12 and CS29 of the Dacorum Core Strategy and the Car Parking Standards SPD (November 2020).

Other Material Planning Considerations

Affordable Housing

- 9.26 The scale of the development is such that there is no requirement for affordable housing contributions.

Impact on Trees and Landscaping

- 9.27 No objections from the Trees and Woodlands Officer.

Waste Management

- 9.28 There is access to the side of the proposed dwelling and it is considered that there is storage provision within the confines of the site and is considered acceptable. There will be no rear access to the existing property, however, whilst not ideal, there is sufficient area to the front.

Ecology

- 9.29 Following correspondence received from a neighbour, in addition to the formal consultation to the Ecology Officer, the planning officer also sent a separate email to draw his attention to the information received that the garden pond contained newts. It is also acknowledged that neighbour comments received referred to frogs and hedgehogs on the site. The formal response from the Ecology Officer stated that they are 'not aware of any existing habitat or species data for this site; however there are records of roosting bats in the area'. An informative has been added to the decision notice in accordance with the advice received. See in full below.

Permitted Development Rights

- 9.30 The Government's Planning Practice Guidance provides useful advice to Local Planning Authorities as regards the use of conditions:

- 9.31 *When used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable*

and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

- 9.32 Paragraph 206 of the NPPF states “Planning conditions should only be imposed
- ☐ where they are:
 - ☐
 - ☐ Necessary
 - ☐ Relevant to planning and;
 - ☐ To the development to be permitted
 - ☐ Enforceable;
 - ☐ Precise and;
 - ☐ Reasonable in all other respects

The six tests must all be satisfied each time a decision to grant planning permission subject to conditions is made.

Any proposed condition that fails to meet any of the six tests should not be used. This applies even if the applicant suggests it or agrees on its terms or it is suggested by the members of a planning committee or a third party.

Specific guidance in relation to conditions which remove permitted development rights is also provided:

Conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. The scope of such conditions needs to be precisely defined, by reference to the relevant provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015, so that it is clear exactly which rights have been limited or withdrawn. Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity. The local planning authority also has powers under article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 to enable them to withdraw permitted development rights across a defined area, where justified.

- 9.33 The dwelling constitutes an infill form of development; that is to say, development over and above that originally envisaged by the planners of the estate. Therefore, careful consideration does need to be given to the whether a greater degree of planning control should be exercised over future development at this site.
- 9.34 Given that the garden area is already reasonably small on this relatively constrained site, it would, in my view, be appropriate to restrict permitted development rights in respect of Classes A and, E for both the parent dwelling and proposed dwelling sites.

Community Infrastructure Levy (CIL)

- 9.35 This application is CIL liable.

10 CONCLUSION

10.1 The proposal would not have a significant impact on the parent building, appearance and character of the surrounding area, residential amenity of the surrounding properties and highway safety in accordance with planning policy.

10.1 The proposal is considered to be acceptable.

11 RECOMMENDATION

11.1 That planning permission be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

2. **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)	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.

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.

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.

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 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.

	<p>However I would recommend the application is subject to construction working hours with Best Practical Means for dust.</p> <p>Construction Hours of Working - (Plant & Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.</p>
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</p>

	<p>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 Proposal: Construction of new dwelling connected to existing semidetached properties. External refurbishment of existing two properties (renewal of application 4/01574/17/FUL) 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 AMENDED 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>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</p>

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.

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.

CONCLUSION

HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the conditions and

	informative notes above
Parish/Town Council	20/00979/FUL The Council recommended REFUSAL of this application on the following grounds: loss of amenity to residents of existing properties no kitchen windows at No. 3 would lead to detrimental impact on resident parking issue caused at front of houses (20.08.2020)
Hertfordshire Highways (HCC)	22.10.2020 Proposal AMENDED PROPOSAL Construction of new dwelling connected to existing semidetached properties. External refurbishment of existing two properties (renewal of application 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: 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. 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). 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/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 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>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 mis-representation 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! <p>Contrary to the Consultation comments from your 'Trees and</p>

	<p>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?</p> <p>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.</p> <p>Text for Dacorum online Planning comments 21-8-20</p> <p>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!</p> <p>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.</p> <p>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.</p> <p>Please confirm a site visit will or has been made to check these details.</p> <p>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.</p> <p>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.</p> <p>Thank you</p>
<p>3 Grove Farm Cottage Marshcroft Lane</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</p>

<p>Tring Hertfordshire HP23 5PP</p>	<p>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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Agenda Item 5i

ITEM NUMBER: 5i

20/03181/FHA	Two storey side and single storey rear extensions and loft conversion.	
Site Address:	3 St Katherines Way Berkhamsted Hertfordshire HP4 1DA	
Applicant/Agent:	Mr Enam Rahim	Miss Jamie-Lee Collins
Case Officer:	Natasha Vernal	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted Castle
Referral to Committee:	Contrary view of Berkhamsted Town Council	

1. RECOMMENDATION

That planning permission be **GRANTED** with conditions.

