



# Public Document Pack

# DEVELOPMENT MANAGEMENT

# AGENDA

**THURSDAY 27 MAY 2021 AT 7.00 PM**  
**COUNCIL CHAMBER, THE FORUM**

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

## Membership

Councillor Guest (Chairman)	Councillor Oguchi
Councillor C Wyatt-Lowe (Vice-Chairman)	Councillor Uttley
Councillor Beauchamp	Councillor Woolner
Councillor Durrant	Councillor Tindall
Councillor Hobson	Councillor Douris
Councillor Maddern	Councillor Williams
Councillor McDowell	

For further information, please contact [member.support@dacorum.gov.uk](mailto: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](mailto: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:

- deferred planning applications which have foregone a significant or material change since originally being considered
- resubmitted planning applications which have foregone a significant or material change
- 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 (Pages 5 - 6)

- (a) 21/00858/ROC -Variation of Condition 2 (Approved Plans) attached to planning permission 20/01355/MFA (Construction of a single storey chapel crematorium with associated parking, landscaping and infrastructure) -Land south of Bedmond Road, Hemel Hempstead, Hertfordshire (Pages 7 - 61)
- (b) 20/03734/FUL-Demolition of 36 residential garages and construction of 6 no dwelling houses-Garages At Sempill Road (West) Hemel Hempstead Hertfordshire (Pages 62 - 133)
- (c) 20/03735/FUL- Demolition of 10 residential garages and construction of 4 new dwellings. - Garages At Sempill Road (East) Hemel Hempstead Hertfordshire (Pages 134 - 187)
- (d) 21/00643/FUL - 6x floodlights - Chipperfield Tennis Club, The Common, Chipperfield (Pages 188 - 201)
- (e) 20/03295/FUL -One barn, one polytunnel, agricultural track and relocation of entrance gate -Bury Farm Cupid Green Lane Hemel Hempstead Hertfordshire (Pages 202 - 216)
- (f) 21/00138/FUL -Construction of 5 dwellinghouses including associated hard and soft landscaping -38 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SF (Pages 217 - 308)
- (g) 21/00441/OUT -Outline planning application with all matters reserved except access for the development of 4 dwellings on land north of Pickford Road, Markyate.- Land SW Of Frindles Cheverells Green Markyate Hertfordshire AL3 8AB (Pages 309 - 346)
- (h) 21/00183/FUL - Proposed extension of height of mast by 5m [24.9m to 29.9m]. Removal of 6No. Antenna. Installation of 12No. Antenna and ancillary devices. 6No. Cabinets inside the existing Cabin. All associated ancillary works thereto. - Mast Icknield Way Industrial Estate Tring Hertfordshire (Pages 347 - 357)
- (i) 21/00365/FUL - Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen.- Barn A Birch Lane Flaunden Hertfordshire HP3 0PT (Pages 358 - 378)
- (j) 20/03778/FHA - Two storey side extension and associated landscaping works - 3-4 Una Way High Street Kings Langley Hertfordshire WD4 8BH (Pages 379 - 391)
- (k) 20/03779/LBC- Two storey side extension and associated landscaping works - 3-4 Una Way High Street Kings Langley Hertfordshire WD4 8BH (Pages 392 - 405)

## INDEX TO PLANNING APPLICATIONS

Item No.	Application No.	Description and Address	Page No.
5a.	21/00858/ROC	Variation of Condition 2 (Approved Plans) Attached to Planning Permission 20/01355/MFA (Full Planning Application for the construction of a single storey, single chapel crematorium with associated parking, landscaping and infrastructure.) Land South Of Bedmond Road, Hemel Hempstead, Hertfordshire,	
5b.	20/03734/FUL	Demolition of 36 residential garages and construction of 6 no dwelling houses Garages At Sempill Road (West), Hemel Hempstead, Hertfordshire,	
5c.	20/03735/FUL	Demolition of 10 residential garages and construction of 4 new dwellings. Garages At Sempill Road (East) , Hemel Hempstead, Hertfordshire,	
5d.	21/00643/FUL	6x floodlights Chipperfield Tennis Club, The Common, Chipperfield, Kings Langley	
5e.	20/03295/FUL	One barn, one polytunnel, agricultural track and relocation of entrance gate Bury Farm, Cupid Green Lane, Hemel Hempstead, Hertfordshire	
5f.	21/00138/FUL	Construction of 5 dwellinghouses including associated hard and soft landscaping 38 Rambling Way, Potten End, Berkhamsted, Hertfordshire	
5g.	21/00441/OUT	Outline planning application with all matters reserved except access for the development of 4 dwellings on land north of Pickford Road, Markyate. Land SW Of Frindles, Cheverells Green, Markyate, Hertfordshire	
5h.	21/00183/FUL	Proposed extension of height of mast by 5m [24.9m to 29.9m]. Removal of 6No. Antenna. Installation of 12No. Antenna and ancillary devices. 6No. Cabinets inside the existing Cabin. All associated ancillary works thereto. Mast, Icknield Way Industrial Estate, Tring, Hertfordshire	
5i.	21/00365/FUL	Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen. Barn A, Birch Lane, Flaunden, Hertfordshire	
5j.	20/03778/FHA	Two storey side extension and associated landscaping works 3-4 Una Way, High Street, Kings Langley, Hertfordshire	

**5k.**

20/03779/LBC

Two storey side extension and associated landscaping works  
3-4 Una Way, High Street, Kings Langley, Hertfordshire

**ITEM NUMBER: 5**

<b>21/00858/ROC</b>	<b>Variation of Condition 2 (Approved Plans) attached to planning permission 20/01355/MFA (Construction of a single storey chapel crematorium with associated parking, landscaping and infrastructure)</b>	
<b>Site Address:</b>	<b>Land south of Bedmond Road, Hemel Hempstead, Hertfordshire</b>	
<b>Applicant/Agent:</b>	<b>West Herts Crematorium Joint Committee/Haverstock</b>	
<b>Case Officer:</b>	<b>Robert Freeman</b>	
<b>Parish/Ward:</b>	<b>Nash Mills Parish Council</b>	<b>Nash Mills</b>
<b>Referral to Committee:</b>	<b>The application has been referred to the Development Management Committee because the Borough Council is the landowner.</b>	

**1. RECOMMENDATION**

- 1.1 That planning permission be **DELEGATED** to the Group Manager, Development Management with a view to **APPROVAL** subject to the completion of a variation to the legal agreement under Section 106 of the Town and Country Planning Act 1990 (As amended)
- 1.2 That the proposals be **REFERRED** to the **MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT** as a Departure to the Development Plan in accordance with Town and Country Planning (Consultation) (England) Direction 2009.

**2. SUMMARY**

- 2.1 The application seeks minor material amendment to planning permission 20/01355/MFA and will result in the grant of a new planning permission under Section 73 of the Town and Country Planning Act 1990 (As Amended) These amendments relate to the construction of new attenuation basins for the purposes of drainage and amendments to the landscaping of the site including the provision of additional landscaping bunds.
- 2.2 The principle of the development has already been accepted through the grant of planning permission.
- 2.3 Although the construction of the crematorium building and chapel, in view of its scale, would constitute inappropriate development within the Green Belt and would be contrary to the national planning policy framework and Policy CS5 of the Core Strategy, the visual harm to the open character and appearance of the Green Belt in this locality is considered to be quite limited. There are very special circumstances which would outweigh the harm caused by the proposals including the economic and social benefits arising from the proposals.
- 2.4 The amendments to the scheme are required to provide a satisfactory form of drainage to the site but will also create additional habitat thereby increasing the biodiversity gains associated with the proposals. The proposals would provide economic benefits in the form of new jobs and increased spending within the Borough, but primarily it would provide facilities for an essential societal need for burial space in accordance with Policies CS23

and CS35 of the Core Strategy. This is a significant and conclusive factor in the decision to grant planning permission in this case.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises 6.3 hectares of land located off Bedmond Road at the south eastern edge of Hemel Hempstead. Located between the crossroads with Bunkers Lane and Blackwater Lane and the junction of the Bunkers Park access road with Bedmond Road the site comprises a former agricultural field which has recently be set out for use as a cemetery.
- 3.2 The proposed crematorium site would be located immediately adjacent to this cemetery use and would utilise the existing access point off Bedmond Road. This access track to the car park to Bunkers Park has been widened and tarmacked to the entrance of the cemetery and gates have been installed at the entrance thereto
- 3.3 The site now includes an access road running parallel to Bedmond Road together with a number of surfaced footpaths and a car park within which there are 80 parking spaces. A separate access and 'L' shaped building has been constructed adjacent to the eastern boundary with Bedmond Road and incorporating an administration and service area for the cemetery.
- 3.4 Land north of the cemetery and bordered by Bedmond Road, the rear gardens to dwellings at Woodfield Drive and the access road to Bunkers Park is identified for use as public leisure space within the Site Allocations DPD but currently comprises an open field.
- 3.5 To the south of the site and on the opposite side of the carriageway at Bunkers Lane there are a number of residential units including the grade II listed building complex at Bunkers Farm.

### **4. BACKGROUND/PLANNING HISTORY**

- 4.1 West Herts Crematorium Joint Committee (WHCJC) was established in 1953 to serve the residents of its five constituents (Dacorum Borough Council, Hertsmere Borough Council, St. Albans City and District Council, Three Rivers District Council and Watford Borough Council) by providing cremation services. These cremation services currently operate from a single site at West Herts Crematorium, Garston.
- 4.2 The proposals for a crematorium at the site follow the identification by WHCJC of a need for a new crematorium facility to accommodate an increase nationally and locally in cremations and given a lack of capacity at West Herts Crematorium, Garston. Cremations accounted for 77% of all funeral in the UK in 2017 and 78% of all funerals in the UK in 2018. The demand has increased significantly in recent years as a result of demographic changes in the population.
- 4.3 WHCJC appointed Haverstock to design and secure planning permission for a new single chapel crematoria at the application site. Haverstock have significant experience in crematoria design having worked on projects at Telford, Guildford and Bierton in recent years.
- 4.4 A comprehensive consultation and evaluation of the scheme has been undertaken with relevant stakeholders prior to the submission of the application including formal pre-application meetings with DBC (as planning authority) and HCC (as highway authority)



- 4.5 The Development Management Committee previously considered an application for the crematorium and chapel (20/01355/MFA) at its meeting of the 24<sup>th</sup> September 2020 and resolved that planning permission should be granted.
- 4.6 This case was duly referred to the Ministry of Housing, Communities and Local Government and the Secretary of State determined that the application should not be called in on the 20<sup>th</sup> October 2020
- 4.7 The application was determined by the Council on the 27<sup>th</sup> October 2020 following a completion of a Unilateral Undertaking in favour of Hertfordshire County Council. This secured a contribution towards the improvement of bus stops on Bedmond Road.
- 4.8 Since the determination of this planning permission (20/01355/MFA), the applicants have discharged planning conditions 3 (Materials) 7 (Highways), 9 (Construction Management Plan) and Condition 10 (Ecology) (20/03478/DRC) relating to this site.
- 4.9 An application to discharge planning condition 16 (Drainage) remains undetermined (20/03889/DRC)

## **5. PROPOSAL**

- 5.1 The application involves the construction of a new crematorium building with associated services including a chapel, crematory and administrative space in three distinct areas.
- 5.2 The amendments to the proposed scheme include the provision of two attenuation basins and a deep borehole soakaway as part of a revised drainage scheme for the site, the replacement of a gabion retaining wall with a planted embankment and the inclusion of a substation. These works are set out on Drawing Number 0569\_PLI-00-ZZ-DR-0100 Revision 13 (Landscape Masterplan). The Drainage Strategy for the site has been updated and is now set out in document (J4053-C-RP-002 Revision 8)
- 5.3 The chapel is designed to accommodate a congregation of approximately 150 people with seating for up to 139 people within the main chapel and additional standing space for up to 115 in both the chapel and lobby/waiting area. A large glazed area to the rear of the building would provide light to the chapel space with a pond and floral tributes located within a protected external amenity space and shielded by landscape bunds from access and circulation space beyond the building.
- 5.4 Mourners will access the chapel from the Porte Cochere at the eastern end of the building. Upon leaving the chapel, the congregation are led via a covered walkway towards the floral tribute area.
- 5.5 The administrative areas for the crematorium are located at the western end of the building and includes both a large meeting room and family meeting space together with staff workstations, an archive, shower and staffrooms. The more private committal, crematory, plant room and service yard area located beyond the chapel.
- 5.6 A separate Remembrance Chapel is proposed to be constructed to the south west of the main building providing in a modest single storey pavilion for use as a quiet contemplation space for mourners and those visiting memorials. This will incorporate an external area for the preparation of floral tributes.
- 5.7 The site would be accessed off an existing service road from Bedmond Road and through the existing access to the cemetery at the site. The existing car park for the cemetery on the site would be extended from the 80 spaces currently provided to provide formal car

parking for up to 140 vehicles (60 spaces) Additional parking can be provided within an overflow parking area of for a further 38 vehicles if required. 20% of these new spaces would be provided with electric charging points with the on-site infrastructure provided to extend this to all spaces.

## **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  
CS5 – Green Belt  
CS8 – Sustainable Transport  
CS12 - Quality of Site Design  
CS13 – Quality of Public Realm  
CS14 – Economic Development  
CS23 – Social Infrastructure  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS27 – Quality of the Historic Environment  
CS28 – Carbon Emission Reductions  
CS29 - Sustainable Design and Construction  
CS30 – Sustainability Offsetting  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions.

Local Plan

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

Supplementary Planning Guidance/Documents:

## **8. CONSIDERATIONS**

### Policy and Principle

- 8.1. The principle of providing a crematorium and chapel building at the site has already been accepted through the grant of 20/01355/MFA. Members are requested to refer to the report for this application in Appendix C for full details relating to this decision.
- 8.2. The conclusions of this report in relation to the principle of development, the need for the crematorium and associated buildings, the scale, layout and appearance of the building, the impact of the buildings upon the open character and appearance of the Green Belt, access and parking and its environmental impact (emissions, sustainability and air quality) remain valid. This report does not repeat these earlier considerations and conclusions.
- 8.3. Officers would still conclude that although the scale of the building constitutes inappropriate development in the Green Belt, there are very special circumstances that outweigh the harm to the character and appearance of the Green Belt and justify a departure from Green Belt policy in this instance. This is based on the economic and social benefits of the scheme outweighing harm to the Green Belt designation.

### Impact on Visual Amenity and Openness

- 8.4. The proposed amendments to the scheme would not materially affect the open character and visual amenities of the Green Belt and as such would be acceptable under National Planning Policy Framework and Policies CS5 and CS12 of the Core Strategy.
- 8.5. The crematorium building would be surrounded by a series of earth bunds providing shelter and solitude to the crematorium and associated memorial areas, protecting views from the chapel towards the landscaped grounds and screening the chapel from the circulation of the hearse within the site. The intention is to limit the visual impact of the building upon the open countryside in accordance with the aims and objectives of Green Belt policy.
- 8.6. The main difference between the current submission and that granted planning permission is that between the chapel building and the access road there will be a regrading of the earth bund to the south of the chapel resulting in the construction of a landscaped embankment to the highway rather than a landscaped bank with a steep gabion retaining structure (similar to a Ha-ha). The landscaped embankment would provide a more natural appearance to this area of the site whilst still screening the building from wider views to the south.
- 8.7. The attenuation basins are located towards the southern boundary of the site and adjacent to the existing attenuation basin constructed for the adjacent cemetery site. These basins will have a minimal impact on the visual amenities and openness of the Green Belt.

### Landscaping and Ecology

- 8.8. The site is subject to a detailed Landscaping Strategy by Plincke. This will see the introduction of 35 specimen trees and approximately 13,800 whips within woodland planting areas (21 trees per 100m<sup>2</sup>) together with the retention of the majority of the

existing trees and hedgerows upon the site and its perimeter. Any landscaping removed from the site to facilitate the provision of temporary access for construction will be replaced and enhanced post completion of the development.

- 8.9 The amendments to the approved plan will result in improvements in the landscaping of the site replacing the gabion walls to the south of the building with a more natural landscaped bank which together with the introduction of a number of earth bunds around the site screen the main building from wider views, frame access routes within the site and provide a protected and tranquil setting for services and the viewing of floral tributes.
- 8.10 The construction of the new attenuation ponds will result in the removal of two trees on site. In the overall context of the development this is not considered to be significant. The introduction of additional attenuation basins and landscaped banks will soften the appearance of site and enhance local green infrastructure in accordance with Policy CS26 of the Core Strategy. New habitats will be supplemented by the inclusion of an aquatic environment in addition to the previous ecological improvements in the form of bat boxes, bird boxes and hedgehog boxes, insect nesting aids and bumblebee boxes.

#### Flood Risk and Drainage

- 8.11 A new drainage strategy for the site still allows for surface water run-off to flow to detention basins at the lowest point of the application site before entering a deep borehole soakaway. A separate detention basin and borehole is now proposed to accommodate surface water run-off from the crematorium site. This segregation of drainage system is primarily required for the purposes of regulation by the Environment Agency. The flow rate to this facility will be reduced by the provision of SuDs features.
- 8.12 The drainage strategy has been considered by both the Lead Local Flood Authority and Environment Agency and subject to the imposition of planning conditions is considered to be appropriate to ensure that the site is protected from flooding and that it does not pose any significant risk to groundwater in terms of contamination.

#### Developer Contributions and Infrastructure

- 8.13 The provision of adequate cremation facilities and burial space is considered to be an essential societal need and as such is supported by Policy CS23 of the Core Strategy.
- 8.14 In accordance with Policy CS35 of the Core Strategy, all developments are expected to contribute towards the cost and provision of on-site, local and strategic infrastructure necessary as a result of development. The proposed use of the site is not subject to charge under the Community Infrastructure Levy (CIL) and as such would not contribute towards infrastructure provision through the payment of CIL.
- 8.15 The site is however expected to be accessible for all parties who may wish to attend Cremations and as such the County Council as highway authority has previously sought to cover the costs of improvements to the nearest local bus stops serving the site in accordance with Policies CS8, CS12 and CS35 of the Core Strategy. The grant of this new planning permission will result in the need for a variation to this legal agreement in order to secure a contribution towards these works. The total sum secured would amount to some £11,000.

#### Other Matters

##### *Conditions*

- 8.16 The effect of granting planning permission under Section 73 of the Town and Country Planning Act 1990 (As Amended) is the issue of a fresh grant of permission. A decision notice describing the new permission should be issued, setting out all the conditions pertaining to it. As a planning application under Section 73 cannot be used to vary the time for implementation of a planning application, this must be consistent with the original permission.
- 8.17 Where other conditions imposed on the original planning permission have been discharged then amended conditions should be imposed detailing this fact. As set out in paragraph 4.8 to this report, the applicants have already discharged a number of conditions relating to the site and a number of conditions attached to this permission cross reference these approved details.

#### *Procedure*

- 8.18 The application needs to be referred to the SOS in view of its Green Belt location and given the size of the proposed building. In the event that the proposals are not called in for a decision, the application may be determined by the Borough Council. The Borough Council is required to provide 21 days for such matters to be considered.
- 8.19 As the land is owned by the Borough Council any associated legal agreement will need to be prepared in favour of the County Council to be enforceable. A legal agreement will secure a contribution of £11,000 toward bus stop improvements.

### **9.0 CONCLUSION**

- 9.1 The amendments to the drainage strategy and landscaping works are not considered to have any material impact upon the open character and appearance of the Green Belt and do not result in any significant planning issues.
- 9.2 Given the above matters, it is concluded that although the construction of a crematorium building would comprise inappropriate development in the Green Belt, the economic, environmental and social benefits arising from its construction and use amount to “very special circumstances” (VSC) These VSC would clearly outweigh the limited physical harm to the Green Belt, its aims and objectives resulting from the proposals.

### **10 RECOMMENDATION**

- 10.1 a) That in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 the application be **REFERRED** to the Secretary of State (DCLG)
- b) In the event that the Secretary of State does not call in the application that the application is **DELEGATED** to the Group Manager, Development Management 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:
- c) That the following Heads of Terms for the planning obligation are agreed:
- a sum of £11,000 is secured for the improvement of bus stops in the vicinity of the application site.

#### **Condition(s) and Reason(s):**

1. **The development hereby permitted shall begin before the 27<sup>th</sup> October 2023.**

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:**

1203-1000-OS Plan (Site Location Plan)  
1203-D036A (Design and Access Statement)  
0569-PLI-XX-XX-RP-L-0001-P08 (Stage 3 Report Landscape Design by Plincke – May 2020)  
1203-P1001 (Proposed Site Plan)  
1203-P1002 (Proposed Ground Floor Plan)  
1203-P1003 Revision A (Proposed Roof Plan)  
1203-P2000 Revision A (Proposed Elevations – Main Building)  
1203-P2001 (Proposed Elevations – Chapel of Remembrance)  
1203-P2002 Revision A (Proposed Section – Main Building)  
1203-P2003 (Proposed Section – Chapel of Remembrance)  
1203-D040 (CGI Visual – Crematorium Approach)  
0569-PLI-00-XX-ZZ-DR-L-0100-P13 (Landscape Masterplan)  
0569-PLI-97-XX-SH-L-0001-P03 (Outline Landscaping Specification)  
0569-PLI-94-XX-SH-L-0002-P01 (Soft Landscaping Schedule)  
0569-PLI-00-ZZ-DR-L-0160-P06 (External Material Measurement)  
0569-PLI-00-ZZ-DR-L-0161-P05 (Hard Landscaping Strategy)  
0569-PLI-00-ZZ-DR-L-0162-P04 (Soft Landscaping Strategy)  
0569-PLI-00-ZZ-DR-L-0163-P03 (Biodiversity Enhancement Strategy)  
0569-PLI-00-ZZ-DR-L-0300-P10 (Tree Retention and Removal Plan)  
J4053-C-DR-1001 Revision 4 (Drainage Plan)  
J4053-C-DR-1002 Revision 3 (Drainage Plan)  
J4053-C-DR-1003 Revision 4 (Drainage Plan)  
J4053-C-RP-0002 Rev 08 Status S4 (Site Wide Sustainable Drainage System Strategy)  
Ecological Opportunities Strategy by Ecology and Land Management – May 2020  
Energy and Sustainability Report by RHB Partnership – May 2020  
Landscape and Visual Impact Assessment by Plincke – May 2020  
Preliminary Ecological Appraisal by Ecology and Land Management – May 2020  
Transport Assessment by Mode, May 2020

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

3. **The development hereby approved shall be constructed from the materials approved under planning reference 20/03478/DRC.**

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

- 4 **The development hereby approved, shall not be used, until the means of access, parking and circulation areas have been provided fully in accordance with the approved plans.**

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 **The soft landscaping works shall be planted in accordance with the Soft Landscaping Schedule (0569-PLI-94-XX-SH-L-0002) within one planting season of completing the development.**

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

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

- 6 **No development shall take place until protective fencing has been provided in accordance with the Tree Retention and Removal Plan (0569-PLI-00-ZZ-DR-L-0300-P10) The fencing 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.

- 7 **The Temporary Construction Access works shall be carried out fully in accordance with the details approved under planning reference 20/03478/DRC.**

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

- 8 **The temporary access shall be closed and landscaped to the satisfaction of the Local Planning Authority prior to the commencement of the use of the site.**

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

- 9 **The development, hereby approved, shall be implemented in accordance with the Construction Management Plan approved under planning reference 20/03478/DRC**

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

- 10 **The site shall be surveyed fully in accordance with the Recommendations in Table 9 of the Preliminary Ecological Appraisal by Ecology and Land Management dated 20<sup>th</sup> May 2020 prior to the commencement of any works thereto. Where necessary appropriate mitigation measures shall be undertaken to ensure the protection of species in accordance with relevant legislation.**

Reason: To ensure the adequate protection of habitat and species in accordance with Policy CS26 of the Core Strategy.

- 11 **The development, hereby approved, shall not be used until the measures for enhancing the sites biodiversity on the Biodiversity Enhancement Strategy Plan (0569-PLI-00-ZZ-DR-L-0163) have been provided in accordance with the approved details. These measures shall be managed in accordance with Table 7 of the Ecological Opportunities Strategy and shall thereafter be retained.**

Reason: To ensure the delivery of biodiversity improvements in accordance with Policies CS26 and CS29 of the Core Strategy.

- 12 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented in accordance with the approved details.**

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from contamination sources in accordance with paragraph 170 of the NPPF and Policy CS31 of the Core Strategy.

- 13 No drainage system for the infiltration of surface water to the ground, other than those accepted within the revised drainage strategy, are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters and must be carried out in accordance with the approved details.**

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by the mobilised contaminants in accordance with paragraph 170 of the NPPF and Policy CS31 of the Core Strategy

- 14 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: Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution and as such should not be undertaken in the interest of water management under Policy CS31 of the Core Strategy.

- 15 The development permitted by this planning permission shall be carried out in accordance with the approved Site Wide Sustainable Drainage Systems Strategy dated 3<sup>rd</sup> March 2021, reference J4053-C-RP-0002 Rev 08 Status S4, prepared by Webb Yates Engineers and the following mitigation measures:**

**1. Limiting the surface water run-off generated by the 1 in 100 year + climate change (+40%) critical storm so that it will not exceed the greenfield run-off from the undeveloped site and not increase the risk of flooding off-site.**

**2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event**

**3. Surface water to be managed, attenuated and treated on site through the installation of permeable paving and sub base on all car parking spaces, with tarmac access roads draining to the permeable paving; a swale along the southern perimeter of the southern internal ring road; permeable paving to the perimeter external areas around the crematorium building; and a granular filter trench prior to discharge into the attenuation pond; separate filter trenches at the base of each earth bund to mitigate the risk of overflow towards the proposed buildings.**



**4. Final discharge of surface water from the development via deep bore soakaway at a restricted rate of 1.66l/s via a hydro brake.**

**5. Maintain and manage existing and proposed surface water drainage and surface water overland flow routes within the proposed site without increasing flood risk to the surrounding area.**

**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 manage the drainage of water from the site in the interest of flood prevention and the prevention of contamination to groundwater in accordance with Policy CS31 of the Core Strategy.

**16 No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Site Wide Sustainable Drainage Systems Strategy dated 3<sup>rd</sup> March 2021, reference J4053-C-RP-0002 Rev 08 Status S4, prepared by Webb Yates Engineers. The surface water drainage scheme should include:**

**1. Detailed falling head tests for the deepbore soakaway. All calculations should be updated with the measured infiltration rate found on site. The scheme shall subsequently be updated with the measured rate, as well as any updates needed to the drainage strategy and the proposed scheme. If infiltration is found not to be feasible an alternative surface water discharge mechanism and drainage strategy will need to be provided.**

**2. Detailed infiltration testing in accordance with BRE Digest 365 where shallow infiltration is proposed at the location of the permeable paving within the car parking areas and any other areas where shallow infiltration is proposed. This should be undertaken at the exact location and depth of the proposed infiltrating features.**

**3. A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points into any storage features. If areas are to be designated for informal flooding, these should also be shown on a detailed site plan.**

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

**5. Ensure the discharge rate and volume into the existing attenuation pond is sufficient to cater for the 1 in 100 year + 40% for climate change event. This should**

include total volumes from both Phase 1 and 2 to confirm the total volume and freeboard of the pond is sufficient.

6. If there will be any areas of informal flooding these should be shown on a plan, specifying how these areas will be management.

7. Provision of half drain down times within 24 hours

8. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving

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

Reason: To prevent an increase in risk of flooding both on and off site in accordance with Policy CS31 of the Core Strategy.

17 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 a complete set of as built drawings for site drainage. As built drawings should include all SuDS features including inlet and outlet features and associated drainage infrastructure including the existing attenuation pond and deep bore soakaway

2. A management and maintenance plan including the maintenance and operational activities.

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

Reason: To reduce the risk of flooding to the proposed development in accordance with Policy CS31 of the Core Strategy.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Nash Mills Parish Council	Nash Mills Parish Council has no objection to this application.
St Albans City and District Council	St Albans City and District Council as neighbouring Local Planning Authority does not wish to object to the proposed development, subject to any responses from statutory consultees being duly taken

	into account when determining this application
Hertfordshire County Council Archaeological Unit	No comment
Hertfordshire County Council Ecology Unit.	No comments received.
Hertfordshire Constabulary	In relation to crime prevention I have no objections regarding this application
Hertfordshire County Council Highways Department	HCC as Highway Authority would not have any specific objection to the amended proposed landscaping plans, which includes details in relation to the proposed temporary access route. Nevertheless the full technical approval of the highways works linked to the temporary access would be via the separate 278 agreement process
Hertfordshire County Council – Lead Local Flood Authority	<p>We previously provided comments on application reference 20/03889/DRC at this site, in our letter dated 22 January 2021.</p> <p>From a review of the application form it is understood that in the reason why the applicant wishes the conditions to be removed or changed, it is stated: “The Landscape and Drainage Strategy has changed and updated drawings and document.”</p> <p>The applicant wishes the condition to be varied to include:</p> <ul style="list-style-type: none"> <li>• 0569-DLI-XX-ZZ-DR-L-0100 to be P13 revision</li> <li>• 0569-PLI-XX-ZZ-DR-L-0300 to be P10 revision</li> <li>• J4053-C-RP-0002 to be Revision 08, Status S4 and associated drawings.</li> </ul> <p>Drawing: 0569-DLI-XX-ZZ-DR-L-0100 to be P13 revision is the Landscape Masterplan. From a review of the landscape masterplan drawing, it is annotated to show new pond created as part of revised surface water drainage system. There is also gabion retaining wall replaced by planted embankment.</p> <p>We understand that as part of the originally proposed drainage strategy, the strategy was to discharge into an existing deep borehole soakaway. However, it is now understood that the applicant is proposing a totally separate drainage system and new borehole(s) to discharge, just for the crematorium development. Our understanding is that the proposed variation of condition is to modify the drainage strategy such that the crematorium drainage is separate. As it is understood that the design principles are exactly the same; it is going to a separate borehole at the bottom of the site, we can advise that we would have no objection to the proposed variation of condition. The</p>

	<p>LLFA can advise that it is accepted that the proposal is appropriate.</p> <p>We would advise that the applicant will need to apply to discharge the drainage condition. We request to be consulted when the applicant has undertaken updated infiltration testing and the associated revised drainage calculations and strategy are presented</p> <p>ADDITIONAL COMMENT</p> <p>Please re-apply the drainage conditions relating to this scheme.</p> <p>As the applicant is due to undertake updated infiltration testing, so the drainage strategy will need to be updated.</p>
Conservation and Design	<p>The proposals relate to works with regards to drainage and associated landscaping. They do not change the overall design concept of the scheme and would in our view not cause additional harm. As such we would not object to these proposals.</p>
Environmental Health	<p>Having reviewed the application submission and the ECP records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application. Additionally the proposed variation of condition will not impact upon the emissions generated by the conditionally permitted crematorium.</p>
Environment Agency	<p>We are in a position to recommend the discharge of condition. We have been in regular discussion with the applicant's agent regarding the proposed drainage, including providing pre-application advice as part of the permitting application process. We are satisfied that it will possible to grant an environmental permit for the drainage scheme as provided and on this bases it is considered the information provided is sufficient to support the discharge of this condition.</p> <p>As part of the permitting process, we will undertake further risk assessment however it is not considered that this will result in any requirement to fundamentally alter the strategy provided. Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by the mobilised contaminants in line with paragraph 170 of the NPPF and to prevent the further deterioration to groundwater quality and recovery of a drinking water protected area of the Mid Chilterns Chalk Groundwater body.</p>
Thames Water	<p>Waste Comments</p> <p>The planning application proposal sets out that Foul Water will not be discharged to the public network and as such Thames Water has no</p>

	<p>objection. Should the applicant subsequently seek a connection to discharge Foul Waters to the public network in the future, we would consider this to be a material change to the application details, which would require an amendment to the application and we would need to review our position.</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 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>
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**APPENDIX B: REPRESENTATIONS**

No comments have been received from neighbouring parties in relation to this application.

## APPENDIX C – PREVIOUS REPORT FOR CREMATORIUM

20/01355/MFA	Construction of a single storey chapel crematorium with associated parking, landscaping and infrastructure	
Site Address:	Land south of Bedmond Road, Hemel Hempstead, Hertfordshire	
Applicant/Agent:	West Herts Crematorium Joint Committee/Haverstock	
Case Officer:	Robert Freeman	
Parish/Ward:	Nash Mills Parish Council	Nash Mills
Referral to Committee:	The application has been referred to the Development Management Committee because the Borough Council is the landowner.	

### 1. RECOMMENDATION

- 1.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (As amended)
- 1.2 That the proposals be **REFERRED** to the **MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT** as a Departure to the Development Plan in accordance with Town and Country Planning (Consultation) (England) Direction 2009.

### 2. SUMMARY

- 2.1 The construction of the crematorium building and chapel would constitute inappropriate development within the Green Belt in view of its scale and as such would be contrary to the national planning policy framework and Policy CS5 of the Core Strategy.
- 2.2 The visual harm and harm to the open character and appearance of the Green Belt in this locality is however considered to be quite limited and there are very special circumstances which would outweigh the harm caused by the proposals including the economic and social benefits arising from the proposals.
- 2.3 The proposals would provide clear economic benefits in the form of new jobs and increased spending within the Borough, but primarily it would provide facilities for an essential societal need for burial space in accordance with Policies CS23 and CS35 of the Core Strategy. This is a significant and conclusive factor in the decision to grant planning permission in this case.

### 3. SITE DESCRIPTION

- 3.1 The application site comprises 6.3 hectares of land located off Bedmond Road at the south eastern edge of Hemel Hempstead. Located between the crossroads with Bunkers Lane and Blackwater Lane and the junction of the Bunkers Park access road with Bedmond Road the site comprises a former agricultural field which has recently be set out for use as a cemetery.
- 3.2 The proposed crematorium site would be located immediately adjacent to this cemetery use and would utilise the existing access point off Bedmond Road. This access track to the

car park to Bunkers Park has been widened and tarmacked to the entrance of the cemetery and gates have been installed at the entrance thereto

- 3.3 The site now includes an access road running parallel to Bedmond Road together with a number of surfaced footpaths and a car park within which there are 80 parking spaces. A separate access and 'L' shaped building has been constructed adjacent to the eastern boundary with Bedmond Road and incorporating an administration and service area for the cemetery.
- 3.4 Land north of the cemetery and bordered by Bedmond Road, the rear gardens to dwellings at Woodfield Drive and the access road to Bunkers Park is identified for use as public leisure space within the Site Allocations DPD but currently comprises an open field.
- 3.5 To the south of the site and on the opposite side of the carriageway at Bunkers Lane there are a number of residential units including the grade II listed building complex at Bunkers Farm.

#### **4. BACKGROUND**

- 4.1 West Herts Crematorium Joint Committee (WHCJC) was established in 1953 to serve the residents of its five constituents (Dacorum Borough Council, Hertsmere Borough Council, St. Albans City and District Council, Three Rivers District Council and Watford Borough Council) by providing cremation services. These cremation services currently operate from a single site at West Herts Crematorium, Garston.
- 4.2 The proposals follow the identification by WHCJC of a need for a new crematorium facility to accommodate an increase nationally and locally in cremations and given a lack of capacity at West Herts Crematorium, Garston. Cremations accounted for 77% of all funeral in the UK in 2017 and 78% of all funerals in the UK in 2018. The demand has increased significantly in recent years as a result of demographic changes in the population.
- 4.3 WHCJC appointed Haverstock to design and secure planning permission for a new single chapel crematoria at the application site. Haverstock have significant experience in crematoria design having worked on projects at Telford, Guildford and Birtton in recent years.
- 4.4 A comprehensive consultation and evaluation of the scheme has been undertaken with relevant stakeholders prior to the submission of the application including formal pre-application meetings with DBC (as planning authority) and HCC (as highway authority)

#### **5. PROPOSAL**

- 5.1 The proposal seek to provide a new crematorium building with associated services including a chapel, crematory and administrative space in three distinct areas.
- 5.2 The chapel is designed to accommodate a congregation of approximately 150 people with seating for up to 139 people within the main chapel and additional standing space for up to 115 in both the chapel and lobby/waiting area. A large glazed area to the rear of the building would provide light to the chapel space with a pond and floral tributes located within a protected external amenity space and shielded by landscape bunds from access and circulation space beyond the building.
- 5.3 Mourners will access the chapel from the Porte Cochere at the eastern end of the building. Upon leaving the chapel, the congregation are led via a covered walkway towards the floral tribute area.

- 5.4 The administrative areas for the crematorium are located at the western end of the building and includes both a large meeting room and family meeting space together with staff workstations, an archive, shower and staffrooms. The more private committal, crematory, plant room and service yard area located beyond the chapel.
- 5.5 A separate Remembrance Chapel is proposed to be constructed to the south west of the main building providing in a modest single storey pavilion for use as a quiet contemplation space for mourners and those visiting memorials. This will incorporate an external area for the preparation of floral tributes.
- 5.6 The site would be accessed off an existing service road from Bedmond Road and through the existing access to the cemetery at the site. The existing car park for the cemetery on the site would be extended from the 80 spaces currently provided to provide formal car parking for up to 140 vehicles (60 spaces) Additional parking can be provided within an overflow parking area of for a further 38 vehicles if required. 20% of these new spaces would be provided with electric charging points with the on-site infrastructure provided to extend this to all spaces.

## **6. PLANNING HISTORY**

- 6.1 The Council approved the use of the application site for a cemetery in 2017 under planning reference 4/02553/17/MFA and has since implemented proposals in relation to this use including the construction of a small building and yard for administration and management functions.
- 6.2 The proposed cemetery included two phases of development with land reserved for its expansion to the south of the main site and up to the boundary of the site with Bunkers Lane.
- 6.3 Construction of the new cemetery stated on the 10<sup>th</sup> June 2019 and although this has been completed it is anticipated that the site will open from April 2021. There is still two years burial capacity at the existing cemetery site at Woodwells cemetery, Hemel Hempstead.
- 6.4 A request for pre-application advice in relation to the construction of a crematorium (19/03234/PRED) was submitted in December 2019. The response to this pre-application request concluded that a case for very special circumstances would need to be made for the construction of this building within the Green Belt. The need for cremation facilities has been recognised as a very special circumstance in a number of appeal cases and where this would provide essential infrastructure to support the growth in population.
- 6.5 The planning conditions associated with the implementation of the cemetery (4/02553/17/MFA) have been varied under application 20/00595/NMA to allow for the use of the cemetery land prior to the completion of all landscaping works at the site. The need to implement a 2<sup>nd</sup> phase of landscaping would be superseded in the event that the proposed crematorium is approved and subject to the new landscaping scheme associated with this proposal.

## **7. REPRESENTATIONS**

### Consultation responses

- 7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses



7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

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

Relevant Policies:

Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS2 – Selection of Development Sites  
CS5 – Green Belt  
CS8 – Sustainable Transport  
CS12 - Quality of Site Design  
CS13 – Quality of Public Realm  
CS14 – Economic Development  
CS23 – Social Infrastructure  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS27 – Quality of the Historic Environment  
CS28 – Carbon Emission Reductions  
CS29 - Sustainable Design and Construction  
CS30 – Sustainability Offsetting  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions.

Local Plan

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

Supplementary Planning Guidance/Documents:

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

## **9. CONSIDERATIONS**

Policy and Principle

9.1. The application site forms part of a wider parcel of land known as Bunkers Park and subject to site allocation MU/5 within the Site Allocations DPD. This sets aside an area of

12.3 ha for the provision of a new leisure space and cemetery and is closely connected to policy H/6 for the relocation of Leverstock Green Tennis Club to the application site and the use of their land for residential purposes. The proposals for the development of the site do not prejudice the delivery of these leisure facilities on land to the north of the access road and rear of residential units at Woodfield Drive.

- 9.2 The application site is located within the Green Belt where in accordance with the National Planning Policy Framework (NPPF) and Policy CS5, the local planning authority should regard the construction of new buildings as inappropriate development. Although the use of land for a crematorium is acceptable in the Green Belt as set out in paragraph 146 of the NPPF, the proposed buildings are considered to constitute inappropriate development within the area as they are of significant scale and would not preserve the openness of the area.
- 9.3 The applicants have made a case that there would be very special circumstances, which would out-weigh such harm to the character and appearance of the Green Belt and justify a departure from Green Belt policy in this instance. This is based on the economic and social benefits of the scheme outweighing harm to the Green Belt designation.

#### Needs Assessment

- 9.4 The proposals follow the identification by WHCJC of a need for a new crematorium facility to accommodate an increase nationally and locally in cremations and given a lack of capacity at West Herts Crematorium, Garston. This identified need for a facility is the main special circumstance put forward in support of the planning application and is supported by a Needs Assessment by Peter Mitchell Associates
- 9.5 The need for such facilities as essential infrastructure has been established in a number of planning appeals. The crematorium should be considered as an important piece of social infrastructure and would be strongly supported under Policies CS23 and CS35 of the Core Strategy.
- 9.6 The report by Peter Mitchell Associates demonstrates that there is both a quantitative and qualitative need for a crematorium within the locality and that the need for crematoria space is best addressed through the development of a site in Hemel Hempstead. The need for a crematorium should be afforded significant weight in this decision.

#### *Quantitative Need*

- 9.7 The report provides data for both the “technical capacity” and the “practical (core) capacity” of the existing crematoria at West Herts Crematorium. The “technical capacity” is calculated on the number of funeral slots available per day, whereas the “practical capacity” refers to the core times in which services may be undertaken as preferred by bereaved families and Funeral Directors. Families will often delay funerals to a later date in the event that a core time is not available; particularly where there is a need to accommodate relatives outside of the immediate area.
- 9.8 It is widely considered that where a crematorium is operating above 80% of its practical capacity that the crematorium is under significant pressure in delivering an acceptable cremation service. This has been established in a number of appeal cases.
- 9.9 West Herts Crematorium is currently operating well above this practical capacity in peak months with peak month cremations exceeding average monthly core slots in both 2017 (108%) and 2018 (110%) Although the development of a new Crematorium at Welwyn Hatfield is expected to bring this figure below the 80% accepted level of practical capacity,

ONS projections in the number of deaths combined with the level of housing growth in both the current Core Strategy (including those with extant planning permissions) and emerging Single Local Plan will lead to West Herts Crematorium operating above practical capacity again without intervention. The lack of core capacity is replicated at a number of sites operating in a ring around the West Herts Crematorium including those at Chilterns (Amersham) (84%) Harwood Park (136%) and Luton (89%) Such deficiencies in core funeral times increases the period between death and funeral to the detriment of the bereaved and places a significant threat to burial/cremation capacity.

- 9.10 The crematorium capacity would be significantly improved with the construction of a crematorium at the Hemel Hempstead site to meet current and future needs.

#### *Qualitative Need*

- 9.11 The analysis also reveals that the new crematorium site would be closer and serve a greater proportion of residents of Dacorum than West Herts Crematorium and would significantly reduce the funeral drive times of approximately 100,000 people living within 20 minutes of the new crematorium. This has qualitative impacts upon the bereaved, Funeral Directors and those officiating at funerals. At present a significant proportion of the population of the Borough live outside an acceptable 30 minute travel time to existing crematoria. This will be addressed through the construction of a crematorium at this site.
- 9.12 The Crematorium at Hemel Hempstead will have a single chapel and offer 60 minute funeral service intervals. This generous interval times and the site movement strategy will minimise any congestion occurring at the site and lead to improvements in the overall quality of the funeral experience. It will also allow extended service intervals at West Herts Crematorium thereby enhancing the qualitative experience of bereaved people at this venue.

#### *Alternative Sites*

- 9.13 The Cremation Act 1902 (As Amended by the Cremation Act 1952) sets out the crematoria must be at least 200 yards from any dwelling and some 50 yards from the public highway and as such there is a natural preference for these to be located in accessible rural sites. These sites need to be some 2-4 hectares in size to meet operational requirements of WHCJC and other crematoria providers.
- 9.14 The applicants have undertaken an assessment of alternative sites to demonstrate that the application site is the most appropriate for the development of the crematorium. This provides a strategic level analysis of existing crematoria alongside a consideration of the constraints presented by the extensive Green Belt and AONB designations in the wider region. The search of the local area and operational area of WHCJC identified a gap in crematoria provision within the Dacorum Borough and the application site is one of few sites owned by a local authority, sufficient in size and available for the expedient delivery of a crematorium.
- 9.15 The detailed assessment of sites has identified that there are no other sites within the Borough that would meet the requirements of the Cremation Act nor constrained by important landscape planning designations. An evaluation of Green Belt locations within the Borough indicates that the application site performs a relatively limited role in supporting the purposes of Green Belt policy as set out in paragraph 134 of the NPPF and in this context is less sensitive than other rural or edge of settlement sites.
- 9.16 The local authorities own analysis of the Green Belt locations as set out in the Stage 2 – Green Belt Review (Arup 2016) concludes that the development of the site “may partially

compromise the ability of the wider Green Belt” However, the site is part of a weaker subset of the land parcel assessed being contained by natural boundaries which limit encroachment upon the countryside. To conclude, the development of the site would result in only limited harm to the open character and appearance of the Green Belt and its objectives.

- 9.17 Hemel Hempstead is clearly the most appropriate location for the new crematoria within Dacorum given the size of its population, considering the anticipated and projected growth of the town and an imbalance between population and existing infrastructure. The semi-rural nature of the site meets the legislative requirements of the Cremation Act whilst being well connected to the transport network. There is also a synergy with the existing use of the site as a cemetery.

#### Impact on Visual Amenity and Openness

- 9.15 The application is accompanied by a Landscaping and Visual Impact Assessment (LVIA) which demonstrates that the proposed building will have a relatively limited impact on the visual amenities of the area and the wider open character and appearance of the Green Belt in this location.
- 9.16 The proposed building will occupy a limited proportion of the applications site, in close proximity to existing buildings and works forming part of the development of a cemetery at the site. The LVIA demonstrates that there are limited views across the application site and that the site is contained by extensive landscaping along its boundaries.
- 9.17 The landscaping of the site boundaries will be significantly enhanced through the development of areas or woodland and landscaping to the south and west of the site reducing the visual prominence of any buildings. Although this landscaping will spatially reduce openness, it will enhance the function of the wider Green Belt by providing a clear, permanent and defensible Green Belt boundary.
- 9.18 The overall conclusion would be that the proposals result in limited harm to the open character and appearance of the Green Belt and the purposes of the Green Belt at both a local and strategic level. This limited harm is outweighed in the planning balance by economic and social factors.

#### Layout, Scale and Design

- 9.19 The Council still expects a high quality design to be pursued in this location in accordance with Policy CS12 and CS13 of the Core Strategy.
- 9.20 The layout and site coverage of the proposals is considered to be appropriate in accordance with these policies. The layout of the site allows for access and parking areas to be shared between the existing cemetery and the crematorium use of the site. A tree lined avenue would direct people from the entrance towards the chapel and Porte Cochere from the parking areas and allow for the congregation of people directly outside the chapel at the eastern end of the proposed building. A diagonal pathway lined with smaller tree species would direct visitors across the site and between the car parks, floral tributes and remembrance chapel.
- 9.21 The building would be surrounded by a series of earth bunds providing shelter and solitude to the crematorium and associated memorial areas, protecting views from the chapel towards the landscaped grounds/screening circulation of the hearse of the crematoria and assisting with the movement strategy for the site. The intention is to limit the visual impact

of the building upon the open countryside in accordance with the aims and objectives of Green Belt policy.

- 9.22 The building itself has been kept low profile to minimise the overall visual impact of the building in the landscape and a muted material palette has also been chosen to match those of nearby barns, farm buildings and the landscaping. Timber and light brickwork have been selected for external walls with the bulk of the building being timber clad. A dark zinc finish will be provided to the roof as per the existing cemetery building. The geometry of the roof is reflected in earth bunds to the front of the site. The use of high quality materials will be continued through the hard landscaping of the site.
- 9.23 The proposals are considered to be appropriate in terms of their design, bulk, scale, height and use of materials resulting in an exceptional design in accordance with Policies CS12 and CS13 of the Core Strategy.

#### Impact of Heritage Assets

- 9.24 Policy CS27 of the Core Strategy favours the conservation of heritage assets both above and below ground level.
- 9.25 The site is located opposite the grade II listed Bunkers Farm complex and as such it is prudent to assess any impact upon the building resulting from the proposed development. The proposed development is considered to have a minor visual impact on the grade II listed Bunkers Farm complex and this is identified in the LVIA as resulting in less than substantial harm in terms of the NPPF. Given that there are no direct views from the listed buildings to the proposed building and that the proposed crematorium building would be located a substantial distance from this property in accordance with the Cremation Act, it is clear that the proposals would not be detrimental to the setting nor conservation of this building(s)
- 9.26 The application site has also previously been subject to archaeological survey works associated with the construction of the cemetery at the site. The County Archaeologist has indicated that the proposals are unlikely to have any significant impact upon archaeological remains and that no further survey works are to be required as a result of this development.
- 9.27 As such the proposals should be considered to be acceptable under Policy CS27 of the Core Strategy and relevant sections of the NPPF.

#### Landscaping and Ecology

- 9.28 The site is subject to a detailed Landscaping Strategy by Plincke. This will see the introduction of 35 specimen trees and approximately 13,800 whips within woodland planting areas (21 trees per 100m<sup>2</sup>) together with the retention of existing trees and hedgerows upon the site and its perimeter.
- 9.29 The proposals will also see the introduction of a number of earth bunds and retaining gabion walls to screen the main building from wider views across the site, frame access routes within the site and provide a protected and tranquil setting for services and the viewing of floral tributes. These angular earthworks will be carpeted by a mix of meadow flowers, grassland and grass lawns. Views from the chapel to the south of the site will be protected and shielded from the passing cortege vehicles passing round the back of the building at a lower road level.
- 9.30 High quality hard landscaping materials have been utilised throughout the scheme.

- 9.31 A sympathetic lighting scheme has been designed with low level bollard lighting to the main crematorium building and pathways carefully positioned to avoid excessive light spillage and restricted to use in operational hours.
- 9.32 The site provides an important opportunity to enhance local green infrastructure and these have been utilised through the creation of green corridors in accordance with Policy CS26 of the Core Strategy. New habitat will be supplemented by the inclusion of bat boxes, bird boxes and hedgehog boxes, insect nesting aids and bumblebee boxes.

#### Access, Parking and Highway Safety

- 9.33 The application is accompanied by a detailed Transport Assessment by Mode Transport Planning who have assessed the implications of the crematorium development upon the surrounding highway network in terms of trip generation and capacity. This assessment takes into account the cumulative impact of the existing cemetery, the proposed crematorium and a proposed use of land to the north of the access road for leisure purposes in accordance with the MU/5 (Bunkers Park) and H/6 (Leverstock Green Tennis Club) of the Site Allocations DPD to demonstrate that the proposals would not result in substantial harm to matters of highways safety and would be in general compliance with Policy CS8 of the Core Strategy.
- 9.34 The site is accessible via the M1, A414, A4147 (Hemel Hempstead Road) and Bedmond Road and is well located to serve residents within the operational area of WHCJC. It is ideally located to be within a 30 minute drive of residents of Dacorum providing a reasonable travel distance/time for residents of settlements to the west of Hemel Hempstead and the rural surroundings thereto.
- 9.35 The site will be accessed from the existing track off Bedmond Road with a new tree lined road created to the cemetery and crematorium. The cemetery car park area (80 spaces) is proposed to increase with an additional 60 spaces proposed as part of the crematorium development with a further 38 spaces could be provided in an overflow car park area. 20% of these spaces will incorporate Electric Car Charging Facilities (12 spaces) with the infrastructure provided to extend this to all spaces as necessary.
- 9.36 The existing access point to Bedmond Road is considered to provide a safe means of access to the site with improvements to the access track having been undertaken to facilitate access by larger vehicles including refuge and fire tenders. There is adequate access and circulation space both to and within the site for such vehicles in accordance with Policies CS8 and CS12 of the Core Strategy and as demonstrated in the associated vehicular tracking exercises. Indeed the height of the Porte Cochere is sufficient to allow access by double decked buses and other 'unusual' cortege vehicles. The proposed development will not have a significant adverse impact on highways safety and the operation of Bedmond Road.
- 9.37 There are no specific parking standards for crematoria within Saved Appendix 5 of the Local Plan 1991-2011 and as such the proposed parking levels for the site have been calculated using data from traffic surveys undertaken at the applicants sister site at West Herts Crematorium. The dominant mode of transport to this site is private car with a significant element of car sharing occurring by visitors. Given the capacity of the crematorium chapel and the comparative crematorium data the provision of 60 additional spaces is considered to be reasonable in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011.
- 9.38 Although it is accepted that the majority of visitors to the site will arrive by private car, the site is served by bus stops a short walk from the site entrance. A financial contribution of

£11,000 is required to enable these bus stops to be upgraded and make the site accessible for all parties in accordance with Policy CS8 of the Core Strategy. This will be secured by an agreement under Section 106 of the Town and Country Planning Act 1990 (As Amended)

### Flood Risk and Drainage

- 9.39 The proposed drainage strategy for the site allows for surface water run-off to flow to a detention basin at the lowest point of the application site before entering a soakaway bore hole. This detention basin and borehole was provided in relation to the development of the cemetery at the site and is sufficient in size to accommodate both surface water run-off from the cemetery site and crematorium. The flow rate to this facility will be reduced by the provision of SuDs features.
- 9.40 The drainage strategy has been considered by both the Lead Local Flood Authority and Environment Agency and subject to the imposition of planning conditions is considered to be appropriate to ensure that the site is protected from flooding and that it does not pose any significant risk to groundwater in terms of contamination.