2. SUMMARY

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

2.2 The proposal is therefore in accordance with Saved Appendices 3 and 5 of the Dacorum Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013), Appendix A of the Parking Standards SPD (2020), the NPPF (2019) and the Tunnel Fields (BCA15) Residential Character Appraisal Supplementary Planning Guidance (2004).

3. SITE DESCRIPTION

3.1 The site is occupied by a two storey semi-detached dwelling located on St Katherines Way in Berkhamsted. The site is situated within an area of archaeological significance and the surrounding area is predominately residential in character.

4. PROPOSAL

4.1 This application seeks full householder permission for the construction of a two storey side and single storey rear extensions and loft conversion creating front and rear dormers.

4.2 The agent was advised by the case officer to make amendments to the original scheme and amended plans were received on 5th November 2020. The amended scheme '105.2A' and '105.3A' show the first floor side extension set in by approximately 1 metre from the side boundary reducing visual intrusion and overbearing impacts when viewed from the neighbouring properties at Nos. 1, 3 and 4's (Mortain Drive) rear elevation. Amendments have been made to the rear dormer, being set in from the flank walls by approximately 1.3 metres to the south-east flank wall and 0.6 metres to the north-west flank wall.

5. PLANNING HISTORY

Planning Applications (If Any):

20/02449/LDP - Loft conversion
GRA - 15th October 2020

4/01988/02/FHA - Two storey side extension and replacement conservatory

GRA - 28th November 2002

Appeals (If Any):

6. CONSTRAINTS

Area of Archaeological Significance: 21

CIL Zone: CIL1

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Green (15.2m)

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

Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)

Residential Character Area: BCA15

SPD Zone 3

EA Source Protection Zone: 3

Town: Berkhamsted

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)

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

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

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Tunnel Fields (BCA15) Residential Character Appraisal (2004)

Parking Standards SPD (2020)

Planning Obligations (2011)

Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

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

Quality of Design / Impact on Visual Amenity

9.3 Core Strategy (2013) Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area, seeking to ensure that developments are in keeping with the surrounding area in terms of scale, mass, height and appearance. This guidance is supported by Saved Appendices 3 and 7 of the Local Plan (2004). In addition, Tunnel Fields (BCA15) Residential Character Appraisal (2004) states that extensions, curtilage buildings and other alterations to dwellings are strongly encouraged to follow the materials and architectural details present on the parent building.

9.4 The surrounding area is characterised by semi-detached dwellings that maintain a uniform design, comprising detached garages set back from the front building line, steeply pitched roofs and prominent front cat-slide dormers.

9.5 Tunnel Fields (BCA15) Residential Character Appraisal states that spacing within the medium range (2 m to 5 m) should be maintained. The existing rear conservatory would be demolished. The proposed ground floor side and rear extension would create an 'L' shape extension measuring approximately 3.6 metres in width from the existing side elevation, 3.5 metres in length from the existing rear elevation and a height of 3.6 metres. The proposal would comprise a flat roof for the ground floor side extension and a mono-pitched roof for the ground floor rear extension. Four roof lights would be inserted within the mono-pitched roof.

9.6 The proposed first floor side extension would extend approximately 2.6 metres from the existing side elevation, a length of 8.5 metres and would be in line with the existing roof ridge. The proposed first floor side extension would be sited approximately 1 metre from the side boundary.

9.7 The proposed front dormer comprises a cat-slide roof and would measure a total volume of approximately 9.8 cubic metres which would be set in from the flank walls by approximately 0.5 metres. The proposed flat roof rear dormer, would measure a total volume of approximately 32 cubic metres and would be set in approximately 1.3 metres from the south-east flank wall and 0.6 metres from the north-west flank wall. A Juliet balcony with two windows is proposed within the rear dormer facing the rear boundary.

9.9 The proposal features facing brickwork, cladding to the front and rear dormer and roof tiles to match the existing dwelling and the surrounding area.

9.10 Alterations to fenestration is proposed to the existing dwelling with external works to the front elevation involving repositioning the existing front door facing the front boundary. The proposed fenestration would be in keeping within the existing fenestration and the surrounding area.

9.11 The application site features ground levels sloping towards the rear boundary. The existing external steps would be relocated featuring a patio extending approximately 1.5 metres from the proposed rear extension, allowing sufficient space to step down into the rear garden.

9.12 Although some elements of the proposed development would be visible from the public realm, the proposal would be set back from the public highway by approximately 5 metres and therefore the proposal would be less prominent when viewed along St Katherines Way. Furthermore, the proposed design and appearance would harmonise with the existing dwelling and the surrounding street scene. It is not considered that the works would result in a massing that would be unduly prominent or out of keeping within the character and appearance of the existing dwelling or the surrounding area.

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

Impact on Residential Amenity

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

9.15 It is noted that formal objections have been received from the neighbouring properties at Nos. 1, 3 and 4 (Mortain Drive) objected on the grounds of the proposed development causing visual intrusion and overbearing impacts.