### Air Quality and Emissions

- 9.41 There are a number of concerns from local residents regards the emissions associated with cremation and the impact upon air quality, the environment and residential amenity. In particular there are concerns with regards to the emission of CO<sub>2</sub> and the abatement of mercury emissions and carcinogenic material during the cremation processes and the threat of such emissions to the health and wellbeing of the local population.
- 9.42 Cremation is recognised as an industrial process which has potential to release pollution to the atmosphere and as such is subject to pollution control under the Environmental Permitting (England and Wales) Regulations 2016. All new crematoria are required to have abatement technology and management and operational practices to minimise or prevent emissions. These are regulated by the Environmental Health team.
- 9.43 The CO<sub>2</sub> emissions associated with the proposed crematoria have been investigated by WHCJC who have concluded that a gas cremator will be the most practical, economical and energy efficient solution for the needs of the crematorium. In doing so, the merits of a new range of electric cremators have been investigated as has the longevity and future adaption of any cremator installed. It is noted that data on the efficiency and use of electric cremators is limited given the limited use of such cremators in the Netherlands and UK. It is understood that such cremators take longer to pre-heat and will need to run closer to full temperature for longer than gas alternatives and this might require the cremator to run more frequently than the gas alternative.
- 9.44 This is likely to be less efficient given that variation in the number of cremations performed on a daily basis and will adversely impact on energy use and CO<sub>2</sub> emissions.
- 9.45 It is also understood that alternative techniques such as Cryomation (freezing the body to remove moisture) and Resomation (dissolving the body in a heated alkaline solution) which might remove pollution from mercury, particulates and CO<sub>2</sub> emissions have not been frequently deployed given that they produce unsuitable remains/effluent. Indeed there are few viable alternative to cremation or burial.
- 9.46 The siting of the crematoria building is heavily regulated under the Crematoria Act 1902 to ensure its relationship with neighbouring land uses is appropriate. The emissions from the crematoria will be regulated under licence from the Environmental Health team to ensure

that fumes are abated before emission. A mercury emission of 20 microgrammes per cubic metre is anticipated to be emitted from the cremator significantly less than an unabated cremator and well within recommended guidelines. This is likely to decline from a peak in 2020 due to the replacement of mercury amalgam tooth fillings with mercury free composite fillings.

### Sustainability

- 9.47 The proposed building has been designed to be energy efficient with a focus on improving the performance of the building fabric and the sourcing of sustainable and efficient building materials for use in its construction. A high performing thermal envelope and ventilation strategy will ensure the buildings heating and cooling energy consumption and CO2 emissions are kept to a minimum throughout the life of the building.
- 9.48 Energy efficient services will consume the minimum energy possible within the building whilst a heat recovery system will be utilised to reuse the heat generated by the cremators and the mercury abatement system to heat the space and hot water systems. The chapel itself will be south facing with significant glazing to provide light and allow benefits from solar gain. This will be supplemented by the use of PV panels upon the rear roof slope to provide a renewable and clean source of energy. The proposal will support the wider sustainable building objectives and principles including minimised energy and water use, use of natural resources, habitat creation and sustainable drainage in accordance with Policy CS29 of the Core Strategy.
- 9.49 Low usage appliances and fittings will be used throughout the building to ensure that water is conserved and managed where possible in accordance with CS29 and CS31 of the Core Strategy and the Water Conservation SPD.
- 9.50 It is acknowledged that cremation as a process utilises a significant amount of energy and results in the release of carbon emissions to the atmosphere and as such there is an inevitable conflict with the Councils approach to carbon emissions set out in Chapter 18 and Policy CS28 of the Core Strategy and the declaration of a climate emergency. Cremation is however accepted as being necessary to manage the demands arising from death and is heavily regulated to ensure that emissions are minimised and abated. There is little doubt that as technology advances that such emissions will continue to decline and be managed within the life cycle of this development.
- 9.51 The application incorporates a significant element of planting which is beneficial in off-setting carbon as set out in Policies CS29 and CS30 of the Core Strategy.

### Developer Contributions and Infrastructure

- 9.52 The provision of adequate cremation facilities and burial space is considered to be an essential societal need and as such is supported by Policy CS23 of the Core Strategy.
- 9.53 In accordance with Policy CS35 of the Core Strategy, all developments are expected to contribute towards the cost and provision of on-site, local and strategic infrastructure necessary as a result of development. The proposed use of the site is not subject to charge under the Community Infrastructure Levy (CIL) and as such would not contribute towards infrastructure provision through the payment of CIL.
- 9.54 The site is however expected to be accessible for all parties who may wish to attend Cremations and as such the Council and the County Council as highway authority will seek to cover the costs of improvements to the nearest local bus stops serving the site in accordance with Policies CS8, CS12 and CS35 of the Core Strategy. In accordance with



the request of HCC the developer is required to enter into a legal agreement to pay a sum of £11,000 towards such matters.

## Other Matters

### *Conditions*

- 9.55 The number of planning conditions associated with this proposals have been reduced from to those reasonable, necessary and enforceable in relation to the development. In particular, the submission includes full details of site drainage such that the request for further details by the Environment Agency for Foul and Surface Water are considered to be otiose. The conditions have been discussed with the Lead Local Flood Authority to ensure that the surface water drainage is appropriate and does not lead to flooding or contamination of water courses at the site.
- 9.56 The overall flue height has been confirmed at 9m in height and further details of air quality modelling have been provided. These are expected to remove the need for the condition suggested by the Environmental Health Officer in Appendix A.

### *Petition*

- 9.57 A petition was circulated to the Council in relation to the current access to the site and the height restriction barrier thereto. There are a number of concerns relating to the potential illegal entry and use of the site to the rear of properties in Woodfield Drive which it is claimed has been exposed to trespass since the implementation of the cemetery proposals. This is not directly relevant to the consideration of this application.
- 9.58 Following the submission of the petition, it is understood that the Estates team and Landscaping teams of the Council have met with Councillor Maddern to address these concerns. There is an agreement in place for a trench and additional planting to be undertaken to this boundary by the Borough Council.

### *Procedure*

- 9.59 The application needs to be referred to the SOS in view of its Green Belt location and given the size of the proposed building. In the event that the proposals are not called in for a decision, the application may be determined by the Borough Council. The Borough Council is required to provide 21 days for such matters to be considered.
- 9.60 As the land is owned by the Borough Council any associated legal agreement will need to be prepared in favour of the County Council to be enforceable. A legal agreement will secure a contribution of £11,000 toward bus stop improvements.

## **10 CONCLUSION**

- 10.1 Given the above matters, it is concluded that although the construction of a crematorium building would comprise inappropriate development in the Green Belt, the economic, environmental and social benefits arising from its construction and use amount to “very special circumstances” (VSC) These VSC would clearly outweigh the limited physical harm to the Green Belt, its aims and objectives resulting from the proposals.

## **11 RECOMMENDATION**

- 11.1 a) That in accordance with the Town and Country Planning (Consultation) (England) Direction 2009 the application be **REFERRED** to the Secretary of State (DCLG)

b) In the event that the Secretary of State does not call in the application 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:

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

- a sum of £11,000 is secured for the improvement of bus stops in the vicinity of the application site.

**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:**

**1203-1000-OS Plan (Site Location Plan)**  
**1203-D036A (Design and Access Statement)**  
**0569-PLI-XX-XX-RP-L-0001-P08 (Stage 3 Report Landscape Design by Plincke – May 2020)**  
**1203-P1001 (Proposed Site Plan)**  
**1203-P1002 (Proposed Ground Floor Plan)**  
**1203-P1003 Revision A (Proposed Roof Plan)**  
**1203-P2000 Revision A (Proposed Elevations – Main Building)**  
**1203-P2001 (Proposed Elevations – Chapel of Remembrance)**  
**1203-P2002 Revision A (Proposed Section – Main Building)**  
**1203-P2003 (Proposed Section – Chapel of Remembrance)**  
**1203-D040 (CGI Visual – Crematorium Approach)**  
**0569-PLI-00-ZZ-DR-L-0100-P11 (Landscape Masterplan)**  
**0569-PLI-97-XX-SH-L-0001-P03 (Outline Landscaping Specification)**  
**0569-PLI-94-XX-SH-L-0002-P01 (Soft Landscaping Schedule)**  
**0569-PLI-00-ZZ-DR-L-0160-P06 (External Material Measurement)**  
**0569-PLI-00-ZZ-DR-L-0161-P05 (Hard Landscaping Strategy)**  
**0569-PLI-00-ZZ-DR-L-0162-P04 (Soft Landscaping Strategy)**  
**0569-PLI-00-ZZ-DR-L-0163-P03 (Biodiversity Enhancement Strategy)**  
**0569-PLI-00-ZZ-DR-L-0300-P06 (Tree Retention and Removal Plan)**  
**J4053-C-DR-1001 (Drainage Plan)**  
**J4053-C-DR-1002 (Drainage Plan)**  
**J4053-C-DR-1003 (Drainage Plan)**  
**J4053-C-RP-0002 Rev 06 Status S3 (Site Wide Sustainable Drainage System Strategy)**  
**Ecological Opportunities Strategy by Ecology and Land Management – May 2020**  
**Energy and Sustainability Report by RHB Partnership – May 2020**  
**Landscape and Visual Impact Assessment by Plincke – May 2020**  
**Preliminary Ecological Appraisal by Ecology and Land Management – May 2020**  
**Transport Assessment by Mode, May 2020**

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

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

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

4. **The development hereby approved, shall not be used, until the means of access, parking and circulation areas have been provided fully in accordance with the approved plans.**

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. **The soft landscaping works shall be planted in accordance with the Soft Landscaping Schedule (0569-PLI-94-XX-SH-L-0002) within one planting season of completing the development.**

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

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

6. **No development shall take place until protective fencing has been provided in accordance with the Tree Retention and Removal Plan (0569-PLI-00-ZZ-DR-L-0300-P06) The fencing 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.

7. **Notwithstanding the details indicated on the submitted drawings, no on-site works shall commence until a detailed scheme for the offsite highway works as indicated on drawing J32-4812-PS-007 (Temporary Construction Access) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be carried out fully in accordance with the approved details.**

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

8. **The temporary access shall be closed and landscaped to the satisfaction of the Local Planning Authority prior to the commencement of the use of the site.**

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

**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.

**10 The site shall be surveyed fully in accordance with the Recommendations in Table 9 of the Preliminary Ecological Appraisal by Ecology and Land Management dated 20<sup>th</sup> May 2020 prior to the commencement of any works thereto. Where necessary appropriate mitigation measures shall be undertaken to ensure the protection of species in accordance with relevant legislation.**

Reason: To ensure the adequate protection of habitat and species in accordance with Policy CS26 of the Core Strategy.

**11 The development, hereby approved, shall not be used until the measures for enhancing the sites biodiversity on the Biodiversity Enhancement Strategy Plan (0569-PLI-00-ZZ-DR-L-0163) have been provided in accordance with the approved details. These measures shall be managed in accordance with Table 7 of the Ecological Opportunities Strategy and shall thereafter be retained.**

Reason: To ensure the delivery of biodiversity improvements in accordance with Policies CS26 and CS29 of the Core Strategy.

**12 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented in accordance with the approved details.**

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from contamination sources in accordance with paragraph 170 of the NPPF and Policy CS31 of the Core Strategy.

**13 No drainage system for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters and must be carried out in accordance with the approved details.**

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by the mobilised contaminants in accordance with paragraph 170 of the NPPF and Policy CS31 of the Core Strategy

- 14 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: Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution and as such should not be undertaken in the interest of water management under Policy CS31 of the Core Strategy.

- 15 The development permitted by this planning permission shall be carried out in accordance with the approved Site Wide Sustainable Drainage Systems Strategy dated 27 August 2020, reference J4053-C-RP-0002 Rev 06 Status S3, prepared by Webb Yates Engineers and the following mitigation measures:**

**1. Limiting the surface water run-off generated by the 1 in 100 year + climate change (+40%) critical storm so that it will not exceed the greenfield run-off from the undeveloped site and not increase the risk of flooding off-site.**

**2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event**

**3. Surface water to be managed, attenuated and treated on site through the installation of permeable paving and sub base on all car parking spaces, with tarmac access roads draining to the permeable paving (Shaded orange on drainage plan dated 24/08/20); a swale along the southern perimeter of the southern internal ring road; permeable paving to the perimeter external areas around the crematorium building (dark blue shaded area on drainage plan dated 24/08/20); and a granular filter trench prior to discharge into the existing attenuation pond; separate filter trenches at the base of each earth bund to mitigate the risk of overflow towards the proposed buildings.**

**4. Final discharge of surface water from the development via deep bore soakaway at a restricted rate of 1.66l/s via a hydro brake.**

**5. Maintain and manage existing and proposed surface water drainage and surface water overland flow routes within the proposed site without increasing flood risk to the surrounding area.**

**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 manage the drainage of water from the site in the interest of flood prevention and the prevention of contamination to groundwater in accordance with Policy CS31 of the Core Strategy.

**16 No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Site Wide Sustainable Drainage Systems Strategy dated 27 August 2020, reference J4053-C-RP-0002 Rev 06 Status S3, prepared by Webb Yates Engineers. The surface water drainage scheme should include:**

**1. Detailed falling head tests for the deepbore soakaway. All calculations should be updated with the measured infiltration rate found on site. The scheme shall subsequently be updated with the measured rate, as well as any updates needed to the drainage strategy and the proposed scheme. If infiltration is found not to be feasible an alternative surface water discharge mechanism and drainage strategy will need to be provided.**

**2. Detailed infiltration testing in accordance with BRE Digest 365 where shallow infiltration is proposed at the location of the permeable paving within the car parking areas and any other areas where shallow infiltration is proposed. This should be undertaken at the exact location and depth of the proposed infiltrating features.**

**3. A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points into any storage features. If areas are to be designated for informal flooding, these should also be shown on a detailed site plan.**

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

**5. Ensure the discharge rate and volume into the existing attenuation pond is sufficient to cater for the 1 in 100 year + 40% for climate change event. This should include total volumes from both Phase 1 and 2 to confirm the total volume and freeboard of the pond is sufficient.**

**6. If there will be any areas of informal flooding these should be shown on a plan, specifying how these areas will be management.**

**7. Provision of half drain down times within 24 hours**

**8. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving**

**The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any**

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

Reason: To prevent an increase in risk of flooding both on and off site in accordance with Policy CS31 of the Core Strategy.

**17 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 a complete set of as built drawings for site drainage. As built drawings should include all SuDS features including inlet and outlet features and associated drainage infrastructure including the existing attenuation pond and deep bore soakaway**

**2. A management and maintenance plan including the maintenance and operational activities.**

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

Reason: To reduce the risk of flooding to the proposed development in accordance with Policy CS31 of the Core Strategy.

## **APPENDIX A: CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
Nash Mills Parish Council	Nash Mills Parish Council does not object to the application however they support the concerns of residents in relation to access to land, CCTV and use of the field adjacent to the rear gardens of Woodfield Drive. In addition we request that DBC give consideration to improvements to the bus stops on Bedmond Road to facilitate sustainable and safe access to the site and for the provision of a construction management plan to be conditioned.
Hertfordshire County Council Archaeological Unit	The application site was subject to an archaeological trial trench evaluation in 2018. This was followed by an open area archaeological excavation at the northern end of the site in 2019 and archaeological monitoring of some groundworks associated with the formation of a cemetery.  A small proportion of the proposed crematorium appears to lie within the boundary of these investigations and the trial trench evaluation of the remainder of the development area did not identify significant archaeological remains.

	In this instance therefore, I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest and I have no comments to make upon the proposals.
Hertfordshire County Council Ecology Unit.	No comments received.
Hertfordshire Constabulary	In relation to crime prevention I have no objections regarding this application
Hertfordshire County Council Highways Department	<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 and approved in writing by the Local Planning Authority to illustrate the following: • Details of when and how the dedicated pedestrian crossing point (and any associated footway improvements) on Bedmond Road at the site access to allow pedestrians to access the current footway provision on the north-east side of the road as approved as part of the previously consented cemetery application (4/02553/17/MFA) is to be provided.</p> <p>Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Provision of Access, Parking and Servicing Areas Prior to the first use of the development hereby permitted the proposed access, on-site parking, servicing and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>3. A. Temporary Access Highway (Section 278) Works – Offsite (Design Approval) Notwithstanding the details indicated on the submitted drawings no on-site works shall commence until a detailed scheme for the offsite highway works as indicated on drawing J32-4812-PS-007 have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. B. Temporary Access Highway (Section 278) Works – Offsite (Implementation / Construction) No development shall commence until</p>



the offsite highway improvement works referred to in Part A of this condition have been completed in accordance with the approved details.

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).

4. Construction Traffic Management Plan: 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. Swept path analysis for the largest anticipated vehicle to use the temporary access (this would need to be linked to proposed S278 works) 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; i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway (this would need to be linked to proposed S278 works required to create the temporary highway access).

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

HIGHWAY INFORMATIVE:

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

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

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

#### COMMENTS / ANALYSIS:

The application comprises of a new crematorium with associated works on land to the south-west Bedmond Road, Hemel Hempstead. Bedmond Road is designated as a classified C secondary distributor road, subject to a speed limit of 40mph (reducing to 30mph to the north of the site) and is highway maintainable at public expense. The proposed crematorium would use share the site and access with a previously consented scheme for a cemetery (planning app. Ref. 4/02553/17/MFA). A Transport Assessment (TA) has been submitted as part of the application.

#### VEHICULAR ACCESS ARRANGEMENTS:

There is an existing vehicle access into the site approved as part of planning application 4/02553/17/MFA) and which will be utilised for the proposed crematorium. No alterations to this access are included as part of this application and HCC as Highway Authority considers that this access would be provide an acceptable vehicle access to support the combined cemetery / crematorium site. Swept path analysis / tracking plans for a hearse, refuse vehicle, bus and large car have been submitted as part of the application including within the site and at the main access from Bedmond Road. The submitted details are considered to be acceptable by HCC as Highway Authority.

#### TRIP GENERATION & DISTRIBUTION & IMPACT ON SURROUNDING HIGHWAY:

A traffic generation and distribution assessment has been included as part of the TA (Section 5), the method of which has used traffic data from an existing crematorium site (as there are no crematoria sites within the TRICS database). This approach is considered to be acceptable to HCC as Highway Authority due to lack of comparable sites within TRICS. The figures show an expected 496 daily movements, 1.4% of which would be within peak hours. The assessment also considers the cumulative impact of the crematorium, the consented cemetery and the considered leisure scheme to the

north of the application site (of which the option used is a tennis club) using a 2025 base. The capacity assessment as included in Section 6 of the TA provides an assessment of the forecast traffic impact on the site access and surrounding highway network during peak hours (0800-0900 and 1700-1800). The method of calculating the crematorium and leisure use rates is robust. Furthermore, HCC as Highway Authority consider's that the PICADY's input of geometric for the site access is acceptable. Tables 6.1 and 6.2 show that the priority junction would continue to operate well within capacity for the different 2025 scenarios, with minimal queuing on all arms. Following assessment of these details, the impact on the operation of the surrounding highway network would therefore be considered to be acceptable and not a reason to recommend refusal from a highways perspective

#### TEMPORARY CONSTRUCTION ACCESS:

A dedicated construction access from the highway on Bedmond Road is proposed to the south of the main site entrance (as indicated on drawing number J32-4812-PS-007). This has been proposed to avoid any potential conflicts between construction traffic and the existing cemetery use. HCC as Highway Authority would be not have an objection to this subject to the approval of the details, which would be required to be submitted as part of the Construction Management Plan and Section 278 Agreement with the Highway Authority (details of which are outlined in the above conditions and informative). Please obtain an extent of highway plan, which would need to be submitted as part of the 278 application.

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](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)

#### CAR PARKING:

There are 70 proposed car parking spaces (in addition to the existing 80 car parking spaces), creating a total of 150 spaces (not the 140 as noted in Sec 4.4 of the TA). The additional provision would include 14 spaces with electric vehicle charging points, which HCC would be supportive of to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan 4 (LPT4) . HCC as Highway Authority would not have any specific objection to the overall level of parking (ref. section 6.5 of the TA) although Dacorum Borough Council is the parking authority and therefore would ultimately need to be satisfied with the level of proposed parking.

**ACCESSIBILITY AND SUSTAINABILITY:**

The site is located approximately 200/300m from the south-eastern boundary of Leverstock Green and Hemel Hempstead. The location has previously been considered to be acceptable to support the use as a cemetery and HCC as Highway Authority would not have any specific objections to the current application from an accessibility perspective when taking into consideration the existing and proposed uses. There is an existing highway footway on the north-east side of the carriageway (the opposite side to the site). The consented cemetery application included provision for a dedicated pedestrian crossing point on Bedmond Road at the site access to allow pedestrians to access the current footway provision. This would need to be provided in order for the proposed use (as part of this application) to be acceptable, to ensure that pedestrian access is maximised to be in accordance with LTP4. The nearest bus stops to the site are located along Bedmond Road approximately 200m to the north of the site and therefore within an acceptable accessibility distance (generally accepted to be within 400m) to encourage travel by bus to the site. The bus stops are served by half hourly services providing access to Watford, Rickmansworth and other areas within Hemel Hempstead.

**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 Bedmond Road to the north of the site, which are the nearest public transport provision. Developer contributions for the provision of easy access kassel kerbing at both stops and an area of hardstanding on the northbound stop would be required to ensure that the bus stops are accessible to all (£8000 per stop, £16,000 total). Following consideration of the location of the existing bus stops and available bus services, HCC as Highway Authority does not consider that there would be sufficient justification for the site / applicant to make provision for two new bus stops (as suggested by a local councillor).

**CONCLUSION:**

HCC as Highway Authority considers that the proposal would not have an unreasonable or significant impact on the safety and operation of the surrounding highway network. The applicant would need to enter into a Section 278 agreement with HCC as Highway Authority in

	<p>relation to the creation of the temporary construction access into the site and any associated works and provide a planning obligation toward the upgrade of the nearest two bus stops. HCC as Highway Authority has no further comments or objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informatives</p> <p>Additional Comment – 30<sup>th</sup> July 2020</p> <p>To confirm the provision of easy access kerbing at the bus stops can be provided at the cost of £5000 per bus stop plus an additional £1000 to provide a hardstanding area at the north bound bus stop, therefore the total contribution requested would be £11,000 rather than the original £16,000 figure.</p>
<p>Hertfordshire County Council – Lead Local Flood Authority</p>	<p>We previously responded to this application in our letter dated 11 August 2020 objecting on flood risk grounds and provided detailed comments to explain our concerns under the following points and additional comments;</p> <p>‘In particular, the submitted FRA fails to; 1. Provide a feasible means of surface water discharge 2. Demonstrate there will be no increase in surface water run-off rates and surface water volumes 3. Demonstrate an appropriate level of water quality treatment and SuDS Hierarchy 4. Assess the impact of the existing overland flow route 5. Demonstrate appropriate management of surface water drainage exceedance 6. Provide a detailed surface water drainage scheme to support a full planning application’</p> <p>Following this we held a meeting as part of our Surface Water Advisory Service, and in response to this and the above points of objection, the applicant has provided a revised Site Wide Sustainable Drainage Systems Strategy dated 27 August 2020, reference J4053-C-RP-0002 Rev 06 Status S3, prepared by Webb Yates Engineers, which includes Appendix J with supporting comments to each of our previous points of objection.</p> <p>The drainage strategy is based on attenuation in an existing attenuation pond, with restricted discharge via a Hydrobrake at 1.6l/s before discharge via a deepbore soakaway.</p> <p>We have a concern regarding the proposed rate used in the original MicroDrainage modelling within the deepbore soakaway. From a further review of the original MicroDrainage modelling, there also looks to be an infiltration basin manhole included within the modelling where infiltration has been allowed for within MicroDrainage at a rate of 0.00005 m/hr. However, it is not known where this SuDS feature is or what it is representing.</p>

Moreover, an additional piece of modelling has been provided directly to the LPA on 14th September 2020. However, it does not clarify all issues raised by the LPA.

As a result, we would suggest that this is included via specific points in a detailed pre-commencement condition. This pre-commencement condition would need to be accepted by the applicant, otherwise we would recommend seeking this information prior to approval at planning.

In order to secure the final detail of the proposed drainage scheme, we would therefore recommend the following conditions should planning permission be granted:

#### Condition 1 - Compliance

The development permitted by this planning permission shall be carried out in accordance with the approved Site Wide Sustainable Drainage Systems Strategy dated 27 August 2020, reference J4053-C-RP-0002 Rev 06 Status S3, prepared by Webb Yates Engineers and the following mitigation measures:

1. Limiting the surface water run-off generated by the 1 in 100 year + climate change (+40%) critical storm so that it will not exceed the greenfield run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event
3. Surface water to be managed, attenuated and treated on site through the installation of permeable paving and sub base on all car parking spaces, with tarmac access roads draining to the permeable paving (Shaded orange on drainage plan dated 24/08/20); a swale along the southern perimeter of the southern internal ring road; permeable paving to the perimeter external areas around the crematorium building (dark blue shaded area on drainage plan dated 24/08/20); and a granular filter trench prior to discharge into the existing attenuation pond; separate filter trenches at the base of each earth bund to mitigate the risk of overflow towards the proposed buildings.
4. Final discharge of surface water from the development via deep bore soakaway at a restricted rate of 1.66l/s via a hydro brake.

5. Maintain and manage existing and proposed surface water drainage and surface water overland flow routes within the proposed site without increasing flood risk to the surrounding area.