9.16 The proposed development would be sited approximately 11 metres from the No.4 (Mortain Drive), 13 metres from No.3 (Mortain Drive) and 6.2 metres from No.1 (Mortain Drive). Due to the orientation, layout and separation distance between the neighbouring properties and the subject property, the proposed works would not harm the residential amenities of adjacent or surrounding properties with regards to light, privacy or visual intrusion. The first floor side extension has been set in by approximately 1 metre from the side boundary to prevent impacts on overlooking. Regarding the proposed windows to the flank elevation, an obscure glazing condition is required to ensure no adverse impacts on neighbouring amenity. Although views of Nos. 3 and 4 (Mortain Drive) rear gardens would be possible, these views would have similar views to the existing first floor rear windows and therefore it is not considered to have a detrimental impact in regards to overlooking. Furthermore, the proposed rear dormer can be constructed under permitted development rights as it was recently granted consent for a rear dormer under LPA ref: 20/02449/LDP.

9.17 The proposed two storey side extension would not extend beyond the neighbouring property at No.5's rear elevation and would be obscured by the existing dwelling. Although the proposed ground floor rear extension would extend beyond No.5's rear elevation, the proposed extension would be screened by fencing and no fenestration is proposed to face towards No.5. Therefore, there are no concerns in terms of loss of sunlight/ daylight, overlooking or overshadowing.

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

Impact on Highway Safety and Parking

9.19 There would be no changes to the existing access, nor any changes that would affect the adjoining highway. In terms of parking, the parking standards are comprised within Appendix A of the Parking Standards SPD (2020). The site resides within Accessibility Zone 3, wherein the parking requirement for a 3-bedroom dwelling is 2.25 spaces.

9.20 The existing dwelling comprises three bedrooms, as a result of the proposed development there would be four bedrooms. However, the proposed development will not affect the local parking capacity as this four bedroomed semi-detached dwelling has a substantial area of hardstanding located to the front that can accommodate at least two vehicles. In addition, the existing garage would be retained to accommodate at least one internal parking space. Furthermore, there are local public transport routes situated in close proximity to the application site.

9.21 It is considered that the proposed development will not have a detrimental impact on local parking provision, nor will it have a severe impact to the safety and operation of the adjacent highway. Thus, the proposal meets the requirements of Appendix A of the Parking Standards SPD (2020)

Berkhamsted Town Council

9.22 Berkhamsted Town Council has objected on the grounds of significant overdevelopment of the site.

9.23 As the site's permitted development rights are currently intact, it should be noted that the existing dwelling was recently granted consent for a loft conversion with a rear dormer approved under LPA ref: 20/02449/LDP.

9.24 Further to the changes made to the submitted plans, the first floor side extension has been set in approximately 1 metre from the side boundary preventing a terracing effect and visual intrusion towards the neighbouring properties at Nos. 1,3 and 4 (Mortain Drive). The rear dormer has been set in by approximately 1.3 metres and 0.6 metres from either side of the flank walls and down from the existing roof ridge by approximately 0.5 metres. Overall, the proposal allows visual reading of the existing elevation and is considered to be uniform with the existing dwelling and the surrounding properties in the street scene.

Historic Environment

9.25 Historic Environment were consulted and raised no objections to the proposal.

Response to Neighbour Comments

9.26 The neighbouring properties at Nos. 1, 3 and 4 (Mortain Drive) has objected on the grounds of the proposed development causing visual intrusion and loss of privacy. However, these points have been addressed in the impact on residential amenity assessment.

Community Infrastructure Levy (CIL)

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

10. CONCLUSION

10.1 The proposed development through its design, scale and finish will not have a significant adverse impact upon the visual amenity of the immediate street scene or the residential amenity of neighbouring occupants. The proposal is therefore in accordance with Saved Appendices 3 and 5 of the Dacorum Local Plan (2004), Policies CS4, CS10, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2019).

11. RECOMMENDATION

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

Condition(s) and Reason(s):

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

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

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

- 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	<p>Objection</p> <p>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.</p> <p>CS12</p>
Archaeology Unit (HCC)	<p>Please note that we have no comments to make on the above application.</p>
Parish/Town Council	<p>Objection</p> <p>The application proposes a significant overdevelopment of the site.</p> <p>CS12</p>

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 HP4 1JZ	<p>Objection to AMENDED plans:</p> <ol style="list-style-type: none"> 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 will be overbearing. This is definitely an over development. It is too high, too close to my property and a visual intrusion. 2. My hedges on the boundary will be affected and 3. The side window intrudes on privacy.
1 Mortain Drive Berkhamsted Hertfordshire HP4 1JZ	<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.

	<p>2. Loss of Privacy</p> <p>a. Window will overlook my property.</p> <p>3. Hedge/Trees</p> <p>a. My hedge/trees will be affected and destroyed as this is on the border to which they intend to build up to.</p> <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> <p>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.</p> <p>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.</p> <p>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.</p> <p>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 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>