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 of surface water from the site.
2. To prevent flooding by ensuring the satisfactory storage of surface water from the site
3. To provide appropriate management and treatment of surface water from the site
4. To prevent flooding by ensuring the satisfactory disposal of surface water from the site.
5. To reduce the risk of flooding to the proposed development and future occupants.

Condition 2 - Pre-commencement Final Detailed Drainage Design and Assessment

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Site Wide Sustainable Drainage Systems Strategy dated 27 August 2020, reference J4053-C-RP-0002 Rev 06 Status S3, prepared by Webb Yates Engineers. The surface water drainage scheme should include:

1. Detailed falling head tests for the deepbore soakaway. All calculations should be updated with the measured infiltration rate found on site. The scheme shall subsequently be updated with the measured rate, as well as any updates needed to the drainage strategy and the proposed scheme. If infiltration is found not to be feasible an alternative surface water discharge mechanism and drainage strategy will need to be provided.
2. Detailed infiltration testing in accordance with BRE Digest 365 where shallow infiltration is proposed at the location of the permeable paving within the car parking areas and any other areas where shallow infiltration is proposed. This should be undertaken at the exact location and depth of the proposed infiltrating features.

3. A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points into any storage features. If areas are to be designated for informal flooding, these should also be shown on a detailed site plan.

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

5. Ensure the discharge rate and volume into the existing attenuation pond is sufficient to cater for the 1 in 100 year + 40% for climate change event. This should include total volumes from both Phase 1 and 2 to confirm the total volume and freeboard of the pond is sufficient.

6. If there will be any areas of informal flooding these should be shown on a plan, specifying how these areas will be management.

7. Provision of half drain down times within 24 hours 8. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving

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

Reason

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

Condition 3 - Post construction SuDS Maintenance and As built drainage information

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 a complete set of as built drawings for site drainage. As built drawings should include all SuDS features including inlet and outlet features and associated drainage infrastructure including the existing attenuation pond and deep bore soakaway 2. A management



	<p>and maintenance plan including the 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>To reduce the risk of flooding to the proposed development</p> <p>Informative to the LPA</p> <p>We would like to recommend the LPA seeks an appropriate detailed infiltration testing results conducted in accordance with BRE Digest 365 at the proposed location of the proposed field discharge to manage the treated effluent. This should be secured by an appropriate condition and should be provided before the development commence. As the LLFA, we can offer our help in assessing any future details requested by the LPA.</p> <p>We would recommend the LPA obtains a management and maintenance plan, to ensure the SuDS features can be maintained throughout the development's lifetime. This should follow the manufacturers' recommendation for maintenance and/or guidance in the SuDS Manual by Ciria.</p>
Environmental Health	<p><u>Contamination</u></p> <p>In the absence of any land use history on, or in the vicinity of, the application site, which would be expected to result in ground contamination that would adversely impact on the proposed end use, there are no land contamination issues that need to be addressed in taking the proposed development forward.</p> <p><u>Local Air Quality and the Environmental Permitting Regulations:</u></p> <p>A crematorium is an industrial process that has the potential to release pollution to the atmosphere and as such it is a process that is subject to pollution prevention controls under the Environmental Permitting (England and Wales) Regulations 2016 (EPR 2016). A crematorium is an activity that is classed as a Part B Activity and as such is regulated under the EPR 2016 by Dacorum Borough Council, Environmental Health.</p> <p>Within the submitted documentation it has been recognised by the applicant that, in the event that planning permission is granted, an Environmental Permit will be required in order to operate the crematorium and that compliance with that Permit will need to be maintained.</p>

	<p>Therefore, in line with Section 183 of the NPPF 2019 the following advice is:</p> <p>a) restricted to that which is specifically relevant to the planning regime and</p> <p>b) is based on the assumption that the applicant will apply for and be granted an environmental permit pursuant to the EPA 2016 and that the environmental permitting regime will operate effectively.</p> <p>It is noted from the submitted design drawings that the provisionally proposed stack height for the crematorium is 9m, but that this stack height is subject to finalisation via a D1 Stack Height Calculation and agreement with the Environmental Health Department. Therefore, it must be recognised that this stack height may need be higher than 9m subject to the outcome of the D1 process.</p> <p>Additionally it will be necessary to recommend the following condition to ensure that the final stack height is sufficient to ensure that the dispersion of the emissions, that are allowable within the controls of the environmental permit, is appropriate for the proposed development and its surrounding environment.</p> <p><u>Local Air Quality - Stack Height Condition:</u></p> <p><b>No development shall be commenced until the height of the three stacks indicated in Section BB of Drawing Title: Proposed GA Sections - Main Building (1203 -P2002) have been calculated using the D1 Stack Calculation and have been submitted in writing to and agreed by the Local Planning Authority. Depending upon the outcome of the D1 Stack Calculation the Local Planning Authority reserves the right to require air pollution dispersion modelling in reaching an agreement on the stack height.</b></p> <p><u>Reason:</u> To ensure that the issue of local air pollution is adequately addressed</p>
Environment Agency	<p>We have no objection to the application, however controlled waters are sensitive in this location because the site is within Source Protection Zone 3 and upon a secondary aquifer overlying a principal aquifer. The propose development will only be acceptable subject to the following conditions:</p> <p>Condition 1</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this</p>

contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from contamination sources in accordance with paragraph 170 of the NPPF

Condition 2

No drainage system for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters and must be carried out in accordance with the approved details.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by the mobilised contaminants in line with paragraph 170 of the NPPF and to prevent the further deterioration to groundwater quality and recovery of a drinking water protected area of the Mid Chilterns Chalk Groundwater body.

Condition 3

The development hereby permitted shall not be commenced until such time as a scheme for the disposal of the following has been submitted to and approved in writing by the local planning authority.

- Disposal of foul drainage
- Disposal of surface water
- Installation of oil and petrol separators
- Roof drainage.

The scheme shall be implemented as approved.

Reason: To prevent the deterioration to groundwater quality and to support recovery of the drinking water protected area of the Mid-Chilterns Chalk Groundwater body.

Condition 4

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: Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution,

	<p>Condition 5</p> <p>A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained will be secured, protected and inspected. The scheme shall be implemented in accordance with the approved details prior to use of any part of the building.</p> <p>Reason: To ensure that redundant boreholes are safe and secure and do not cause groundwater pollution or loss of water supplies in accordance with paragraph 170 of the NPPF.</p>
<p>Leverstock Green Village Association</p>	<p>Leverstock Green Village Association wishes to make the following comments on the above plans. We would stress that we have no objection to the overall conception of the cemetery and crematorium.</p> <p>1) We do have concerns over the security of the DBC field to the right of the access road and bordering houses in Woodfield Drive. The height restriction has been removed approximately 30m along the road to allow for over-height vehicles to the cemetery however this has left the first 20m of the field unprotected from intruders. You will be aware that the height restriction was installed in the early 2000s following three incursions onto land by travellers to Bunkers Park.</p> <p>2) we also wonder about the right hand border of the access road, which, we are led believe will be grassed over. We would point out that since coronavirus lockdown many more people have discovered Bunkers Park and the small car park is quite inadequate. It has now become practice to park on the border of the access road and on occasions as far along as the cemetery gates. The whole stretch should, in our opinion be made more attractive with shrubs or trees planted on the field side of the fence. This would lessen the impact of resident's views of the cemetery, crematorium and the imposing gates.</p> <p>3) The height restriction itself overhangs the footpath at a low level and is an inherent danger to pedestrians.</p>

**APPENDIX B: REPRESENTATIONS**

<p>31 Bluebell Drive, Bedmond</p>	<p>I would disagree that it is easily accessible by foot. The footpath between Pimlico and Leverstock green is not well maintained at all. There is also the issue of cars parked on the footpath, making is extremely dangerous for those using wheelchairs and motobility scooters. Hertfordshire County Council recently added a crossing place into Bunkers Park, and improved the path towards Leverstock Green. They completely stopped at improving the paths towards Pimlico.</p>
<p>76 Brickmakers Lane</p>	<p>I have three observations and objections to the proposals.</p> <p>1. Improve Sustainability and Pollution - Alternative Technologies</p> <p>CO2 and particulate pollution had not been considered, beyond basic legal limits for an "abated" cremator. "Huntingdon Town Council has opted to install two electric cremators into their brand new facility which is due to be open this year; with several other Local Authorities following suit in the next one to two years"</p> <p><a href="https://www.thecdsgroup.co.uk/news/the-uk-cremation-industry-emissions">https://www.thecdsgroup.co.uk/news/the-uk-cremation-industry-emissions</a></p> <p><a href="https://www.huntingdowntown.gov.uk/crematorium.html">https://www.huntingdowntown.gov.uk/crematorium.html</a></p> <p>Another technology, Cryomation, was developed at University of Hertfordshire, and they are building their first unit at a cost of £1.4 million. This eliminates pollution from mercury, particulates, carbon monoxide etc., and reduces energy consumption.</p> <p>Only part of the roof has solar panels. I have not seen consideration for heat pumps, or heat storage. Study should be shown into ways to reduce heat dissipated via the "aerocooler".</p> <p>I would at least expect a comparative study, reasons</p>

	<p>for rejecting cleaner technologies (especially those adopted in Huntingdon), considering the Government's zero-carbon initiatives, mercury emissions, particulate emissions etc.</p> <p>2. Traffic Plan - Road Access Direction</p> <p>The widened road for bus access assumes traffic travelling to/from the south, but most traffic is likely to come from the north, via Leverstock Green Road, and Maylands Roundabout etc. This aspect of the plan should be reviewed.</p> <p>3. Capacity</p> <p>The parking, traffic volume study etc. assumes one cremator providing 40 services per week. The documentation shows that provision is included for a second cremator, so the revised capacity should be taken into account.</p>
356 Chambersbury Lane	<p>We object to this planning application for the proposed development of a crematorium at Bunkers Park for the following reasons:</p> <p>1) The proposed development will be located too close to existing homes/property and recreational land without there being any established natural coverage.</p> <p>2) If the proposed crematorium does not meet zero emissions, then its proximity to housing and recreational park land could be considered a health hazard.</p> <p>The 20.05.19 Energy &amp; Sustainability Report (page 9) states that "technology of crematoria is "low risk". What does low risk actually mean? Surely zero emissions would imply no risk to human health and wildlife?</p> <p>We have no objection to the cemetery that has been constructed at Bunkers Park. However, the proposed crematorium should be located further away from housing and Bunkers Open Space.</p>
1 Woodfield Drive	<p>Whilst we appreciate that there may be a need for a new crematorium I am objecting to it on the basis that cremation is a method that fuels pollution and damages the environment.</p> <p>Emissions include carbon dioxide, carbon monoxide, nitrogen oxide, sulphur dioxide, hydrogen chloride gas, hydrogen fluoride, mercury vapour. Organic</p>

	<p>compounds such as benzenes, furans, acetone are also emitted and these react with the hydrogen chloride and hydrogen fluoride under combustion conditions to form polychlorinated dibenzodioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs) both of which are carcinogens. This in itself is going to have a damaging impact on the residents and wildlife close to the proposed build.</p> <p>Cremation also uses more energy than other types of disposal and alkaline hydrolysis should be considered as an alternative method. I don't believe this alternative has been adequately investigated.</p> <p>However, if this objection is not upheld and the proposal goes ahead then it should only be on the basis that it is confirmed that a selective catalytic reduction system / deNOx system is in place to minimise the NOx emissions along with an abatement system to remove mercury and other contaminants.</p> <p>In addition, the residents along Woodfield Drive and Woodfield Gardens are going to face the increased traffic and eyesore of the forbidding entrance gates and chimney stack. In order to help alleviate this a line of fast growing trees should be planted along the right hand side of the access road to shield the view.</p> <p>The height restriction has been moved further down the access road which, whilst allowing for construction vehicles and high vehicular access to the cemetery and crematorium, has also led to potential security breaches to the field on the right hand side of the access road. This should be addressed by building a bund (or digging a ditch) along the right hand side of the access road to prevent illegal access to the field.</p>
3 Woodfield Drive	<p>I am a local resident which backs on to the fields, the track to Bunkers Nature Reserve and the view of the current cemetery and planned crematorium.</p> <p>It must be noted that I am disappointed of the timing of such an application during the COvid19 situation which has resulted in No public consultation or meeting with residents and the need to push ahead during lockdown. A consultation could clearly take place now with the current easing of restrictions and therefore some re-assurances to local residents before plans agreed.</p> <p>I would like to make the following comments in relation to the site as it stands and also its future plans. I am not personally making an objection to the</p>

	<p>overall conception of the cemetery and crematorium but have a couple of issues which I would like addressed which have a direct impact on my own property's privacy and also the security of all the residents as a whole.</p> <p>All are known to the local Parish Councillor for Nash Mills. The following two (2) points are concerns of EVERY resident overlooking the fields from Woodfield Drive. EVERY resident has signed the petition which has been sent to yourselves for your consideration and the earliest attention please. This is 14 seperate sets of residents from the properties overlooking the site.</p> <p>1. I have concerns around the DBC field to the right of the access road which back onto the gardens of the properties in Woodfield Drive. Since the height restriction has been re-sited for obvious reasons further up the track, there is a stretch of approx. 25m of road/field which is protected from invasion by only an inappropriate timber fence. This section urgently needs to be protected against intrusion from vehicles which could damage this insubstantial fence and use this for other purposes. There have been numerous incursions onto this field in the past. A secure bund along this 25m stretch would deter such activity and at relatively little cost against the cost of clear up and damage after incursion.</p> <p>The present access gate to the field halfway along is also in desperate need of replacement it is noted by us all and if not replaced could allow further opportunities for incursion further into the lovely Nature Reserve if damaged further.</p> <p>This requires urgent action and implementation we would argue.</p> <p>2. We would like to request tree screening planted within the empty field next to the track side or along the boundary of the track side of the field the length of the existing old fence line, allowing for access still to the field by authorised persons. This would shield us from the permanent view of the gates to the Cemetery site, the intrusion of CCTV where applicable and its view, and the buildings from within when the gates are open during normal operating hours. It would furthermore offer a second degree of screening away from the view of the new Crematorium as the trees grow and spread, and one level of screening for those residential properties directly overlooking the gates which obviously cannot be landscaped in front of. This would obscure them from the views of potentially 40 funeral processions</p>
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	<p>per week as they enter and leave the site from their windows.</p> <p>It is arguably also another very natural way of making the Nature Reserve and the new Crematorium more visually aesthetic with a row of trees either side and will further protect the empty field at present. I am aware that DBC has a requirement to plant a certain number of new trees each year. I ask that these be planted as soon as possible in the Autumn to create some fast screening before any building works commence as has happened on the cemetery site. The empty field area in front of the gates may need some more permanent evergreen shrubs to obscure the entrance area too from those properties directly opposite it.</p>
9 Woodfield Drive	<p>I understand that this development is necessary and have no real grounds to object to it, but to shield it from housing which overlook it in Woodfield Drive could a row of trees be put along the track field side to form a natural barrier to block the view of what is going to be a large building. Also my concerns are that now the height restriction is removed this is an open invitation to travellers which Bunkers Park has suffered from in the past. Perhaps a bund could be put there to protect against illegal entry.</p>
2 Woodfield Gardens	<p>I am aware that there is a proposed mound to provide some shielding of the building and that some trees are to be planted within the site to also hide the building but it is difficult from the available drawings to see how much this will hide. If a line of trees was provided along the right hand side of the track that leads to Bunkers Park it would provide more of a screen of the development from all the properties that back onto the field that is on the opposite side of the track from the development.</p>
3 Woodfield Gardens	<p>I have no objection to the new cemetery at Bunkers Park, however I do object to the proposed crematorium in this location.</p> <p>Sustainable Design Carbon Footprint</p> <p>For every gas cremation, approximately 245 kg of carbon is released into the atmosphere. Electric crematorium releases half the estimated NOx emissions of a gas cremator and have the capacity to utilise Selective Catalytic Reduction and is the greenest technology available. There is no current technology available to reduce CO2 emissions from gas cremators.</p>

	<p>Gas cremation is a fossil fuel method that fuels pollution and damages the environment. Emissions include carbon dioxide, carbon monoxide, nitrogen oxide, sulphur dioxide, hydrogen chloride gas, hydrogen fluoride, mercury vapour along with organic compounds which is bad for both the environment and local wildlife.</p> <p>The decision of whether Dacrom Council should be installing a gas or electric crematorium which is situated on green belt land near:</p> <ul style="list-style-type: none"> <li>* Residential development</li> <li>* Adjacent to Bunkers Nature Reserve</li> <li>* Controlled waters are particularly sensitive in this location because the proposed development site is: <ul style="list-style-type: none"> <li>a) within an area with within Source Protection Zone 3 and</li> <li>b) is located upon a Secondary Aquifer overlying a Principal aquifer.</li> </ul> </li> </ul> <p>Should be based only on what is best for the future environment, the local residents and wildlife rather than the cost of installation. Especially as the UK is working towards being carbon neutral.</p> <p>Filtration &amp; Abatement</p> <p>The crematorium will be fitted with the latest filtration system based on existing legislation, which is already a couple of years old. They should be looking to exceed the next regulations when they come in not and just exceed ones which are becoming outdated. "Technology of crematoria is "low risk". What does low risk actually mean? Surely zero emissions would imply no risk to human health and wildlife?</p> <p>The filtration system will not totally stop all particles/emissions from the crematorium it will only be monitored and must come within an agreed tolerance level. There is no information on the application of the agreed tolerance levels for all particles/emissions released into the atmosphere and how frequently they will be monitored.</p> <p>Heat Recovery</p> <p>"Any surplus heat is rejected to atmosphere via an air blast cooler. The technology is proven and low risk." What is low risk, no information given on what emissions/particles etc will be released into the</p>
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	<p>atmosphere, when this will be done, at night, will there be any noise, smell etc. There should be no risk to the environment, residents and wildlife.</p> <p>Air Quality</p> <p>"DBC planners confirmed that there is no requirement for a specific air quality assessment. The Crematorium will be monitored on emissions, particles, air quality, Mercury, exhaust flow rates."</p> <p>Will the monitoring be continuous? If not why not, it should be, for the health of nearby residents, wildlife and the environment.</p> <p>There will also be an increase generally in vehicle emissions from vehicles accessing the site.</p> <p>How can you accurately monitor pollution/emission/mercury levels if an air quality survey has not been undertaken before works commence?</p> <p>This is a concern for local residents. The prevailing wind is also relevant.</p> <p>Chimney Stack Height</p> <p>The D1 Stack Calculation has not been completed and it may need to increase in height depending on the results of the air pollution dispersion modelling to ensure the issue of local air pollution is adequately addressed.</p> <p>As this is a full planning application this should have been completed before the application was made. The final stack height will be key to air pollution along with its visual impact etc on the surrounding residential area. If the stack is higher the applicant should also change their planting, bunding to reflect this and to increase the screening of the chimney from local residents.</p> <p>Space for 2 x Cremators and abatement "Only 1 to be initially purchased and installed until additional capacity required".</p> <p>No information has been given on the overall impact (including emissions/particles, traffic flow etc) between having one cremator and two cremators on site. If a second cremator is needed this should be subject to a separate planning application showing any increased emissions, impact on the site and local area etc.</p>
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	<p>Green Belt: Special Mitigating Circumstances</p> <p>"As this is a major development within the green belt where in accordance with Section 13 of the National Planning Policy Framework (NPPF) and Dacorum Borough Core Strategy Policy CS5, there is a presumption against development except in specific circumstances and where any harm to the Green Belt can be clearly outweighed by other considerations. In this regard, the proposed development of a crematorium does not fall within the exceptions defined by NPPF paragraphs 145 and 146, and therefore constitutes inappropriate development in the Green Belt in planning terms. Unless there are special mitigating circumstances."</p> <p>Is there a genuine need for a crematorium in this location. The application and other documentation refers to:</p> <p>* Major planning application at Hemel by St Albans Council (East Hemel Development). Planning Inspectors voiced serious concerns over the legal compliance and soundness of the St Albans City and District Council (SADC) Draft Local Plan.</p> <p>SADC has responded to the Inspectors by agreeing to withdraw plans for housing on the site in Park Street, which has been earmarked for a Strategic Freight Depot, and have asked for the Examination to be resumed. It is likely that the Inspectors will insist on a new Green Belt Review before granting this request.</p> <p>* "The WHC (West Herts Crematorium) business case acknowledges that the new crematorium would take customers from the existing operation at Garston. However, they argue that Hemel Hempstead is an ideal location for a crematorium (due to the size of population within a half hour drive, the forecast growth in population (St Albans Hemel East - see bullet point above), and the relative spacing of other crematoria) and that they need to act quickly to protect their market share from new entrants.</p> <p>Strategically, WHC would accept the declining profitability of Garston in order to prevent a private sector competitor entering the market, which would pose a more significant long-term threat to the existing business. Their business case indicates that Garston could absorb the lost income within the annual surplus that it currently contributes to reserves."</p>
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	<p>It seems to be more about protecting their revenue generating need than a physical need, which I would assume is not classed as 'special circumstance'.</p> <p>* It does not take into account the recently approved Welwyn Hatfield crematorium, which will potentially reduce some of the existing use from West Herts.</p> <p>* There is however a need for 'woodland burials/green burials'. DBC no longer have any grave spaces for new woodland burials. Woodwells was the only cemetery to have woodland burials in Hemel. On the DBC website it states "We are concerned with any form of damage to the environment and recognise that burials can be designed to offer many benefits to wildlife. The creation of a habitat for wildlife will assist in increasing the amount of birds, mammals, insects and flowers and also provide a burial area for those departed, who wish to 'return to nature'.</p> <p>I do not believe the planning application has fully shown special circumstances for the proposed crematorium to be built on green belt land next to Bunkers Park and a local residential area and the effects on the environment in this application.</p>
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# Agenda Item 5b

## ITEM NUMBER:

20/03734/FUL	Demolition of 36 residential garages and construction of 6 new dwelling houses	
Site Address:	Garages At Sempill Road (West) Hemel Hempstead Hertfordshire	
Applicant/Agent:	Mr Ian Johnson	Mr Ian Morrison
Case Officer:	Martin Stickley	
Parish/Ward:	Hemel Hempstead (No Parish)	Bennetts End
Referral to Committee:	The site is owned by the Dacorum Borough Council.	

## 1. RECOMMENDATION

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

## 2. SUMMARY

2.1 The application site is located within the residential area of Hemel Hempstead. It is not an allocated housing site and is therefore considered a 'windfall site'. Dacorum Borough Council's Core Strategy (2013) directs residential development to the towns and established residential areas, indicating that Hemel Hempstead will be the focus for new homes, jobs and infrastructure (see Paragraph 1.10 and Policy CS4).

2.2 Six new dwellings are proposed on land currently occupied by two terraces of domestic garages. These garages originally served nearby residents but over time the garages have become either disused or underused. Records indicate that of the 36 garages, 21 are currently rented and 15 are void (58.33% occupancy rate).

2.3 This application offers Dacorum Borough Council, as a provider of housing, with the opportunity to meet its own objective of providing high quality affordable housing. The scheme would also help to improve the local environment and security through new landscaping and increased natural surveillance.

2.4 The Council's affordable housing studies have identified a strong need for new, family-sized homes for local people. As such, and given that the development would be located in a sustainable location (being close to local facilities and public transport), the proposal is considered to comply with Policies CS1, CS4, CS17, CS18 and CS19 of the Core Strategy, saved Policy 10 of the Dacorum Borough Local Plan (2004) and the National Planning Policy Framework (henceforth referred to as the 'Framework').

## 3. SITE DESCRIPTION

3.1 The application site relates to two blocks of single-storey, flat roofed garages and an area of hardstanding situated on the south-western side of Sempill Road, Hemel Hempstead. The site is set to the south-west of Sempill Road, behind a grassed amenity area that comprises one mature tree. The site is roughly 0.13ha in area and is accessed via an access road opposite 24-25 Ivory Court. Pedestrian access is also available from steps off another access road to the south-east. The site is set on land on the north-eastern side of the Gade Valley, meaning that the landscape rises as you move north.

3.2 The site is around one mile from Hemel Hempstead town centre and lies within the Crabtree Character Area (HCA17), which is characterised by a mixture of dwelling types mainly two-storeys in height. Sempill Road encompasses an original 1960s development of terraced properties at its core but later developments have constructed detached and semi-detached units on its outer edges.

#### **4. PROPOSAL**

4.1 Planning permission is sought for the demolition of 36 garages and the construction of six residential units (2 x 2-bedroom and 4 x 3-bedroom) with associated parking areas and gardens. The development comprises a terrace of three units, a pair of semi-detached units and a single detached property. All of the buildings would be two-storey in height. This application forms part of a Planning Performance Agreement (PPA) that encompasses seven garage sites across the Borough.

#### **5. PLANNING HISTORY**

Planning Applications (If Any):

None.

#### **6. CONSTRAINTS**

CIL Zone: CIL3

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)

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

Residential Character Area: HCA17

Parking Standards: New Zone 3

Town: Hemel Hempstead

#### **7. REPRESENTATIONS**

##### Consultation responses

7.1 These are reproduced in full at Appendix A.

##### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

#### **8. PLANNING POLICIES**

National Policy Guidance (2019)

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Dacorum's Core Strategy (2006-2031)

NP1- Supporting Development

CS1 - Distribution of Development

CS2 - Selection of Development Sites

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS9 - Management of Roads

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS17- New Housing

CS18 - Mix of Housing

CS19 - Affordable Housing

CS26 - Green Infrastructure  
CS29- Sustainable Design and Construction  
CS31 - Water Management  
CS32 - Air, Soil and Water Quality  
CS35 - Infrastructure and Developer Contributions

Dacorum Borough Local Plan (Saved Policies) (1999-2011)

Policy 10 - Optimising the Use of Urban Land  
Policy 18 - The Size of New Dwellings  
Policy 21 - Density of Residential Development  
Policy 51 - Development and Transport Impacts  
Policy 99 - Preservation of Trees, Hedgerows and Woodlands  
Policy 100 - Tree and Woodland Planting  
Policy 111 - Height of Buildings  
Policy 129 - Storage and Recycling of Waste on Development Sites  
Appendix 1 - Sustainability Checklist  
Appendix 3 – Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents

Area Based Policies: HCA17 (Crabtree) (May 2004)  
Manual for Streets (2010)  
Planning Obligations (April 2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)  
Affordable Housing (January 2013)  
Parking Standards (November 2020)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The key considerations relating to this application include:

- The principle of development;
- The impact on parking and the local road network;
- The quality of residential development and impact on visual amenity;
- The impact on living conditions of existing and future residents; and
- Any other material planning considerations.

### The Principle of Development

9.2 The application site is considered a windfall site within the urban area of Hemel Hempstead, whereby saved Policy 10 encourages the effective and efficient use of urban land. The Core Strategy encourages residential development in the towns and established residential areas (see Policy CS4). HCA17 (Crabtree) highlights that infilling and the redevelopment of certain non-residential sites may be acceptable according to the development principles (see Para. 9.27).

9.3 The proposal would contribute to the Borough's affordable housing stock in accordance with Policy CS17, CS18 and CS19. As such, and given that the development would be located in a sustainable location, the proposal is considered to comply with Policies CS1, CS4 and the other aforementioned policies. Considering this, there is no compelling objection to the principle of development.



## The Impact on Parking and the Local Road Network

### *Parking Provision*

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

9.5 The recently introduced Parking Standards (2020) Supplementary Planning Document (SPD) provides policy guidance for the amount of parking provision required for new developments. It highlights the following, per residential unit, in this area:

2 bedroom dwellings – 1.5 allocated spaces or 1.2 unallocated spaces  
3 bedroom dwellings – 2.25 allocated spaces or 1.8 unallocated spaces

9.6 The standards indicate a requirement of three spaces for the 2-bedroom dwellings and nine spaces for the 3-bedroom dwellings (total of 12). The proposed layout provides 14 spaces (two allocated spaces per unit and two visitor spaces). As such, the parking standards are met and two additional visitor spaces are provided. The on-site parking provision is therefore policy compliant.

9.7 The SPD requires the provision of electric vehicle (EV) charging points within new residential developments. It recommends that 50% are 'active' i.e. can readily be used and 50% are passive i.e. can be connected in the future. The Proposed Site Plan (DBC-IW-SEW-00-DR-A-0100 Revision P1) illustrates 50% 'AEV' bays (active charging) and 50% 'PEV' bays (passive charging). Therefore, a policy compliant level of EV charging points would be provided. If the application is approved, the EV points would be conditioned to ensure that they are provided prior to occupation.

9.8 Whilst the proposal would meet and exceed the off-street parking requirements for a development of this size, a significant number of resident objections have been received in relation to on-street parking and the existing road network conditions. Concerns have also been raised in relation to the loss of the garage blocks and associated hardstanding area. These points will now be disused in turn. It is worth noting, at this point, that there is a simultaneous application for the redevelopment of another garage site on the eastern end of Sempill Road (see 20/03735/FUL). This other application proposes the removal of ten garages and the construction of four maisonettes.

### *On-Street Parking, Road Network and Loss of Garages*

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

9.10 As mentioned above, there have been a large number of objections relating to parking, congestion and highway safety. Residents have highlighted that it is extremely difficult to park near their properties and the road is overcrowded. Sempill Road circles a core of circa 60 terraced properties, the majority of which do not benefit from off-street parking provision. As such, most of these residents rely on shared parking bays and the surrounding residential streets. Many of the residents have identified that the shared parking bays are awkward and larger vans, milk floats and commercial vehicles often take up more than one on-street space.

9.11 The concerns raised were passed to the Applicant (Dacorum's Housing Development Team) and a Parking Stress Survey was commissioned to fully analyse the situation and consider the

implications of the proposed development. The Survey, undertaken by Mayer Brown, was based on the survey criteria set out in the Parking Standards SPD. The findings of the Survey are discussed below.

9.12 The 'Roads in Hertfordshire: Highway Design Guide' advises that it is recommended that Local Planning Authorities stipulate that in order to be an effective storage space for cars, garages must measure at least 6m long and 3m wide. The Parking Standards SPD highlights that if spaces are not at least this size, they will not be counted as part of the parking provision to meet the parking standards. The existing garages measure approximately 5.2m x 2.9m and have door widths of around 2.25m. As such, the existing garages are generally unsuitable for modern vehicles.

9.13 While unlikely that all of the garages would be used to store vehicles, the Survey assumes a worst-case scenario i.e. each garage lost would result in a displaced vehicle. Additionally, a car ownership exercise was undertaken to identify the likely level of car ownership for the proposed residential units. This was based on national census data (2011) specifically for the area within which the site lies. Trip End Model Presentation Programme (TEMPro) was used to increase the 2011 car ownership figures to likely 2021 levels to ensure that the assessment would be robust. The full car ownership calculations are provided in Appendix A of the Survey.

9.14 As discussed earlier, the scheme proposes 14 off-street parking spaces. The car ownership statistics revealed that rented houses in this area are, on average, likely to have 0.99 cars per property. On that basis, the six proposed houses may have a car ownership level of six vehicles. This illustrates that although two visitor spaces are provided, it is possible that a number of the allocated parking spaces could also be used for visitors.

9.15 Mayer Brown commissioned 360TSL Traffic Data Collection to carry out a Parking Survey for both of the Sempill Road applications (20/03734/FUL and 20/03735/FUL). The methodology used was in accordance with the Parking Standards SPD, Appendix C: On-Street Parking Survey Stress Specification. This requires all roads within 200 metres walking distance to be surveyed. As the sites are approximately 300m from each other, surveys up to 400m from a central point between them were undertaken to avoid any double counting of spare capacity. As per the SPD, the survey only counted parking bays of at least 5m x 2.5m to qualify as a parking space.

9.16 The Parking Survey was undertaken between the hours of 00:30-05:30 on two separate weekday nights, as this is considered the time that most residents are likely to be at home. The surveys were undertaken on Tuesday 16<sup>th</sup> March 2021 at 00:30 and Wednesday 17<sup>th</sup> March at 00:30. The Survey provides a map of the area surveyed and full survey results (see Appendix B: Survey Data in Mayer Brown report). The table below illustrates the average parking stress on the roads within 400m walking distance of the central point between the sites, across the two surveys.

Street Name	Total Spaces	Occupied Spaces	Empty Spaces	Stress
Sempill Road	131	119	12	91%
Ivory Court	17	12	6	68%
St Albans Hill	35	22	13	63%
Leys Road	29	18	12	60%
Risedale Road	13	11	3	81%
Newell Road	19	15	4	79%
Katherine Close	4	3	1	75%
Royal Court	12	10	3	79%

<b>Total</b>	<b>260</b>	<b>208</b>	<b>52</b>	<b>80%</b>
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Figure 1. Parking Survey Results

9.17 Figure 1 shows that at present, within a 400m walking distance of the central point, the average parking stress is 80% with a total of 52 vacant parking spaces overnight. The parking stress for Sempill Road alone was 91%. This figure is high and explains why numerous objections have been received relating to a lack of sufficient parking.

9.18 The Parking Survey states, when considering a worse-case scenario, up to 30 additional vehicles could be displaced from the garages. This takes the unlikely assumption that everyone who rents a garage uses it to store a vehicle. If this were the case, the overall parking stress would increase to 92% for Sempill Road and the surrounding roads listed above. It is noted that there are 16 garages currently vacant within close proximity to the site, including eight at Deaconsfield Road, three at Risedale Hill and five on Wheelers Lane. From checking Dacorum's mapping layers it appears that none of these sites have been subject to planning for redevelopment. One resident commented that one of the sites already had planning permission, however, this relates to a separate site off Langley Drive (see 4/00932/19/FUL).

9.19 If this application is approved, Dacorum Borough Council's Garage Management Team would provide the appropriate notice to each garage tenant. As per Agenda Item 14 (Page 3 of 6) of Cabinet dated 16th September 2014 (Update on Garage Disposal Strategy), all of those residents who currently rent a garage would be offered an alternative.

9.20 The Parking Survey assumes that the garages presently let accommodate vehicles. However, as previously mentioned, these spaces do not meet the Highways Design Guide or Parking Standards SPD's minimum size requirements. It appears that residents mainly park on the street, in shared parking bays or on private driveways. Some residents have highlighted that the garage forecourts are used for parking. However, these areas are not designated for parking, as parked vehicles may block access to the let garages. Therefore, the garage forecourts were not included within the Parking Survey. From studying the existing and proposed site plans, it does not appear that any on-street parking spaces would be lost as a result of the proposal.

9.21 Dacorum's Verge Hardening Team were contacted to determine whether there would be scope to enhance existing parking areas or provide further parking areas in the area. Some photographs highlighting potential areas were sent from the Housing Development Team. They responded with the following: *"There is nothing suitable in this area, as all of the amenity greens in-between houses are too small. One has access problems also but is too small. Trees & Woodlands (T&W) said no to removing the good trees on the amenity green outside numbers 1 to 9. Most of the bays marked on the drawings are in visual splays of resident's drives, some have been put over entrances to private garages and most of the verges indicated on the drawing have trees on which T&W have said no to removing these."* Efforts have been made to improve the existing situation on Sempill Road. However, it appears that there is no scope for additional parking areas, mainly due to highway safety issues or trees.

### Summary

9.22 The development would provide sufficient off-street parking for the proposed number of units, meeting the parking standards and providing two additional visitor spaces. The car ownership statistics identify that the future occupiers may only require six spaces. As such, the other allocated spaces could potentially be used for visitor spaces.

9.23 When considering the 30 let garages across both garage sites for vehicle displacement, the Survey indicates that the Sempill Road and the surrounding roads would be able to accommodate a

worst-case scenario for vehicle displacement. This is using the methodology set out in the Parking Standards SPD.

9.24 The Survey demonstrates an average parking stress of 80% on streets up to 400m walking distance away from a central point between the two sites. If 30 additional vehicles were displaced onto local streets, the stress could increase to 92%. Neighbouring garage sites could potentially accommodate 16 displaced vehicles. However, it is unlikely that a large number of the garages are being used for vehicles when considering their limited sizes. The Survey concludes a minimal impact on the local highway as a result of displacement of vehicles from existing garages and therefore a refusal based on parking grounds would be unsubstantiated.

9.25 Considering the large number of resident objections, there is clearly an existing issue with parking on Sempill Road. The core of terraced units with no off-street parking and the piecemeal development of other sites on the periphery, combined with the increase in car ownership over the years and the number of larger commercial vehicles on the road appears to have put pressure on the road network and intensified parking. Sempill Road alone was identified as being at 91% parking capacity in the two parking surveys.

9.26 The Framework, Para. 109 states that development would only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Although there is an existing issue, it is not felt that a significant number of vehicles would be displaced from the existing garages or forecourts. If some are, there is scope for re-location within the vicinity. The proposed development would over provide on parking for future residents and no on-street parking spaces would be lost. Therefore, it is not felt that the proposed development would significantly impact highway safety. Hertfordshire County Council as the Highway Authority have assessed the highway impacts and raised no objection to the proposals, stating, *"The proposal would not have a severe residual impact on the safety and operation of the adjoining highway."* They consider the existing access and proposed layout appropriate in terms of highway safety and manoeuvrability for larger vehicles e.g. fire tender and refuse vehicles. Taking all of the above into account, the proposal is deemed compliant with the Framework, Policies CS8, CS9 and saved Policy 51 in relation to parking and highway safety.

#### The Quality of Residential Development and Impact on Visual Amenity

9.27 The Core Strategy seeks to secure quality design and deliver housing at a high standard. It also aims to provide optimum densities in the right locations. Policies CS11 and CS12 require development to preserve attractive streetscapes, integrate with existing streetscape character and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping. Saved Appendix 3 of the Local Plan discusses the layout and design of residential areas and provides on-site specifics, such as acceptable garden sizes, spacing of dwellings and crime prevention measures. HCA17 (Crabtree), sets out a number of development principles for new housing in this area, including:

*"Design: No special requirements.*

*Type: Semi-detached dwellings are encouraged. However, terraced and detached dwellings may be acceptable where these types respectively form the majority of nearby and adjacent development. Plots may be acceptable dependent on their scale, resultant appearance and compatibility with the street scene.*

*Height: Should not normally exceed two storeys.*

*Size: Medium sized buildings are acceptable and encouraged.*

*Layout: Dwellings should normally front the road and follow established formal building lines. Spacing in the medium range (2 m to 5 m) is expected.*

*Density: Development in the medium density range (30 to 35 dwellings/ha (net)) is acceptable.”*

9.28 The proposed development is for six new dwellings, provided as a semi-detached pairing (each with two bedrooms), a terrace of three 3-bedroom properties and a detached three bed unit. The properties would be constructed of red/brown brick, tiled roofs and grey windows. The drawings confirm that full material details are not yet decided and therefore, if this application is approved, details would be secured via condition.

9.29 Sempill Road exhibits a variety of different dwelling types and designs, and a range of sizes. Therefore, the design of the proposed units would not appear out-of-place or harmful to the existing streetscape. The overall scale and shape of the buildings would be similar to the surrounding residential properties and plot sizes. The garden areas would be commensurate with neighbouring developments e.g. Ivory Court. The designs include some additional design features such as chimneys, glazed tiles and brick detailing. These details would add some visual interest to the buildings.

9.30 Turning to layout, the proposed buildings would front the road and generally follow established building lines, noting the step-back of Plot 1, which follows the stagger of properties on Ivory Court. A separation distance of around 4.8m is provided between Plot 1 and 1 Ivory Court, aligning with the requirements of HCA17. The semi-detached and detached units would face the terrace comprising 1-9 Sempill Road and ‘step down’ the hill, similar to the existing terraces.

9.31 The site would provide a density of 46 dwellings/ha. This is higher than the recommended medium range of 30 to 35 (as per HCA17), however, saved Policy 10 seeks to optimise the use of urban land. Considering that the proposal is over-providing on parking and providing sufficient plot and garden sizes, it is not felt that an increased density would result in a substandard development or any other unacceptable impacts. It should be noted that higher densities are apparent elsewhere in the vicinity, for example, Ivory Court.

9.32 In light of the above, it proposals are considered to provide a high quality residential development that would satisfactorily integrate within the existing streetscape. The proposed buildings are considered as an improvement in design when compared to the existing flat roof garages. The proposals are considered to comply with regards to the quality of residential development and the impacts on visual amenity.

#### The Impact on Living Conditions of Existing and Future Residents

9.33 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable. Policy CS12 states that concerning the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. Paragraph 127 (f) of the Framework requires development to create safe, inclusive and accessible places that promote health and well-being and a high standard of amenity for existing and future users.

#### *Loss of Light / Visual Intrusion*

9.34 The proposed properties would be situated some 27m from 1-9 Sempill Road to the north-east. To the north-west, Nos. 24 and 25 Ivory Court are sited around 21m from the façade of Plots 1-3. The properties on St Albans Hill, to the south-east, are over 30m from the flank of Plot 6. Considering the separation distances between the existing and proposed properties, it is unlikely that there would be any breach of a 25-degree lines taken from the mid-points of the neighbouring ground-floor windows. The proposal would comply with the Building Research Establishment’s

report, 'Site layout planning for daylight and sunlight: a guide to good practice' (BR209) in this regard. These separation distances also illustrate that the proposed dwellings would not be visually intrusive to the neighbouring properties.

9.35 The closest neighbours are 1-2 Ivory Court. The light assessment is different for adjacent buildings and a 45-degree rule of thumb is used. As the proposed terrace, specifically Plot 1, is sited forward of 1-2 Ivory Court, a 45 degree angle should be drawn from the outer corner of the building towards the front of the neighbouring property. Due to the set-back of Plot 1, there would be no breach of the 45-degree line. Therefore, no significant impacts with regards to light are identified. The proposal therefore complies with the BRE guidance and Policy CS12 with regards to light.

#### *Overlooking / Loss of Privacy*

9.36 Turning to the impacts on privacy, the separation distances highlighted above ensure that there are limited impacts on overlooking into neighbouring properties. The closest neighbours that directly face the site are 24-25 Ivory Court. These properties are situated on higher ground, approximately 21m from the front of Plots 1-3. Considering the distance and the topography, the proposed relationship is considered acceptable.

9.37 Plots 4-6 would be positioned at a right-angle to 1-2 Ivory Court. There would be an increase in overlooking to the gardens of these properties, particularly from the first-floor windows of Plots 4-6. Although the proposed properties would be slightly lower than the existing properties, an impact is identified. Mutual overlooking of gardens is common within urban areas. Views of the garden area of 1 Ivory Court is already possible from the first-floor windows of 2 Ivory Court and vice versa. Considering this, it is not felt that the proposed properties would result in a significant impact worthy of a refusal.

#### *Demolition / Construction*

9.38 In terms of demolition and construction, if this application were approved, these aspects would be controlled by Dacorum's Environmental Protection Team. Various informatives would be added in relation to this (e.g. construction hours, etc.).

9.39 The proposal would provide a high quality living environment for future occupiers and would not result in significant adverse impacts on residential amenity. The quality of residential development and the impact on the living conditions is therefore considered acceptable in accordance with the aforementioned policies.

### Other Material Planning Considerations

#### *Impact on Trees*

9.40 There is one Horse Chestnut tree within close proximity to the site that must be considered. The submitted Arboricultural Report (ref: S236-J1-IA-1) identifies that no trees of significant landscape value or amenity would be detrimentally affected by the development. The Horse Chestnut would be retained but pruned to clear scaffold zone. Dacorum's Trees and Woodlands Department have reviewed this document and raised no objections to the proposed works.

9.41 The drawings found in the Appendices of the Arboricultural Report illustrate the root protection area and measures to protect the tree during the preparation, demolition, construction and landscaping phases (see S234-J1-P2 Rev 2 and S234-J1-P3 Rev 1). These details would be conditioned if the application were approved.

9.42 Taking all of the above into account, it is concluded that there would be a limited impact on existing vegetation in accordance with saved Policy 99. Two new semi-mature trees would be provided as per Policy CS29.

#### *Landscaping*

9.43 The proposed site plan details planting around the site, which should help to soften the visual impact of the development and create an attractive site. The boundary treatment (1.8m timber fencing) and surfacing materials (block paving and bound gravel) is considered acceptable. Full details of landscaping would be requested by condition if the application is approved.

#### *Ecology*

9.44 An Ecological Survey and Bat Report has been submitted to the Local Planning Authority as part of the application submission. The report provides an adequate assessment of the impact of the proposals and is based on appropriate survey methods. The likelihood of an adverse ecological impact was found to be negligible. Hertfordshire County Council's Ecology Department have raised no objection but advised that a precautionary approach is taken. They also requested that informatives relating to birds and bats be added if consent is given.

9.45 The planning system should aim to deliver overall net gains for biodiversity where possible, as laid out in the Framework. As such, the County Ecologist requested that a 'Landscape and Ecological Management Plan' (LEMP) is secured by planning condition if approved. Simple measures to achieve this could be put forward in this plan, for example, the planting of native trees, fruit/nut trees, hedgerows; sowing of wildflower areas for pollinators and species diversity; provision of roosting opportunities through the integration of bat bricks/units within the design of the buildings; and the inclusion of bird boxes for common garden bird species and/or nest box terraces on buildings for swifts and house sparrows. This condition would be added, if approved, and could subsequently be monitored/signed off by the County Ecologist.

#### *Waste / Bin Storage*

9.46 Developers are expected to provide adequate space and facilities for the separation, storage, collection and recycling of waste (see Dacorum's 'Refuse Storage Guidance Note'). The site plan indicates where bin storage for the properties is located (to the sides/rear of the properties). An area of defensible space is also provided to the front of the properties that could be used for bin storage. If the application is approved, the landscaping plan will capture details of bin stores to make sure the bins are satisfactorily disguised from the public realm. Taking the above into account, no concerns are raised about refuse storage and collection.

#### *Community Infrastructure Levy (CIL)*

9.47 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. The Charging Schedule clarifies that the site is in Zone 3 within which a current charge of £131.50 per square metre is applicable to this development.

9.48 Depending on the tenure of any affordable housing units, these may be exempt from the payment of CIL. It is recommended that any exemption requirements are discussed with the CIL team prior to the submission of the proposals and that relevant paperwork is completed expediently upon any issue of planning permission.

#### *Contamination*

9.49 The Environmental and Community Protection Team have confirmed that they have no objection to the proposed development. However, it is judged that the recommendation for an

intrusive land contamination investigation is made. As such, it has been recommended that two conditions be included in the event that permission is granted.

#### *Drainage*

9.50 The drainage strategy comprises of unlined permeable paving for car parking areas with an outflow into the proposed network. It is noted that surface water drainage calculations have been provided to support to scheme and ensure sufficient storage has been provided for the 1 in 100 year plus climate change event. Based on the information, the Lead Local Flood Authority have confirmed that the site can be adequately drained, raising no objection subject to the inclusion of a final drainage scheme condition.

#### *Crime Prevention and Security*

9.51 Hertfordshire County Council's Crime Prevention Design Advisor was consulted. Concerns were raised over the car parking area for plots 4-6 and it was advised that a lighting column be introduced to mitigate crime. This can be secured through the landscaping condition, which includes details of external lighting. A number of other recommendations were made to improve crime prevention and security on the site. These are listed in the consultation response in Appendix A. These were passed to the Applicant and the highlighted that *"Our landscaping design and Employers Requirements will address the comments from the Crime Prevention Officer. These will be included in the contract requirements."*

#### *Sustainability*

9.52 The development of Brownfield sites e.g. previously built upon, such as this, have a sustainable benefit as it results in a continuance of built development for each site thereby minimising the loss of Greenfield sites and consequential trees/habitat thereto.

9.53 The orientation of the dwellings has had consideration to the Dacorum Energy Efficiency and Conservation SPD. Windows are sized at 20% of habitable room footprints, to further reduce the demand for artificial lighting. The Applicant has confirmed that they *"will adopt a fabric first approach, with high levels of insulation, low levels of air leakage and systems to ensure controlled ventilation - all of which reduce the demand for mechanical heating and cooling."*

9.54 Furthermore, the Applicant has confirmed that the following measures will be implemented:

- All external planting will be native and will rely on natural precipitation only.
- Water saving devices will be specified e.g. low flush toilets.
- On site surface water disposal and attenuation measures have been considered and are included in the Drainage Strategy.
- The materials used in construction these will be of a low environmental impact over the full life cycle of the building.

9.55 The site would be subject to separate application for Building Regulations approval. These Regulations set out stringent statutory requirements for energy use and carbon emission targets, as defined by Part L1A: Conservation of Fuel and Power in New Dwellings.

9.56 In terms of construction, the Applicant has highlighted that the dwellings have been designed to be suited to elements of modern methods of construction and off-site manufacture, all of which contribute to reduced energy use in the construction phase. This can also reduce the site construction phase period.



9.57 It has been confirmed that during the construction phase of each site, the building contractor would be required to establish a Site Waste Management Plan in order to reduce, and enable the recycling of, waste building materials. Further, it has been confirmed that the building contractor would also register each site under the Considerate Constructors Scheme to ensure that appropriate targets are met with regard to site management i.e. in an environmentally, socially considerate and accountable manner.

## 10. CONCLUSION

10.1 The principle of redeveloping the garage blocks into affordable housing is deemed acceptable and in accordance with local and national policies. There has been significant objection from residents in relation to parking and the road network. It is understood that there is an existing parking issue on Sempill Road, but it not considered that the loss of the garages and the provision of six additional units would exacerbate the issue to an unacceptable level. In terms of design, layout, etc. the proposed properties would satisfactorily integrate with the surrounding area. No significant adverse impacts are identified concerning residential amenity. The impact on trees is acceptable.

10.2 The redevelopment of this garage site would provide the Council as a provider of housing with the opportunity to complement the existing housing stock and to meet its own objective of providing housing. The scheme would provide high quality family homes for local people and provide other benefits such as improved landscaping and visual benefits. The application is therefore recommended for approval.

## 11. RECOMMENDATION

11.1 It is recommended 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. **No development shall take place until the final design of the drainage scheme is submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority. The surface water drainage system will be based on the submitted the Flood Risk Assessment reference M03001-04\_FR07 dated December 2020 prepared by McCloy Consulting and Drainage Strategy reference M03001-04\_DG03 dated December 2020 prepared by McCloy Consulting. The scheme shall also include:**

1. **Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.**
2. **Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
3. **Implement drainage strategy to include permeable paving, filter drain and attenuation tank.**
4. **Where infiltration is proposed infiltration testing in accordance with BRE Digest 365 at the proposed depth and location of the proposed SuDS feature.**
5. **Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any**

connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.

6. Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.

7. Maintenance and management plan for the SuDS features.

The scheme shall be implemented in accordance with the approved details.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraphs 163 and 165 of the National Planning Policy Framework (2019).

3. (a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: RSK Preliminary Risk Assessment 1921152-06(00) March 2020) indicates a reasonable likelihood of harmful contamination and so no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
  - (ii) The results from the application of an appropriate risk assessment methodology.
- (b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.
- (c) This site shall not be occupied, or brought into use, until:
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
  - (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

4. All remediation or protection measures identified in the Remediation Statement referred to in Condition 3 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby permitted.

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

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

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

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

- 6. The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing DBC-IW-SEW-00-DR-A-0100 (Revision P1). The Electric Vehicle Charging points and associated infrastructure shall thereafter be retained in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

- 7. 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 soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- o external lighting; and**
- o minor artefacts and structures (e.g. bike stores, street furniture, play equipment, signs, refuse or other storage units, etc.).**

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

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

8. **Prior to commencement of the development, a Landscape Ecological Management Plan (LEMP), shall be prepared, detailing how biodiversity will be incorporated within the development scheme. The plan shall include details of native-species planting, and/or fruit/nut tree planting, as well as the location of any habitat boxes/structures to be installed. The plan shall be submitted to the Local Planning Authority for written approval and the development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure that the development contributes to and enhances the natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019). These details are required prior to commencement to ensure that an overall on-site net gain for biodiversity can be achieved before construction works begin. The LEMP should include details of when the biodiversity enhancements will be introduced and this may be reliant on the construction process/timings.

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

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

10. **Prior to the first occupation of the development hereby permitted the vehicular access onto Ivory Court shown on drawing number DBC-IW-SEW-00-DR-A-0100 (Revision P1) shall be widened in accordance with the Hertfordshire County Council residential/industrial access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

11. **Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 34m metres shall be provided to each side of the access where it meets the highway and such 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: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and

Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

- 12. Prior to the first occupation of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

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

**DBC-IW-SEW-00-DR-A-0010 - Site Location Plan**

**DBC-IW-SEW-00-DR-A-0100 (Revision P1) - Proposed Site Plan**

**DBC-IW-SEW-00-DR-A-2206 (Revision P2) - Proposed 2B + 3B Dwelling Plans & Elevations**

**DBC-IW-SEW-00-DR-A-2207 (Revision P1) - Proposed 3B Dwelling Plans & Elevations**

**S234-J1-IA-1 - Arboricultural Report by John Cromar's Arboricultural Company Limited (dated 1st September 2020)**

**S234-J1-P2 Rev 1 - Tree Retention & Protection Measures - Preparation & Demolition Phases**

**S234-J1-P3 Rev 1 - Tree Retention & Protection Measures - Construction, Late Construction & Landscaping Phases**

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

#### **Informatives:**

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

2. Thames Water

Waste Comments

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

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

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

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.

3. 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.
4. 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.
5. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
6. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

7. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
8. Contamination  
  
The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on [www.dacorum.gov.uk](http://www.dacorum.gov.uk) by searching for contaminated land.
9. 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.
10. 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.
11. 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.
12. 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.
13. As per Agenda Item 14 (Page 3 of 6) of Cabinet dated 16th September 2014 (Update on Garage Disposal Strategy), all of those residents who currently rent a garage in a block earmarked for disposal will be offered an alternative garage. The Garage Management Team will wherever possible, offer a garage to rent in another garage site owned by Dacorum Borough Council in the vicinity of the development site.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

Herfordshire Building Control	No comment.
Affinity Water - Three Valleys Water PLC	No comment.
Civil Aviation Authority	No comment.
Thames Water	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>.</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a></p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p>



	<p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>CONDITIONS</p> <p>1. Prior to the first occupation / use hereby permitted the vehicular access onto Ivory Court shown on drawing number DBC-IW-SEW-00-DR-A-0100 shall be widened in accordance with the Hertfordshire County Council residential /industrial access construction specification. Prior to use arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Prior to the first occupation / use of the development hereby permitted a visibility splay measuring 2.4m x 34m metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>3. Prior to the first occupation / use of the development hereby permitted the proposed access /on-site car and cycle parking / servicing / loading, unloading / turning /waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of</p>

Hertfordshire's Local Transport Plan (adopted 2018).

4. Prior to the first occupation / use of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained each side of the access. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

#### INFORMATIVES

1) 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.

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

3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other

debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

4) 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.

#### COMMENTS

This application is for Demolition of 36 residential garages and construction of 6 no dwelling houses. The site is located between Ivory Court and Sempill Road, both of which are unclassified local access roads with a speed limit of 30mph and highway maintainable at public expense.

#### ACCESS

Current accesses to the site are from Ivory Court and Sempill Road. The Ivory Court vehicle access will be extended to provide access to the 6 proposed parking spaces in front of plots 1, 2 and 3. Vehicle access to parking for plots 4, 5 and 6 will be from the existing Sempill Road access. A pedestrian way through the site will be maintained.

#### Parking

Each property will be provided with 2 parking spaces with an additional 4 dedicated to visitors. The informal parking for residents at the southern end of the site will be reduced. The applicant is reminded that DBC is the parking authority for the borough and therefore should ultimately be satisfied with the level of parking.

	<p>Cycle parking will be provided for each property.</p> <p><b>EMERGENCY VEHICLE ACCESS</b></p> <p>The proposed dwellings are recommended to be within the recommended 45m distance from emergency vehicle access to adhere with guidance in 'MfS', 'Roads in Hertfordshire: Highway Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.</p> <p><b>REFUSE / WASTE COLLECTION</b></p> <p>Arrangements have been made for the storage and collection of waste.</p> <p><b>CONCLUSION</b></p> <p>Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highway, subject to the conditions and informative notes above.</p>
Trees & Woodlands	<p>The Tree Report advises in Sub-Section 9 (Schedule) that T1 should be 'Prune to just clear scaffold zone.'. I require the applicant to clarify this statement and advise the pruning specification (metres) expected to determine the overall impact on this tree.</p> <p>In addition, the applicant proposes to plant an additional 3 x trees along the publically maintained verge (A &amp; B x 2 - Plan S234-J1-P3 v1). In order to determine their suitability for planting next to residential properties and being adopted by Dacorum Borough Council I require the applicant to confirm the proposed species, size and planting specification.</p>
Lead Local Flood Authority (HCC)	<p>Thank you for consulting us on the above application for the demolition of 36 residential garages and construction of 6 no dwelling houses.</p> <p>As it is a minor application the Lead Local Flood Authority is not a statutory consultee. However, we can offer advice to the Local Planning Authority to place them in a position to make their own decision regarding surface water and drainage. We have reviewed the following documents submitted in support of the above application;</p> <p>- Flood Risk Assessment reference M03001-04_FR07 dated November 2020 prepared by McCloy Consulting</p>

- Drainage Strategy reference M03001-04\_DG03 dated November 2020 prepared by McCloy Consulting

Following the review of the Environment Agency maps for surface water flood risk, the proposed development is at a predicted low risk of flooding from surface water and we do not have any records of flooding in this location. However, it is noted that the site is within the hotspot catchment area as identified within the Dacorum Borough Council Surface Water Management Plan.

The drainage strategy states that the ground conditions may be suitable for infiltration however no testing has been carried out. We note that there are no watercourses within the vicinity of the site however there is a Thames Water surface water sewer located in Semphill Road. A pre-development enquiry has been submitted to Thames Water and they have agreed a discharge rate of 2l/s into their network.

We note the existing car parking area that has been included within the site boundary is currently used by residents and no changes are proposed to it therefore the existing drainage will remain.

The drainage strategy for new development comprises of lined permeable paving for car parking areas and dwellings draining to three soakaways. As infiltration testing has not been carried out an estimate rate of 10-5m/s has been used for design.

We note that infiltration is being proposed for part of the site however no infiltration testing has been carried out. The LLFA would normally expect infiltration tests to be carried out at this stage to ensure the feasibility of the scheme. However, we note an alternative discharge mechanism has been secured therefore we can recommend to the LPA that the following condition.

#### Condition 1

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment reference M03001-04\_FR07 dated December 2020 prepared by McCloy Consulting and Drainage Strategy reference M03001-04\_DG03 dated December 2020 prepared by McCloy Consulting. The scheme shall also include:

1. Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.
2. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year +

	<p>climate change event.</p> <p>3. Implement drainage strategy to include permeable paving, filter drain and attenuation tank.</p> <p>4. Where infiltration is proposed infiltration testing in accordance with BRE Digest 365 at the proposed depth and location of the proposed SuDS feature</p> <p>5. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.</p> <p>6. Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.</p> <p>7. Maintenance and management plan for the SuDS features</p> <p>Reason</p> <p>To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site</p> <p>Informative to the LPA</p> <p>Please note if the LPA decide to grant planning permission, we wished 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>
Trees & Woodlands	No objection.
Hertfordshire Ecology	<p>The site also appears to be known as 'The Western Garages at Sempill Road'</p> <p>Thank you for consulting Hertfordshire Ecology on the above. I apologise for the delay with this reply. I am pleased to see an ecological report has been submitted in support of this application:</p> <p>o Preliminary Ecological Appraisal and Preliminary Roost Assessment (Bernwood Ecology, 1 September 2020);</p> <p>The site was visited on 13 August 2020 and comprises two rows of</p>

terraced garages on hardstanding with some amenity grassland. There is a mature Horse chestnut tree on site, which is being retained and should be protected from damage (including roots and overhanging branches) during construction.

The report provides an adequate assessment of the impact of the proposals and is based on appropriate survey methods and effort. The likelihood of an adverse ecological impact is negligible; however as bats and nesting birds are likely to be in the area, I advise the following precautionary approach Informatives are added to any consent given:

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

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

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. It would be appropriate for this development to enhance the site for bats, birds, hedgehogs and invertebrates. Simple measures to achieve this could include the planting of native trees, fruit/nut trees, hedgerows; sowing of wildflower areas for pollinators and species diversity; provision of roosting opportunities through the integration of bat bricks/units within the design of the buildings; the inclusion of bird boxes for common garden bird species and/or nest box terraces on buildings for swifts and house sparrows; hedgehog homes and gaps in fencing to allow free passage of small animals.

Consequently, I would like to see details of how biodiversity will be included in the development scheme to address the expectations of NPPF in achieving biodiversity net gain. This should be provided in a Landscape Ecological Management Plan (LEMP) or Biodiversity Gain Plan (or similar) secured by Condition and I can suggest the following wording:

"Prior to commencement of the development, a Landscape Ecological Management Plan, shall be prepared, detailing how biodiversity will be incorporated within the development scheme. The plan shall include

	<p>details of native-species planting, and/or fruit/nut tree planting, as well as the location of any habitat boxes/ structures to be installed. The plan shall be submitted to the LPA for written approval and the development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the LPA."</p> <p>Reason: to demonstrate the expectations of NPPF in achieving overall net gain for biodiversity have been met in accordance with national and local policies."</p> <p>I trust these comments are of assistance.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site is on land which has been previously developed and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed residential 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</p>



	<p>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 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) &amp; (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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Crime Prevention Design Advisor	In relation to crime prevention and security I would ask that the development is built to the police preferred security standard Secured

	<p>by Design.</p> <p>Physical Security (SBD)</p> <p>Front doors:</p> <p>Certificated to BS PAS 24:2016</p> <p>Windows:</p> <p>Ground floor windows and those easily accessible certificated to BS PAS 24:2016 or LPS 1175 SR2 including French doors.</p> <p>Dwelling security lighting:</p> <p>(Dusk to dawn lighting above or to the side front doors).</p> <p>Boundary:</p> <p>Exposed side and rear gardens with robust fencing or wall, minimum 1.8m height, gates to be secure with lock.</p> <p>Car Parking:</p> <p>Whilst its great to see adequate parking has been allocated, I do have a few concerns regarding plots 4 , 5, 6 and visitor parking as the surveillance is poor I would ask that this area is well lit (column light, bollard lighting does not meet the requirement of the Secured by Design standard).</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
29	43	1	42	0

### Neighbour Responses

Address	Comments
28 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF	Since the new houses were built in this road it has been impossible to park ,there is nowhere near enough parking spaces in this road , even if you allow more parking spaces for the new houses /flats please remember most houses now have upto 3 vehicles each house ,, I am generally in favour of building new properties ,but not overcrowding one

	area, there must be areas with more space
31 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF	<p>Dear Sir/Madam,</p> <p>I want to raise my concern for this planning application because the parking situation at shared parking bays is very awkward on Sempill Road for residents. Some non-residents park their cars/vans at shared parking bays because they can easily gain access from nearby area, the 6 new houses proposed in this application together with another 4 new houses proposed in another application (Ref. No: 20/03735/FUL) on other side of the road would only make this situation even worse. Furthermore, please take safety concerns into consideration because a serious accident happened last year, and multiple parked vehicles were damaged. Last but not least, when I come home from work, it's depressing that sometimes I have to drive up and down the road to find a parking space. In my opinion, this development would only cause inconvenience and frustration for current residents, therefore, I firmly object it, thanks a lot.</p> <p>Dear Sir/Madam,</p> <p>I want to raise my concern for this planning application because the parking situation at shared parking bays is very awkward on Sempill Road for residents. The 6 new houses proposed in this application together with another 4 new houses proposed in another application (Ref. No: 20/03735/FUL) on other side of the road would only make this situation even worse. Furthermore, please take safety concerns into consideration because a serious accident happened last year, and multiple parked vehicles were damaged. Last but not least, when I come home from work, it's depressing that sometimes I have to drive up and down the road to find a parking space. In my opinion, this development would only cause inconvenience and frustration for current residents, therefore, I firmly object it, thanks a lot.</p>
39 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF	<p>I think this is a terrible idea it will increase traffic on a already busy residential road. Over crowd the roads with more vehicles where there is not enough space for as it is. Make it more dangerous for children to walk down the streets as will be dangerous crossing roads with vehicles parked everywhere. The added cars to be parked on the road from the garages that are currently storing them. Even if you allocate parking for this new development chances are each house will have more then 1 car and will take up more parking on the roads. Why not make more parking outside the houses where the green and the over grown trees are as these trees are more damaging to houses roofs and gutters</p>
19 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG	<p>Our house is on St Albans hill, exactly where the blind bend is, so there are double yellow lines at the front. We are lucky to have two parking bays to the rear of our house, however when visitors come, including friends and family, workmen, cleaners and gardeners (I require help due to serious health problems) we move our car to the parking area off Sempill Rd. Fortunately, this normally happens during the day when the demand for parking on is relatively low.</p> <p>However, my main objection to the proposed scheme is that as a local</p>

resident, I have observed there is a huge shortage of parking on Sempill Rd in the evenings and at weekends. in my opinion this is because -

- Many of the Sempill and St Albans Hill residences have always had zero parking and therefore have to park on the road.
- There has been an increase in house building (Ivory Court) and the flats on the other side of St Albans Hill in both of these developments demand for parking exceeds capacity.
- The increase in cars per household since the original properties were constructed

If you remove 36 garages and (in my estimation) parking for at least 6 extra vehicles in the adjacent 'carpark' there will be even more congestion in the area which is suffering from a serious lack of parking already.

I do fully appreciate the need for affordable housing in the borough, but in the 24 years that I have lived in this house, this side of Hemel has had more than its fair share of brownfield development leading to parking blackspots. I would site Red Lion Lane where the lack of adequate parking on the old Nash Mill site had led to a disastrous level of on-street parking. I suggest than the planners and architects should visit Sempill Rd in the evening to see the real situation.

Finally, I approve of a policy that provides two designated parking spaces for new houses that are designated affordable housing, but to allow this development when those 'rules' did not apply to the existing properties will seriously disadvantage all of the current residents.

I don't feel that any of the concerns I raised in January have been addressed by your Technical Note regarding parking.

My main objection to the proposed scheme has always been that, as a local resident, I have observed there is already a huge shortage of parking on Sempill Rd in the evenings and at weekends. in my opinion this is because -

- Many of the Sempill and St Albans Hill residences have always had zero designated parking and therefore have to park on the road.
- There has been an increase in house building (Ivory Court) and the flats on the other side of St Albans Hill. In both of these developments demand for parking exceeds capacity.
- The increase in cars per household since the original properties were constructed

If you remove 36 garages and (in my estimation) parking for up to 10 extra vehicles in the adjacent 'hardstanding area' adjacent to the proposed development 20/03734/FUL there will be even more congestion in the area which is suffering from a serious lack of parking already.

Your report does refer to the displacement of vehicles from 36 residential garages, however there is no mention that currently up to 10 vehicles park on the 'informal parking' adjacent to this plot of 36 garages. So, from looking at the plans at least 7 extra cars will be displaced.

In the building plan, it is suggested that the access road currently used

	<p>to access the 'informal parking', will have parking allowed on both sides - if this happens, these cars would obstruct access to all of the 8 new allocated parking bays. Restrictions would have to be placed at least on one side, but probably both because of the steepness of Sempill and the angle of the access road, so that reduces parking by at least 2 more additional cars.</p> <p>Unfortunately, it is impossible to say how many vehicles your survey thinks can park in the area beyond the current double yellow lines between the blind bend on St Albans Hill and the west entrance to Sempill. As a local resident of over 20 years, it is almost unknown for anyone to park in this spot as it is clearly unsafe. If, however the parking spaces on Sempill were fewer, people would be driven (in desperation) to park there with the inevitable extension of the double yellow lines to prevent accidents in this already almost 'blind spot'.</p> <p>I suggest you amend the available spaces in accordance with my comments above, I think that you have overestimated available parking by 12 spaces minimum and this is only what I can assess in the area closest to where I live from my many years of being a resident. I think that other people would be able to come up with failings in your plan for the areas close to where they live.</p> <p>I commend the current standards that calculate a provision of 12 allocated spaces for these 6 new dwellings, plus two additional visitor spaces, but fail to see why existing residents in the area are not given the same consideration and allowed to aspire to a higher car ownership. This is indeed double standards.</p> <p>I do fully appreciate the need for affordable housing in the borough, but in the 24 years that I have lived in this house, this side of Hemel has had more than its fair share of brownfield development leading to parking black spots. I would site Red Lion Lane where the lack of adequate parking on the old Nash Mill site had led to a disastrous level of on-street parking.</p> <p>I suggest than the planners and architects visit Sempill Rd in the evening to see the real situation.</p>
<p>11 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>Dear Sirs,</p> <p>I wish to object to the proposed development of both parcels of land (currently garages) in Sempill Road to Residential properties</p> <p>Firstly I do not think that all local residents have been fully consulted-I live &lt;100 yards from one of the set of garages and have never received any communications.</p> <p>One of my biggest concerns is further congestion of what is already a densely populated area where car parking is already at a premium. You can clearly see that people are having to park in St Albans Hill partially blocking pavements and creating traffic flow issues as simply there is not enough parking in Sempill Road.</p>

	<p>The traffic flow along St Albans Hill can often be an issue because of the need for residents of St Albans Hill &amp; Sempill having no alternative but to park there which causes issues for pedestrians and especially families with prams. Just goes to illustrate how overcrowded the area already is.</p> <p>I live in St Albans Hill and I am also concerned that pedestrian access at the back of my house will also be potentially blocked due to the development of the "East" site.</p> <p>As mentioned on other objections Sempill is often subject to flooding and another development will also add to this existing issue.</p> <p>Finally, as a home owner there will of course be a detrimental impact to local property values if social housing is introduced to an already very densely populated area</p> <p>Please acknowledge my objections</p>
<p>30 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I am writing to strongly object to the proposed development of the garages in Sempill Road Having been a resident for 20 years I have seen continual development at the detriment to the original residents. The infrastructure of the road has never been altered to accommodate this increase in house building and now it is at a critical point. I work night shifts which should mean I miss the main parking issues but this is not the case. In fact for me it is even more difficult. I have constantly been blocked in by double parking and been unable to find the owners of the cars. Indeed at times I have had to call the police to get the vehicles moved, a complete waste of their time, just so I can go to work. Then when I return home because the road is completely full it is impossible to find space to park and I end up parking a street away from home.</p> <p>As you drive in or out of the road regardless of which entrance you use the parking along one side of the road means it is a blind spot as you leave or come in. Residents have to reverse back on to St Albans Hill which is a busy main road and there will be accidents.</p> <p>We have repeatedly asked for the grass verges in front of our homes be removed to make parking but the council continues to refuse to do this due to costs. However a drive or walk along the road shows numerous pot holes and cracks in the road from the previous house building where the road was dug up to accommodate new utilities, all never maintained.</p> <p>The idea of one space per home is completely unrealistic and outdated. At least three of the homes in my block are rented out by the room which means one house has three cars. A family can easily have at least two cars if not three so where do these extra cars go? Then add in the extra cars in the road which have been thrown out the garages and that means even more. Cars are already parking along St Alban's Hill now making it impossible for two cars to pass through at the same time. This is made even worse by the new flats which don't have enough parking and the residents are now parking on St Alban's Hill as well.</p>

	<p>The recent heavy rain has caused a huge flood at the bottom of Sempill Road which according to your consultant does not exist or happen. Clearly the council knows it does as a flood warning sign was put by it. It's about time that you actually visited the site at the sensible time and spoke to residents to see the challenges faced before submitting ill conceived plans.</p> <p>You cannot even imagine the disruption and upheaval this development would cause the residents and this will only cause even more bad feeling towards the development.</p> <p>There are new developments on Durrants Hill and Two Waters Road which are both social housing how many more can you add to an already over populated town? A search for a flat to buy brings up pages of social housing so there is clearly a good supply. The councils idea of putting houses on any scrap of land they can find is more about the money it generates than actually what damage it does to the current community.</p> <p>Enough is enough! Object Object Object!!!!</p>
<p>19 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I strongly object to the proposed development on Sempill Road, due to the over development already causing issues in Sempill Road with traffic, overcrowded parking and poor road maintenance.</p> <p>As a resident of over 20 years, I am extremely concerned about the decrease in road safety caused by the proposed new developments. The lack of adequate parking provision for the proposed new properties is also a great concern. Demolition of garage blocks at either end of the road will increase parking issues which are already at breaking point. Demolition and construction traffic will cause further damage to the road surface. Increased traffic will make access and egress to this narrow, congested once quiet residential road more dangerous.</p> <p>The last development which used the gardens from Deaconsfield Road has already placed extra strain on the limited space available in the road as the residents from the new builds don't use their driveways as intended, generally parking one car on their drive, and up to 3 other vehicles on the road. Vehicles from St Albans Hill residents park in Sempill Road due to having no off street parking outside their homes. The vast overcrowding of vehicles makes effective and safe pedestrian use of the pavements in Sempill Road almost impossible.</p> <p>Before granting any further planning applications for increasing residential properties and decreasing the availability of parking in Sempill Road, I strongly suggest the planning committee visit the road one evening or weekend to properly assess the situation.</p>
<p>91 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>As with my comments on the proposed plan for 4 x 1 bed houses at the east side of Sempill Road, not enough car parking spaces have been allocated for these dwellings.</p>

	<p>In this area there are a considerable number of cars that park both in the garages and on land adjoining it, where will they be placed?</p> <p>There is also the issue of access to electric charging points for cars belonging to current residents of Sempill Road, where does the council envisage providing these?</p>
<p>9 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>I am submitting this objection to the proposed development for reasons that fall into the areas of traffic/parking and drainage.</p> <p><b>Traffic/Parking</b> Parking in this area is already well beyond saturation point: as things stand Sempill Road itself has more than the maximum number of vehicles competing for the limited residential parking; the additional properties already built on the upper side mean the road is even now 'supporting' far more than originally envisaged with nowhere near the generally accepted two spaces per dwelling. Hence even now, a mere handful (or less) of extra visiting cars 'abandoned' in the roadway is enough to challenge free flow and access along its entirety for anything, let alone for commercial and more specifically emergency vehicles.</p> <p>Add to the above the lack of any off-road parking for the residents of the Sempill Road side of St Albans Hill. The existing small parking area immediately below the proposed development currently at least provides some seven or eight additional spaces both for the minimal alleviation of both of these problems. The proposal would see even that area taken solely for use by the new residents and their visitors, (although having said that, that would be for a maximum of two vehicles per new dwelling and two visitors across all six). Any extra - including delivery, maintenance and other service vehicles - would then also be forced to 'park' in and inevitably block the existing roadway to all.</p> <p>On top of all of this, it is evident from objections already lodged that a number of existing residents rent garages amongst those that would be demolished by this proposal. These vehicles would then also need to be added into the total competing for this severely limited space.</p> <p>The junction at that end of Sempill Road onto St Albans Hill is challenging at the best of times. It is a steep slope running down onto (or up off) a busy thoroughfare carrying traffic travelling at - and frequently above - the speed limit all day and most of the night. The restricting and disruption of traffic resulting from the extra parked traffic on the Sempill Road slope will inevitably make this a more dangerous pinch-point.</p> <p><b>Drainage</b> Referring once again to the junction of Sempill Road and St Albans Hill adjacent to the proposed development, this is currently subjected to repeated flooding following the slightest of downpours. Any additional collection, let alone that from the roofs of six new dwellings, flowing down the system to that low point will significantly worsen this problem.</p>
<p>58 Sempill Road</p>	<p>I object to both proposals of developing Sempill Road any further that it</p>



<p>Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>has already.</p> <p>There isn't enough roadside parking or parking spaces, to cope with the current volume of cars on Sempill Road and surrounding Streets/Roads. Adding more dwellings and only allowing 1 space per property is not realistic, as most households have 1 car per adult.</p> <p>These extra vehicles that have not been catered for, will end up parking in the bays along the top of Sempill Road and down the roadside to the East and West of Sempill, which will force existing Sempill residents to park elsewhere or the new residents to use the entrances to the new houses as parking areas, blocking existing drives, adding more congestion to the corners of the Road, and reducing the already poor visibility of oncoming traffic.</p> <p>I have recently witnessed the recycling truck struggling to navigate its way around the east side of Sempill Road, due to all the cars parking on the corner on the left. I have also seen many cars hit on the East side of Sempill, due to the poor visibility.</p> <p>Along with the additional cars from the new dwellings, will be the previous garage occupants, who will need to park their cars on Sempill Road, as other garages in the area may not be considered close enough for them to want to rent.</p> <p>Sempill Road needs widening to allow for the volume of traffic that we have daily, which includes the dustcart, lorries, emergency services and the endless amount of works traffic that this development will produce, if it goes ahead. Along with this, we need additional parking throughout the grass verges on Sempill Road., to ease the burden of the current parking situation and to allow for the additional cars that this development is going to create.</p>
<p>68 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I'd like to strongly object to the council's proposal to replace the garages with 6 additional houses.</p> <p>Sempill Road must be one of the most crowded and overdeveloped areas in Hemel Hempstead with noticeable lack of green spaces. I was really surprised by the council proposal to use the last inch of available space to cram even more houses and people in this overdeveloped area.</p> <p>At present, there is a real shortage of parking on Sempill Road driven by the number of people living in the area. The proposal only provisions parking for the new dwelling, but I am asking where are all the people currently using the garages and the parking spaces around them going to leave their cars? The proposed development reduces the available parking spaces in the area which will make life for residents even more difficult.</p> <p>I also cannot agree with the council's justification for this development. Everyone can see the number of huge residential developments constructed and currently under construction in Hemel - near Apsley station, near Ebbens road, the whole new neighbourhood above London Road, multiple big buildings in the city centre and not to mention Maylands. The council have multiple opportunities to provide affordable housing than rely on building 6 sub-standard houses in the last available inch of space in one of the most overbuilt areas in town. With the continued construction I have not seen any improvements in others areas to correspond to the increase in local population - traffic - getting in and out of Hemel in peak hours, schools, medical services - how far is the nearest A&amp;E and is this adequate for a town the size of Hemel Hempstead and the rate it's population is increasing? All</p>

	<p>questions the council need to start facing before trying to cram more people in.</p> <p>I feel that my strong objection to the proposal mirrors that of my neighbours and I sincerely hope that the council will withdraw this absurd proposal. I would strongly support the council if the proposal is to re-develop the garages into a park or an open green space that could benefit the local people and provide a much needed breath of fresh air in the area.</p> <p>Having gone through the parking survey, I am amazed how inaccurate the findings of that survey are. I am surprised how the report suggests that the increased strain of traffic and parking could be accommodated. I live on the western side of Sempill road and a look through the window on a weekend or at night not only I could not see an empty spaces but I see double or triple parking by the residents, meaning that occupancy is over 100%. In a manly family area, it is unrealistic the estimation that households will only have 1 car and that parents could park at great distances of their homes. As many of the other residents in the area, we are also concerned about the increase in traffic levels, most of the newer built houses have their main bedroom facing the road and I could definitely notice the increased traffic and noise since we moved in 5 years ago. All these issues together with the overdevelopment and the complete neglect of the area by the council will impact property values in the area. Together with my neighbours I believe that the council must start putting the interests of the residents first and stop treating as cash cows. I am completely opposed to this development and I am contacting my local MP and councillor to let them know about this as well.</p>
<p>69 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>Object to this development. Will cause more stress on neighbours without adequate parking and no improved social infrastructure to support more people and vehicles in this area.</p>
<p>25 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I strongly object to the proposal of this development due to the current driving and parking conditions the residents of Sempill Road have to endure. Our road is so overpopulated and congested with cars that at times the only spaces available to park are on the pavement which is then a hazard and very dangerous to pedestrians or on a corner or bend which again has caused numerous collisions resulting in unnecessary damage to motor vehicles. The horrendous Sempill Road parking dilemma has obviously not been investigated, assessed or taken into consideration prior to this proposal, otherwise it would never have been put forward before offering us residents a solution, which in my opinion would be to remove all of the green bays in front of our houses, as doing this would give us the opportunity to park outside our own homes and even allow those who wish, to turn their front gardens into drives. I cannot see how this development can be considered or even go ahead without the true parking situation on Sempill Road is fully observed.</p>
<p>69 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>The proposal is to demolish in total 46 garages on the 2 sites of Sempill Road. That would mean an extra 46 vehicles looking for parking on residential streets which are already full to capacity with many vehicles already parking on pavements. The extra traffic it would bring to one of the main routes into town from the dual carriageway would also</p>

	<p>massively increase further putting pedestrians including primary school children who walk to school at greater risk of being hit by vehicles which already use St Albans Hill as a race track</p>
<p>87 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>Sempill Road in its entirety suffers from a lack of parking based on the number of properties already situated on the street. Despite the council increasing bay sizes this has had no effect on easing the issue. Adding additional properties at either end of the street will cause added strain to the situation.</p> <p>Access is already difficult with there being no passing places on either bend to allow for traffic to move in both directions easily. Adding construction traffic will make access even more difficult.</p> <p>There have been various accidents on the junctions over the last few months as a result of increased traffic and road closures on St Albans Hill. Access egress issues from the South end of Sempill Road onto St Albans Hill is currently High risk due to vehicles parking on or around the junction with St Albans Hill. There is already a blind spot in respect of oncoming traffic from the roundabout at Belswains Lane which is further exacerbated by frequent flooding. Additionally, traffic speed travelling from the ski centre makes it difficult for people wanting to exit Senlill Road. Improvements need to be made to the existing road layout before more properties can be considered otherwise it is likely further incidents will arise with the additional of construction traffic and the need for further road closures.</p> <p>The majority of properties in the street house children. Allowing more vehicles and construction traffic passing through the street increases the risk of accidents on an already busy road.</p> <p>Previous applications by residents to increase boundary lines for additional parking requirement have been rejected resulting in people parking on the highway, destroying land and making it impossible for delivery vehicles and emergency service vehicles to gain sufficient access to properties on the road.</p> <p>The proposed development will restrict current properties view leading a loss of light and having a detrimental effect to the privacy of existing residents at all angles. Construction noise will also have a negative impact on people due to increased home working.</p>
<p>77 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>I object to this construction as it there are enough properties in this area, adding to it will add pollution, noise, traffic, schools are already oversubscribed, it is bad for the environment. I 100% object.</p>
<p>10 Ivory Court Hemel Hempstead Hertfordshire HP3 9YJ</p>	<p>With reference to the proposed development of Sempill Hill road. I cannot believe that you are planning to building more homes on this road, it's adsoluetely outrageous!! The planning of this has clearly not considered the road situation.</p> <p>Lack of parking. Even though the road has already had added more parking.</p> <p>All of the cars vans are Double parked allready.</p> <p>Steep hills on Both sides of access to Sempill that is not gritted and</p>

	<p>goes straight into a main road with blind corner, this is not safe for traffic coming down the hills because of the double parking on the corners of the road and danger that you may not stop adding more cars to this is suicide.</p> <p>. Cars backing on to a main road because of parking, this is a blind corner. Not safe for children at all to cross.  .I have nearly been run over several times trying to cross with my dog as you can't be seen by traffic.  .council do not cut the grass it grows to high and course even more danger to all our residents.</p> <p>. Emergency services not being able to access the road due to double parking.</p> <p>Children walking to and from school that can't cross the road safely because of parking.</p> <p>The wild life. we have a group of foxes that live in the road our residents like to see them foraging for food</p> <p>Refuge and delivery drivers all ready block the road stopping access</p> <p>.In the winter/ snow and ice make it hard to get access to our homes because of the steep hills both ends of Sempill Hill road so people park on st Albans Hill this cause even more danger. To add more homes is ludicrous.</p> <p>Hi . I am objecting to both ends of Sempill Hill road proposal.  This really is the most crazy development idea! What with how the road has already been developed so many times . Not to mention the new build properties in Ebbans road, Apsley quarry also frogmore road.  This is having such a traffic impact on st Albans Hill, The Albion road through Apsley .  Surly we residents that live in Sempill Hill road and surrounding areas don't need any more development.  safety must come first, such a huge impact on the environment in such a short over developed road already.</p>
<p>14 Sempill Road  Hemel Hempstead  Hertfordshire  HP3 9PF</p>	<p>We strongly object to the proposed development within this planning app.  As a resident of Sempill Road for the past 9 years, the parking has increasingly become worse during this time, even with the council's small effort to increase parking by removing some unused grass verges a couple of years ago.  A simple supermarket home delivery vehicles causes chaos due to the single lane availability and lack of parking for the residents.  Majority of houses along Sempill have AT LEAST 2 cars, but I would actually suggest the average to be closer to 3 per dwelling. We are also sharing our street with properties along St Albans Hill who have no driveways and feel it's safer to park along Sempill rather than park along the main road (which does not have any parking restrictions).  There is no consideration for where the local residents who currently use these garages will now be expected to park their vehicles? Again</p>

	<p>further impacting the already limited parking.</p> <p>The proposed development, although has provisions for allocated parking, will not be adequate and it can be guaranteed that it will spill out into Ivory Court and Sempill Road.</p> <p>The construction phase of the development will also have significant and detrimental impact to Sempill Road &amp; Ivory Court users. If both developments are granted and completed at the same time, what considerations have been made to the accessibility for vehicles entering/exiting the street? No doubt there will be obstructions caused by construction works in the form of heavy plant &amp; machinery movements, partial road closures to complete utility connections, parking for construction workers, mess spilling out onto Sempill and noise disruption from the chaos this will cause.</p>
<p>41 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>We live very near to the proposed development site and are writing to ask that Dacorum Borough Council refuse this planning application Sempill Road garages development x2: Public consultation 20/03735/FUL AND 20/03734/FUL</p> <p>Herein are our comments and objections relating to this planning application:</p> <p>Parking is already a contentious issue on Sempill Road in what is a very built-up area, with little to no on street parking. The demolition of 10 residential garages would force more vehicles onto the road and compound the issue on Sempill Road and also for residents that live along St Albans Hill that use this road for on-street parking. Residents rent those garages because of the lack of parking within this location.</p> <p>Sempill Road is already a busy and congested road; this additional concentration of traffic and lack of roadside parking will cause traffic problems and create a safety hazard for other motorists.</p> <p>Therefore, we ask that Dacorum Borough Council refuse this Planning Application.</p>
<p>10 Springfield close Croxley Green WD3 3HQ</p>	<p>I visit my son and daughter in law and since they have lived in Sempill Road this is becoming increasingly difficult for me. I am registered disabled and need to be able to park near to their home as I cannot walk far. However this is now impossible. I have to stop by their house and ask my son to park the car for me as the spaces are too far away. This new development is going to make the parking situation worse as more traffic will be on the road. The access to the road is dangerous as there are always cars parked on the corner and this completely blocks your view as you drive in and out of the road. There is enough development already in this road it really cannot take anymore. The overspill from the neighbouring roads is only going to get worse if this goes ahead. I feel this has been designed without any thought to how it will actually work by people who have no clue about the road apart from a short one morning. I strongly object to this proposal</p>
<p>30 Sempill Road Hemel Hempstead</p>	<p>As a resident of Sempill Road for 20 years I would like to raise my objections to this development of 6 houses. I have also registered my</p>

<p>Hertfordshire HP3 9PF</p>	<p>objection to the other planning application for the development of 4 houses.</p> <p>Despite letting the planning department know that the document relating to flooding on the development of the 10 garages by McCloy called the road SEMPILL, this has again been done for the this second development. I would have expected professionals to have spelt this correctly and for the council to have paid enough attention to have noticed this. I assume this is because the consultants and council planning staff are working from home and haven't dealt with this. Interestingly you get extra time to sort this out but the closing date does not change .</p> <p>I would also like to point out that the applications for the development of the 10 garages and the 36 garages despite being loaded on to the website for public viewing on different days the closing date for objections remains the same, 4th January. Can please explain to me why this is the case? Also as we are currently experiencing a move into tier 4 as well as the Christmas holiday period why this has not be extended to allow for this? Considering Mr Ian Johnson informed me these applications would be on the website on 27th November the first applications didn't go on until 10th December. It was also not mentioned they would be two separate planning applications to make it even more laborious for residents to register objections. It seems odd to me that you can delay things without any just cause but you cannot extend a closing date.</p> <p>The access into Sempill Road from St Albans Hill on both the east and west sides is extremely narrow and with the parked cars on one side leaves the road one car wide. Cars also have to park on the sharp bend opposite your proposed development, on the access road causing huge issues with visibility. As the road is not one way vehicles are constantly meeting each other head on and this forces one driver to reverse back. This is either up to the main part of Sempill Road or down onto St Albans Hill a very busy main road. This is extremely dangerous and has led to accidents. Yet on your plans you have no provision to alter this access or widen the road to address this. With more cars accessing the most awkward part of the road this is going to make the road even more dangerous.</p> <p>I notice on your Design and Access statement the drawings clearly show cars parked on the road by the development but not on the access road to it. Do we assume that you are already aware that the parking will be inadequate and that cars will be parked on the access road to the new development?</p> <p>As you will note on the grass verge on the left hand side of the road there are huge grooves in the grass (sadly you didn't take a picture of this). This is where the dust cart cannot get up the road due to parked cars and has to mount the kerb to get round. With more cars parking on this part of the road it will only make it more difficult for them to access.</p> <p>You mention in your report that the main issue for the houses in St Albans Hill is being overlooked. Yet you fail to recognise the lack of</p>
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parking they have that impacts on Sempill Road. These houses do not have any off road parking which means that both west and east ends of Sempill Road are used by these house holders to park their cars. As you progress further into Sempill Road the residents of St Albans Hill have added gates in their back fences which allow them to park their cars in our road and then access their properties via this gate. Another factor your report has failed to take into consideration.

There is a small parking area at the back of the houses from St Albans Hill which is used as a pulling in space when two cars meet head on. Your plans do not indicate what will happen to this? I imagine the new houses will also think this is the perfect place for them to park and walk to their houses. Where will the residents of St Albans Hill park their cars if not behind their homes? Yet again Sempill Road

I also note you say these garages are under used. On speaking to residents in the road many confirmed they are currently renting the garage as they had nowhere to park. Indeed one neighbour has only recently began to rent a garage as he was so fed up not being able to park. Interestingly he was told this was a short term arrangement. Is this because you assumed this was a done deal with no objections from the residents because you hadn't told them?

Can you please explain where these extra vehicles will now park? Residents have also asked to rent garages but the cost was too high and the council would not reduce this and would rather they remain empty. Even if only 23 out of 46 garages (east and west) are currently occupied that will still mean an extra 23 cars parking in the road. Where do you propose they go?

Sempill Road has already been extremely over developed with the addition of multiple houses built in the back gardens of properties in Deaconsfield Road. Despite objections and petitions from residents the council went ahead with the assurance of adequate off road parking for the new builds. Sadly this has not been the case. Despite having the ability to park two cars on their driveways because some of them are not level these properties all choose to only use one space. This means the other vehicles are all parked in the resident's bays. The idea of one car per property is at best unrealistic. Currently all of the new build houses have more than vehicle including one house that has four cars and a milk float. Only one is on their drive.

Following more petitions we were able to get the council to remove some of the grass verges and turn them into parking bays. These were supposed to be for the residents of the houses which had no driveway parking. However as I have said these are being used by the residents of the new build properties. When the council put in the parking bays they did not paint any white lines indicating spaces. As the road is narrow cars park diagonally however, no lines means cars park at opposite angles and leave large gaps taking up even more parking spaces. Despite asking the council still will not put the lines in. I assume this is because of cost issues so again no thought to the current residents.

I wrote to Mike Penning MP in 2009 and asked him to help with our parking issues caused by the massive over development of the gardens of Deacons field Road and he contacted the council to raise

his objections. I have contacted him again to highlight this issue which is now even going to be even worse.

Your report on flooding indicates it will not be an issue as they have gone on line and seen there is no reports of flooding. However, I have contacted the Highways agency and the council as when it rains the water floods the drain by our house and pours down the hill. The highways agency refuse to come out as they do not consider this to be a problem and according to their records the drain does not exist. The cause of the flooding is the drain is blocked by builder's waste which was flushed down the drains by the developers when the new build houses were erected. The addition of more cars parking on the remaining grass verges means there is no natural drainage. Because of the amount of vehicles in the road when it rains the water collects at the bottom of the road where it joins St Albans Hill. I doubt this is ever reported and won't appear in online searches.

The provision of parking spaces per new build is inadequate despite it being the correct calculated amount. It is clear that they are to be family homes yet the expectation in today's world that a house hold will only have one car is ill thought out. Your recent development of flats in St Albans Hill is a prime example of where the allocated parking is completely inadequate. The car park is always full which means the residents are then forced to park on St Albans Hill outside of the flats entrance. This clearly shows your perfect ideal of one car per new build certainly does not exist so where will the overspill of cars park? Yes in Sempill Road on the main entrance opposite the original houses.

The residents of the original houses have repeatedly asked for the grass areas in front the blocks to be removed to provide more parking but have been told it's too expensive to do and maintain. Yet you will be gaining even more income from the renting/purchase and council tax on these properties. Some of this needs to be put back into the main road. Removing these grass areas will allow us to park our cars in front of our houses leaving space in the main road. Surely this is the answer to the problem we are and will continue to have if this development goes ahead. The claim regarding maintenance being an issue is irrelevant as the road has certainly not been maintained. At the moment we have pot holes in the road and in some of the blocks the brick wall is collapsing. Can you please provide us with a date you did any maintenance work?

The infrastructure and capacity of the road was never designed to take the massive increase in cars driving in and parking in the road. We have had the constant upheaval of pavements outside our houses being dug up to lay new cables/pipes etc. often causing issues with our own utility supplies. Pavements have been left uneven and dangerous.

We have already experienced the issues of builders lorries blocking the road, dirt and debris all over the road (I suffered two punctures caused by nails when the new houses were built) not to mention paths and road dug up to lay utility pipes this is going to be even worse with such large scale developments all at once. How is this going to be managed by the council? Is it right we will have months of upheaval yet again.



This new development is ill thought out and done without any understanding or knowledge of the existing road and the challenges the house holders face. Having lived in my house for 20 years Dacorum have only ever sought to add more and more houses, never amending the existing the infrastructure which cannot cope anymore. This once nice quiet road is now completely congested and not a nice place to live anymore. As per normal, the road has not been assessed at a time which clearly shows how the residents are struggling with access and parking. Something you need to address before making any final decision. While I understand the need for affordable housing this policy of putting houses in any space without any thought for the impact on the residents is not the way the council should proceed. It is time the council actually considered the house owners of the road and put their needs first. Had the council not allowed private developers to utilise the gardens in Deaconsfield road which means the houses have sold for large sums of money that puts them out of reach of many people, this need would not be such as issue.

I have emailed Martin Strickley photographs which show the issues the Road is facing. I would like to think that a planning officer will visit the site at a sensible time to actually assess the road and it's issues before proceeding.

I am completely opposed to this development and I have contacted my local MP and councillor to let them know about this as well.

I look forward to hearing from you regarding the next stages of this process

As a resident of Sempill Road for 20 years I would like to raise my objections to this development of 6 houses. I have also registered my objection to the other planning application for the development of 4 houses.

Despite letting the planning department know that the document relating to flooding on the development of the 10 garages by McCloy called the road SEMP HILL, this has again been done for the this second development. I would have expected professionals to have spelt this correctly and for the council to have paid enough attention to have noticed this. I assume this is because the consultants and council planning staff are working from home and haven't dealt with this. Interestingly you get extra time to sort this out but the closing date does not change .

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even more laborious for residents to register objections. It seems odd to me that you can delay things without any just cause but you cannot extend a closing date.

The access into Sempill Road from St Albans Hill on both the east and west sides is extremely narrow and with the parked cars on one side leaves the road one car wide. Cars also have to park on the sharp bend opposite your proposed development, on the access road causing huge issues with visibility. As the road is not one way vehicles are constantly meeting each other head on and this forces one driver to reverse back. This is either up to the main part of Sempill Road or down onto St Albans Hill a very busy main road. This is extremely dangerous and has led to accidents. Yet on your plans you have no provision to alter this access or widen the road to address this. With more cars accessing the most awkward part of the road this is going to make the road even more dangerous.

I notice on your Design and Access statement the drawings clearly show cars parked on the road by the development but not on the access road to it. Do we assume that you are already aware that the parking will be inadequate and that cars will be parked on the access road to the new development?

As you will note on the grass verge on the left hand side of the road there are huge grooves in the grass (sadly you didn't take a picture of this). This is where the dust cart cannot get up the road due to parked cars and has to mount the kerb to get round. With more cars parking on this part of the road it will only make it more difficult for them to access.

You mention in your report that the main issue for the houses in St Albans Hill is being overlooked. Yet you fail to recognise the lack of parking they have that impacts on Sempill Road. These houses do not have any off road parking which means that both west and east ends of Sempill Road are used by these house holders to park their cars. As you progress further into Sempill Road the residents of St Albans Hill have added gates in their back fences which allow them to park their cars in our road and then access their properties via this gate. Another factor your report has failed to take into consideration.

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Can you please explain where these extra vehicles will now park?

Residents have also asked to rent garages but the cost was too high and the council would not reduce this and would rather they remain empty. Even if only 23 out of 46 garages (east and west) are currently occupied that will still mean an extra 23 cars parking in the road. Where do you propose they go?

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Following more petitions we were able to get the council to remove some of the grass verges and turn them into parking bays. These were supposed to be for the residents of the houses which had no driveway parking. However as I have said these are being used by the residents of the new build properties. When the council put in the parking bays they did not paint any white lines indicating spaces. As the road is narrow cars park diagonally however, no lines means cars park at opposite angles and leave large gaps taking up even more parking spaces. Despite asking the council still will not put the lines in. I assume this is because of cost issues so again no thought to the current residents.

I wrote to Mike Penning MP in 2009 and asked him to help with our parking issues caused by the massive over development of the gardens of Deacons field Road and he contacted the council to raise his objections. I have contacted him again to highlight this issue which is now even going to be even worse.

Your report on flooding indicates it will not be an issue as they have gone on line and seen there is no reports of flooding. However, I have contacted the Highways agency and the council as when it rains the water floods the drain by our house and pours down the hill. The highways agency refuse to come out as they do not consider this to be a problem and according to their records the drain does not exist. The cause of the flooding is the drain is blocked by builder's waste which was flushed down the drains by the developers when the new build houses were erected. The addition of more cars parking on the remaining grass verges means there is no natural drainage. Because of the amount of vehicles in the road when it rains the water collects at the bottom of the road where it joins St Albans Hill. I doubt this is ever reported and won't appear in online searches.

The provision of parking spaces per new build is inadequate despite it being the correct calculated amount. It is clear that they are to be family homes yet the expectation in today's world that a house hold will only have one car is ill thought out. Your recent development of flats in St Albans Hill is a prime example of where the allocated parking is completely inadequate. The car park is always full which means the

residents are then forced to park on St Albans Hill outside of the flats entrance. This clearly shows your perfect ideal of one car per new build certainly does not exist so where will the overspill of cars park? Yes in Sempill Road on the main entrance opposite the original houses.

The residents of the original houses have repeatedly asked for the grass areas in front the blocks to be removed to provide more parking but have been told it's too expensive to do and maintain. Yet you will be gaining even more income from the renting/purchase and council tax on these properties. Some of this needs to be put back into the main road. Removing these grass areas will allow us to park our cars in front of our houses leaving space in the main road. Surely this is the answer to the problem we are and will continue to have if this development goes ahead. The claim regarding maintenance being an issue is irrelevant as the road has certainly not been maintained. At the moment we have pot holes in the road and in some of the blocks the brick wall is collapsing. Can you please provide us with a date you did any maintenance work?

The infrastructure and capacity of the road was never designed to take the massive increase in cars driving in and parking in the road. We have had the constant upheaval of pavements outside our houses being dug up to lay new cables/pipes etc. often causing issues with our own utility supplies. Pavements have been left uneven and dangerous.

We have already experienced the issues of builders lorries blocking the road, dirt and debris all over the road (I suffered two punctures caused by nails when the new houses were built) not to mention paths and road dug up to lay utility pipes this is going to be even worse with such large scale developments all at once. How is this going to be managed by the council? Is it right we will have months of upheaval yet again.

This new development is ill thought out and done without any understanding or knowledge of the existing road and the challenges the house holders face. Having lived in my house for 20 years Dacorum have only ever sought to add more and more houses, never amending the existing the infrastructure which cannot cope anymore. This once nice quiet road is now completely congested and not a nice place to live anymore. As per normal, the road has not been assessed at a time which clearly shows how the residents are struggling with access and parking. Something you need to address before making any final decision. While I understand the need for affordable housing this policy of putting houses in any space without any thought for the impact on the residents is not the way the council should proceed. It is time the council actually considered the house owners of the road and put their needs first. Had the council not allowed private developers to utilise the gardens in Deaconsfield road which means the houses have sold for large sums of money that puts them out of reach of many people, this need would not be such as issue.

I have emailed Martin Strickley photographs which show the issues the Road is facing. I would like to think that a planning officer will visit the site at a sensible time to actually assess the road and it's issues before proceeding.

I am completely opposed to this development and I have contacted my local MP and councillor to let them know about this as well.

I look forward to hearing from you regarding the next stages of this process

Below is a copy of my email sent regarding the parking stress survey results

Dear Mr Stickley

I have been provided with a copy of the parking stress survey carried out by xxxxxx xxxxx from Mr xxxxxx

This makes interesting and yet inaccurate reading which unfortunately you will be unaware of as you have yet to visit Sempill Road.

Having gone through the document I felt it would be easier to list my comments against each point listed in the report. I would be grateful if you could respond to my questions and comments. I would also be grateful if xxxxxx xxxxxx could include any photo's they took on each evening so we can see where these empty spaces are in the road (I would certainly be moving my car closer to my home if such spaces existed!)

The constant use of the 400m guide line does not mean much too local residents and it would be extremely helpful if this distance could be clarified in the report by the use of a Sempill Road house number as a guide.

Point 1.3 - States that a number of comments were received from local residents. These comments came from houses the entire length of Sempill Road. Please can you explain why the survey only covers 400m?

Point 1.6 - States that the garages on the Western development are at 58.33% occupancy. In previous correspondence and in some of the objections, residents have commented that they had previously applied to rent these garages and been refused.

Point 1.18 - States the survey was to understand parking levels in the local area and yet failed to actually survey the entire length of Sempill Road. As the road is a semicircle which leads to no other roads, the whole road is affected by these developments.

Point 1.23 - States that DBC guidance to calculate parking capacity regarding the length of the bays. However none of the bays have any white lines marked as spaces for vehicles which results in reduced capacity due to poor parking. Photographic and video evidence of this has been submitted previously to Martin Stickley. Please also note no mention is made of the volume of commercial vehicles we have parked in Sempill Road (including a small lorry milk float which takes up two spaces or more each day) nor how have they been factored into the parking space ratio. Where vehicles are parked on grass verges, has this been included as parking spaces? Where cars are tandem parked (two cars in a vertical line) how has this been noted as parking spaces? Can you also please confirm that the small car park for the block of flats in Sempill Road was not included in the survey?

Point 1.24 - States that a distance of 400m was used. Please can Mr Stickley indicate where on the road (perhaps by house number) this actually goes too.

Point 1.25 - Shows a chart of spaces and occupancy. St Albans Hill is showing a total of 35 spaces. Please can Mr Stickley indicate where

exactly these spaces are as at each side of the entrance to Sempill Road and the part which runs parallel to it between Risedale and Leys Road there are NO off road parking spaces for the residents. NO house in this part of St Albans Hill has driveway parking. Cars are parked on the main road and pavement opposite the cars parked from Wellington House.

Point 1.25 - The survey concludes it is acceptable for a resident of Sempill Road to walk 400m to their home. I live at No 30 Sempill Road so can Mr Stickley indicate if I am forced to park my car in Leys Road, how many metres this is to my home.

Point 1.27 - This states that there are 16 garages to rent in close proximity to Sempill Road. Do you think it is acceptable to be offered a garage Deaconsfield Road, Wheelers Lane or Risedale Hill when this is a considerable distance from your home? Would you want to carry shopping, a small child or baby this distance?

Point 1.28 - This point assumes that any resident who has a car in the rented garages will rent one elsewhere. How can this possibly be known or estimated without speaking to those people. Therefore the figure of 14 displaced vehicles is completely inaccurate.

Point 1.30 - The displaced vehicle figure is envisaged. Therefore not be included in this report as it has no factual basis.

Point 1.33 - The Eastern development of 4 properties is estimated to have a car ownership of 2 cars. Clearly this again is inaccurate. We can assume that at least 2 of the 4 properties will be rented by a couple, it is reasonable to think they will have a car each. Therefore this figure again is not correct and is merely a "guesstimate" Evidence of the inaccuracy of these figures can be seen on the Wellington Court development where the flat owners do not have enough allocated parking and are parking along St Albans Hill causing major traffic obstructions.

Point 1.34 - Again on the Western development the estimate of cars each property will have is inaccurate. Sempill Road has suffered from "garden grabbing" and has new houses built the whole way along it. These houses have 1 allocated driveway space. Yet in one property alone they have 4 cars and a commercial vehicle. This would have been noted had the survey gone the length of the road.

Point 1.37 - This states that if 30 vehicles were displaced parking stress levels would rise to 92% but if only 14 cars are displaced this goes to 85%. Again how can these figures be used when you do not have accurate data from the renters of the garages. These figures should not be included in the report.

Point 1.38 - States they can see no reason why these applications should be refused due to parking.

Again I have repeatedly requested Mr Stickley that you come to the road one evening to see the challenges the residents face but NO ONE from the planning department will attend.

Sempill Road is a uniquely shaped road (a small semicircle) with steep entrances each side, unless you actually know and view the road, you can have no idea of the current difficulties residents face. This can clearly be seen by the fact that this report states there is parking for St Albans Hill residents but a short walk along the road would show the planning committee this is factually incorrect.

Yet again I urge the members of the planning committee and indeed Mr Stickley to view the road to see first hand our parking issues. Indeed this is why when Mr xxxx xxxxxx came late one wet evening he was

amazed at the issues we faced and was able to see the overcrowded and dangerous parking. Also I was able to point out things that have not been included in this survey, such as the St Albans Hill residents parking in Sempill Road and using their back gardens to access their homes. I had hoped this survey would accurately show the issues we are facing but yet again this is not the case. The planning committee needs to clarify the accuracy of this data before using this as part of the decision making process.

I look forward to your response

Kind regards

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	<p>Yet again I urge the members of the planning committee and indeed Mr Stickley to view the road to see first hand our parking issues. Indeed this is why when Mr xxx xxx came late one wet evening he was amazed at the issues we faced and was able to see the overcrowded and dangerous parking. Also I was able to point out things that have not been included in this survey, such as the St Albans Hill residents parking in Sempill Road and using their back gardens to access their homes. I had hoped this survey would accurately show the issues we are facing but yet again this is not the case. The planning committee needs to clarify the accuracy of this data before using this as part of the decision making process.</p> <p>I look forward to your response Kind regards</p>
<p>86 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>We strongly object to the proposed development plans on Sempill Road, due to, among other things, the overcrowding already evident on the road, risk of accidents due to traffic congestion, the devaluation of our properties and the restrictions of our property rights.</p> <p>Sempill Road is already a severely congested area with limited parking as many of the properties do not having driveways and heavily rely on trying to find roadside parking on Sempill Road, both on the roadside, in the carpark and at the garages. Adding additional properties at either end of the street will cause added strain to the already limited situation and increase the likelihood of road traffic incidents. Access is already difficult and extremely dangerous at times with there being no passing places on either bend to allow for traffic to move in both directions easily.</p> <p>Also, what will the financial impact on property values? As new homeowners, we have worked very hard to be able to buy our own homes and do not rely on any council or social housing schemes. We find it totally unacceptable that these proposals could have a negative impact on our homes both financially and otherwise and yet it took the time and effort of local residents to inform others of the plans which will have a substantial effect on us all.</p>
<p>Flat 2 Windsor Court Corner Hall Hemel Hempstead Hertfordshire HP3 9AW</p>	<p>Dear Sir/Madam,</p> <p>I wholeheartedly object to this planning application. The plans have been put together with little thought or consideration for the existing local residents, or the residents that the development will bring to the area.</p> <p>Firstly, parking on Sempill Road is already horrendous and poorly planned. Poor planning from the council when these houses were built didn't take into consideration the increased car ownership that has been seen over the course of the last few decades. Cars are now strewn all over Sempill Road, often blocking footpaths and resulting in pedestrians, including elderly people and children, having to use the road to walk past parked cars. This is a direct result of poor parking provision on the existing site, not even taking into consideration the new proposed development, that will actively remove parking, and fail to replace it. This will increase the health and safety risks to pedestrians and local residents who will be forced to park in precarious positions, as well as use the road to walk. Residents from the wider</p>

area are already parking on St. Albans Hill, Sempill Road and the junction between the two, it is currently a real hazard to road users and pedestrians. Additionally, I believe access to Sempill Road will be so effected, emergency vehicles such as fire engines and ambulances may struggle to navigate the road when all the cars are parked on the street at night. The development proposed by the council will only enhance this hazard.

I would also like to raise the health and safety issues that any development work will have on the local residents. There are a number of elderly residents and children who will live within close proximity of the site. Where is heavy machinery going to be kept? Where are building materials going to be kept? It is going to be a health and safety nightmare and should the work go ahead, it would be a calamity for the council if someone got injured given the number of objections being raised with very valid concerns for peoples safety. The council would be 100% responsible.

Also, the noise pollution will be considerable. In a time where people are actively being told to work from home due to Covid-19 there are increased numbers of people doing just that. Their work life and ability to their job will be negatively effected due to noise pollution with heavy machinery and building work on their front doorstep. The plans being put forward by the council are actively going to effect peoples ability to work from home and encourage people to go back to offices and making unnecessary journeys.

Also, the removal of grass areas to enable the development will increase water run off from rain and snow. The area is already prone to flooding with heavy rain and with the removal of grass areas the run off of water from the top of Sempill Road will be considerably more. The development will increase the level of road flooding on St. Albans Hill.

In summary, these are ill conceived plans by the council with very little thought for local residents, new residents and a total disregard for peoples quality of life, as well as increasing hazard and health and safety risks that may well result in someone getting seriously injured, be that from the development work itself or the increased traffic and parking.

I would implore these plans to be reconsidered and a better, more beneficial development be considered at a more open space where the council will actually be able to provide housing with a good quality of life, rather than shoehorning in several houses to an already overpopulated area, negatively effecting all that live there.

<p>79 Sempill Road, Hemel Hempstead, Hertfordshire, HP3 9FW</p>	<p>It is with disappointment that I am writing to you to object to planning application: 20/03734/FUL and 20/03735/FUL. I object to these applications on the following grounds:</p> <ol style="list-style-type: none"> <li>1. Due consultation and notification processes have not been followed.</li> <li>2. Inadequate considerations of parking and road safety impacts.</li> <li>3. Ecology report does not consider impact on all local wildlife in the area.</li> <li>4. Development design does not follow the Sempill Road development plan.</li> </ol> <p>Outlined below are further details of my specific objections and concerns with the proposed development.</p> <p>Not following due consultation and notification processes as outlined under The Town and Country Planning (Development Management Procedure) (England) Order 2015.</p> <p>The above-mentioned order clearly outlines the notification processes and procedures that must be followed for planning applications, unfortunately in the case of applications 20/03734/FUL and 20/03735/FUL these processes have not been followed. As a local resident I pass the proposed developments most days. At no point has a sign been visible for the period of 21 days outlining the proposed development. Furthermore, I do not believe that all impacted neighbourhood residents have been engaged. It was only by chance that I became aware of this development through a conversation with neighbour and as an effected party by the development I am disappointed not to have been contacted by the council planning office considering the development. I therefore do not believe there has been the necessary engagement, notification and consideration of neighbours views to complete and effective neighbourhood consultation. It is also disappointing to see that the consultations period is being run in tandem with a period where residents are under a tier 4 lockdown and are not able to meet to discuss the proposal together. I therefore request that planning considerations are delayed until such point that the correct and due process can be followed effectively.</p> <p><b>Inadequate considerations of parking and road safety impacts</b></p> <p>The planning application inadequately considers the impact the development will have on parking and road safety of Sempill Road. Parking on Sempill Road is already a problem that Dacorum Borough Council are aware of and attempted to address with the construction of additional parking spaces. This attempt to address and existing issue was inadequate and has actually made the parking situation worse as cars now park half in and out of the bay extensions previously provisioned. This impacts me as a resident as I can no longer exit my vehicle from my drive way without crossing on to my neighbours drive way. In effect if my neighbour uses their drive way my vehicle is actually blocked in due with protruding vehicles. This is not the only case on the road of congestion causing vehicles to be blocked in and you can</p>

frequently see double parked and blocked in cars across on the road. The removal of the garages from the road and the provisioning of additional housing which will in turn bring more vehicles to the road will only exacerbate the existing issues impacting the area.

The Supplementary Planning Document Development Brief for Deaconsfield Road (Sempill Road) 2005 clearly identified such risks associated with developing Sempill Road. Firstly, the report outlines in section 4.27 that Sempill Road is too narrow for parking to take place on both sides of the street but increasingly this is happening and vehicles are parked on front lawns and council owned grass areas due to the overcrowding of parking (photos can be provided if necessary). Sections 4.28 & 4.24 outline both that a new footpath would be implemented and that street parking would be designed such that parking would not dominate the street scene neither of these have been maintained in the plan and they now represent a safety issue on the road. Cars are frequently parked on corners creating blind corners in which there have been accidents, young children have to cross roads between parked vehicles to get between their houses and a public foot path. Increasingly there are long wheel based vehicles on the road including vans and commercial vehicles that obstruct the highway. It should also be noted that residents on St. Albans Hill who do not have a parking provision without blocking their road frequently park on Sempill Road which further strains the road parking. Emergency vehicles and council refuse services have to block the whole road when servicing the area as do commercial deliveries.

Development that has taken place to date has over saturated Sempill Road, this can clearly be seen based on a survey of the area being performed on a weekday evening or weekend when the a majority of residents are at home you can compare this back to the parking photos in the 1991 Sempill Road Development Plan. Clearly the demolition of the residential garages will only make this problem worse. It would be more appropriate to make use of this land to alleviate the current parking issues on the road and improve road safety and the to use the land for further development. Statements that the garages have "become either disused or underused" in the planning application are inaccurate and if this is the case the land should be used not for housing development but to create parking for existing residents of St. Albans Hill/Sempill Road which I understand has been requested by other residents, who have also requested access to make use of garages.

Ecology report does not consider impact on all local wildlife in the area

The developers Ecology report does not consider all local wildlife in the area, it has made no mention of the local foxes that will be impacted by the development. As you will be aware foxes are classed as wild animals and not pests. The council has no statutory powers of legal rights to eradicate foxes on private or other land. Given report does not even mention local wildlife that the many residents are aware of and frequently see, I do not believe this survey has been performed with the necessary care and attention to the local environment.

Development design does not follow the Sempill Road development plan

The proposed development design does not meet the Sempill Road development plan of 1991 which states in section 4.29: "If the area of land to the rear between 120-122 Deaconsfield Road and rear of

	<p>97-103 St Albans Hill comes forward for redevelopment, alternative parking provision must be made on-site, to compensate for the loss of the garages." Simply put the designs do not adequately compensate for the demolition of even 10 of the 46 garages that are being removed under the two plans, instead the properties are provisioning parking for the residents on the new properties. Furthermore the development plan states that off street parking that is provided for the properties must be located behind the building line which is not the case in these designs and is not in line with existing property developments in which drive ways have been provisioned for off-street parking. As a result section 4.28 is being contravened which means that car parking is dominating the street scene.</p> <p>I kindly request that planning permission should be denied until such time that the above issues addressed.</p>
<p>45 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>Having been informed of your plan's for Sempill road . I have been living here for 45 years seeing car's taking over making parking a problem .The planned building is just crazy more car's and no spaces. No Driveway's lost parking when new houses came along , most of them have 2 or more cars reducing spaces. The best way to describe Sempill road is a FULL CAR PARK. Scary what you have Planned with no thought for the Residents. My car is in a garage I have rented for a good few year's. So with your plan's car's from garage's will park in Sempill Madness. WE NEED SPACE'S NOT MORE HOUSES AND CARS.</p>
<p>49 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>Access and parking already very problematic. What consultation has occurred in relation to the plans? Inadequate parking/turning. Noise and disturbance.</p>
<p>7 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>Very concerned about loss of local garages and parking space in this area. Adjacent St. Albans Hill Road is already subject to dangerous parking and further overload will only make this worse... a dangerous accident waiting to happen, on also a highly used pedestrian paved area.</p>
<p>31 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>I have recently moved to 31 St Albans Hill, (30.10.2020) and had no knowledge from my solicitor as to these proposals. I am extremely concerned as to the impact this will have on the already congested parking on Sempill Road.</p> <p>Properties on St Albans Hill have no where to park except at the back of their properties and this will be taken away plus all the difficulties of larger construction lorries accessing this area. As I know from recent experience with my removal lorry.</p> <p>Cars will take to parking on the St Albans Hills Road which they have already started to do which in my opinion is very dangerous especially coming from the bend to go up the hill, I have already seen cars swerving to miss large puddles at the bottom of Sempill Road. The footpaths are very narrow and pedestrians would also be put at risk.</p>

	<p>Further consideration needs to be given to the Council and Private properties and their parking needs prior to any rebuild in this area. Which will just result in further issues with regards to traffice, refuse collections etc.</p> <p>I am in full support of my neighbours comments (No. 39) with regards to the disgraceful time frame you have given the current community and apparently limited amount of properties in the area which have actually been informed of your development plans and that an extension should be given and full transparency to every property who surround this area.</p>
<p>7 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>Whilst I do not object to the building of these homes. I do not think you have considered the impact of extra parking on the local residents. Come and visit the area any evening or weekend and you will see that as of today there is NO extra parking that cold take the extra cars being evicted from the garages, plus any extra cars over and above that of the new spaces you are providing, plus the residents of St Albans Hill that also park here. Sempill Road, because of its layout does not lend itself to ease of parking, there is considerable waste of space. We currently have cars and vans parking of bends which cause accidents due to speed and visibility issues. We need more parking facilities to ensure that the new homes do not impact the safety of the area due to too many cars.</p> <p>With ref to the above application. Whilst I do not object to the building of the new dwellings, I do object to the plans for the provision of parking spaces.</p> <p>Sempill Road is very badly designed and does not offer enough parking spaces to the current residents. Removing these garages will add extra burden and frustration to an already over used space.</p> <p>Not only will the people currently using the garages need to find space, but also the residents of St Albans Hill.</p> <p>For this application to go ahead, you must provide us with a far better option for parking than currently exists in your plan.</p>
<p>9 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>There seems to be no provision for those people who use the garages for their vehicles, only barely enough for the properties planned (you can guarantee these properties will have on average x2 vehicles each). Parking is already very difficult on Sempill Road, without the displaced vehicles from the garages and any further visitors to the road.</p> <p>The area/road is already fully loaded with properties which have been built at the side/length of Sempill Road, plus the properties built on allotments in Ivory Court (several years ago). The area does not need any more properties!</p>

<p>37 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>Below are my concerns, recommendations and general objection to the proposed garage site development proposals to create social housing dwellings on Sempill Road. There has been a severe lack of community awareness and consultation on the proposals with planning documents being submitted for approval at the worst possible time during the middle of a pandemic, festive holiday period, Tier 4 restrictions where mixing with neighbours to discuss the plans is forbidden by the Government and as another insult to injury many of the council members who have a deciding role on the matter are on annual leave and will be returning on the deadline day for comments which seems very convenient in the favour of the council.</p> <p>It is completely unacceptable behaviour to try push these plans through for approval by taking advantage of the current situation we face. In addition it is outrageous how there has been a lack of communication and general disregard to the garage tenants who have not been made aware they may be evicted from their unit which some have been using for 35 years in some cases. It is also clearly obvious that lack of consideration has been given to the community and its needs, the difficulties faced living in the area and other infrastructure issues that need to be improved as a whole.</p> <p>It seems very short sighted to contract architects and surveyors who are unlikely from the ward to design these plans that you are proposing. I do recall seeing them in the area without understanding at the time what tasks they were undertaking. They spent a very short time making their decisions which quite frankly are far from adequate and I personally feel I can make a far better proposal than what has been proposed by these so called professionals.</p> <p>I am making sure that the community are fully aware of your underhand tactics and rallying support for everyone to comment online and contact the decision making committee by email, along with the local ward councillor, the local MP and media. It will not be tolerated on how you wish to make a congested over developed community even worse with no consultation or regard for all that live here and highly recommend to all to:</p> <p><b>OBJECT, OBJECT, OBJECT!!!!!!</b></p> <p><b>Road Access</b> Sempill Road is very narrow on both ends that junction with St Albans Hill with residents having to park predominantly along one side of the entire length of road end to end. This includes parking on the turning bends where both developments are being proposed, parking on grass verges, at diagonals, doubling up and in some cases tripling up in parking bays. The planning application document titled Design And Access Statement even shows on the cover page a computer generated image of how narrow the road is with parked cars to one side with a car travelling in the the opposite direction with no room for another vehicle to pass by, this is indicative of the current situation let alone when additional dwellings and more vehicles come to the area. In essence already recognising the current congestion on the road yet looking to bring more chaos to the area. IF these plans are approved when large construction vehicles try to enter/exit the development sites</p>
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this will cause road blocks with other passing residents, motorists and unfortunately where and when needed the Emergency Services. The current congestion on the road makes it difficult for standard sized vehicles to pass one another when meeting head to head resulting in having to reverse to a passing point where possible, performing a U-turn at given points of the road can be impossible and when faced with site vehicles such as a demolition waste grab truck how will motorists be able pass by as no doubt the driver in the much larger construction vehicle will either:

(a) Feel they do not have to give way being in the the larger more dominant vehicle. A mentality I am sure you can relate to of drivers of large vehicles. Also in their eyes they have a job to do and no regards for the residents and general public and how their obstructions are affecting us on which will be a daily basis during construction

(b) May find it difficult to reverse along Sempill Road due to the parked cars congestion or dangerously reverse out onto St Albans Hill in blind conditions as they will not be able to see passing traffic in both directions

It will not be feasible and will be strongly objected against if parking on Sempill Road is restricted during the construction works which I imagine will be a considerable length of time to maybe 6 months or more, there will be nowhere else for residents to park and as we all pay our Road Tax I believe we all have a right to park as close as we can to our homes. Also there is a risk from these large site vehicles causing damage to the parked vehicles as they pass by on the narrow sections of the road which may result in the car owner being unable to identify the 3rd party who damaged the vehicle and gain insurance settlement/compensation. How will a situation such as this be monitored to identify which driver in which vehicle may have unintentionally caused damaged to private property due to the size of the vehicle they are driving without realising it?

#### Parking

Sempill Road is already a congested area with limited parking as none of the properties from No25-55 St Albans Hill have off street parking and heavily rely on trying to find parking on Sempill Road (West), within the car park area by the current existing garages and on the surrounding roads. I imagine it is the same scenario for the householders by the East side. The St Albans Hill residents have to live in a harmony with the Sempill Road residents so that we can all try to park our vehicles as already detailed above. Parking is one of the most documented reasons for neighbourhood disputes. I can not understand how by removing 36 garages and creating 14 bays purely for the new dwellings where the council are expecting the current garage tenants to find suitable parking spaces when they have become reliant to store their vehicles in the garage when not in use? I do not see how the area can absorb this influx of additional vehicles along Sempill Road or surrounding roads. I imagine the Ivory Court residents will find that they will be completely congested with cars that currently do not park there. I would like to know when the architects that designed this proposal did an assessment on the road to understand vehicle density and parking conditions and what their observations where, what time of day this



occurred, did they conduct multiple assessments at different times of the day and over different days of the week and was this during or after Lockdown 1.0 or Lockdown 2.0 when traffic conditions on the road will greatly vary depending on residents ability to either travel to work, shopping and visit households within their bubbles?

Through word of mouth I have come to understand that there is an opinion that the garages are underused. I would like to see evidence of this? In Nov 2019 I personally made enquiries on the Dacorum website to rent a garage unit and I was unable to find any vacancies and I registered myself on a waiting list, too this day I still have not had a notification of a vacant unit. In fact I do not recall there being any vacant garages across Hemel Hempstead and was forced to rent a unit through a 3rd party company in Woodhall Farm, a distance of nearly 4 miles from my home. In addition it has very recently come to light that not all local residents have been made aware of these proposed plans and that a neighbour two doors away from me who has been renting a garage for some 35 years now was not even advised by the council of the proposed plans. I was extremely appalled by this complete disregard for garage tenants who have relied on parking their cars securely for such a long period of time every single night. The retired household were completely shocked and devastated as they are unable to park outside their house due to double yellow lines and the heavy traffic that passes along St Albans Hill, an area already congested due to over development from the demolition of Lime Kiln public house to construct 3 blocks of flats where the provisioned parking area is inadequate and the residents park on the main road causing issues for the residents living on the opposite side (planning ref 4/02371/07/MFA). By demolishing the 36 garages there is a concern that those tenants and residents will be forced to park where possible on the pavements of St Albans Hill making it even more difficult and dangerous for passing pedestrians especially parents with young schoolchildren and the travelling motorists.

Furthermore from the proposed plan I see that parking bays for Plots 4-6 will be created across location of the bottom 2 garages. This will create even further loss of parking for 3-4 cars for the local residents as right of access will have to be given to these parking bays. Something the architects may not have noticed on their site visits depending on how busy the car park was on the day.

#### Residential Property Values

What will the impact be on residential property values? Many of us have worked hard to be able to buy our own homes and do not rely on the council for social housing schemes or benefits. I find it totally unacceptable as do many others that these proposals could have a negative impact on our homes in these difficult times as well as the other issues and concerns that are being detailed with no compensation given to us. How would you decision makers feel if this proposal was happening on your very own road and had a financial impact on you? I am sure you would be feeling exactly how we do if you were honest to yourself! If there is a need to build then sell the land to a private developer who will build private residential properties and not affect us property owners!

#### Collection Bin Point

In the current proposed plan there is reference to a new bin collection point which is by a public access path. I would like to clarify if this is going to block the existing access for the public as it a popular route used to Deaconsfield Road to Apley and towards the town centre? Also how do you propose that the refuse bin trucks will access this point as when vehicles are parked in the car park the point of entry from Sempill Road will be very narrow for large vehicles, there is just enough room for standard vehicles to pass. I find it hard to imagine a truck being able to reverse into the area to collect the bins.

#### Loss of Light/Neighbouring Privacy

I have a concern that Plots 4-6 will impact the light in my rear garden which currently is not obstructed from a SW direction to which the garage site lies (especially in the summer months), this is also a concern for No31 where this development will be exactly behind the owners property, in addition there is also a concern on privacy due to windows potentially overlooking our rear gardens. The view from my rear garden towards the garage site which is not obstructed. There has been no assessment for window heights and line of sight into residential properties as the garage site is of higher ground to our properties so it is a concern how we will be affected.

#### Impact to Wildlife

Within this area there is numerous wildlife that may living around the garage site area that could be impacted by this development. In the planing application document Ecological Assessment there is no mention of the community of foxes that live within metres of the garages from what I have observed, they are regularly seen scrounging for food in the area. Also there is a significant number of birds of prey living in the immediate area, they could be nesting around the garage site as well as other species such as hedgehogs and bats which I have observed this year.

#### Traffic Control

There is a concern of large vehicles exiting from the West development onto St Albans Hill of an accident occurring. There is a tendency from motorists who are travelling from the Belswains Lane/Lawn Lane roundabout to quickly accelerate up the hill around a blind corner and this could result in an accident with large heavy vehicles slowly pulling out of Sempill Road. I believe it would be worthwhile for speed monitoring to occur before any development plans are approved to validate this concern and once they are proved valid to introduce traffic calming measures as appropriate, for example as implemented on St Albans Road and Queensway.

#### Rainwater Drainage

During heavy rainfall the storms drain are inadequate to cope with the rainfall as they are clogged up and do not drain away any surface water (possibly from previous construction work on Sempill Road when new dwellings have been erected and the sites were not sufficiently cleaned by the constructor and left to dissolve into the drains which eventually caused them to be ineffective as clogged with soil, sand and other building materials). This creates a stream of water running down Sempill Road towards St Albans Hill, as a result the road floods which

is a danger to pedestrians and passing motorists. Vehicles travelling up the hill have to divert to the other side of the road to avoid the flood water which reaches above the pavement level, this causes issues for residents living up the hill from me such as No39, 41, 43. In addition the planning application document Drainage Strategy states that excessive flood water will be anticipated to exit onto Sempill Road which will as stated cause flooding on St Albans Hill and on Page 7 of the Dacorum Borough Surface Water Management Plan it states that St Albans Hill is Hotspot 26 and the recommended actions of "Ensure highway gullies are suitably maintained and cleaned after larger storm events" are not implemented which can be confirmed by the local residents.

#### Proposed Revised Plan

Taking all the above points into account I have my own thoughts on a revised layout plan that I would like to be taken into consideration for the 'West' community area as a whole for parking and areas highlighted for traffic calming and rainwater drainage. From the small number of local residents I have been able to contact they have all be in agreement with my thoughts.

(1) Parking bays for Plots 4-6 are moved to be in front of the new dwellings. Currently there is a small plot of land that is not in use neither is it regularly maintained by the council. It would make more sense to create parking here which will then not affect the current car parking area and the new residents will then have easier access to their front doors with shopping, young children, pets, mobility aids etc.

(2) By moving the proposed parking bays to the front this creates flexibility to change the design for the location of Plots 4-6, they could possibly be positioned closer to the parking area therefore creating space in between the 2 sets of buildings that could create a child play area for the local community and possibly a better bin collection point

(3) To create off street parking for the existing residents thereby creating a more open plan less congested Sempill Road for residents and site traffic before construction begins. This would be a significant benefit to all concerned. There are 3 lots of land that again are not regularly maintained by the council and could be used more beneficially to the community:

(i) Plot of land adjacent to my property which I maintain at my own effort and cost (as the grass cuttings fill my green bin which I then pay through my council tax to be taken away as part of my own waste collection) this could be converted too off street parking with dedicated parking for No37 & No39 St Albans Hill and additional communal bays

(ii) Plot of land adjacent to No31 St Albans Hill to create 2 dedicated bays for that property

(iii) Plot of land on the opposite side of Sempill Road from the garages that would benefit the residents adjacent with off street parking. By

	<p>creating these bays there will no longer be the option to park on the road due to dropped kerbs and therefore keeping the road clear, open and congestion free for construction and residents for decades to come</p> <p>In addition to point 3, with extensive development being undertaken at the moment across Hemel Hempstead with numerous blocks of flats being built at Apsley Quay, Two Waters Road and adjacent to The Forum building including a little bit of unused land into the development plans to create off street parking should not be rejected without consideration which would help ease the congestion on the West side to some degree. Also it is my understanding that this public highway land and the land that Sempill Road dwellings are built upon were once land and allotments that belonged to the houses of St Albans Hill and Deaconsfield Road and that it was acquired to be built upon, so there has been significant and over development for housing in the area over the past few decades and by providing off street parking as part of this development plan is effectively giving the land back to the properties that it originally once belonged too.</p> <p>Whilst there is an appreciation for housing across the country to continuously develop in congested and dense areas can not be tolerated. It may be more suitable to reduce the numbers of proposed dwellings, retaining a number of terraced garages for residents use whilst addressing parking and other residents concerns which may be more of an acceptable proposal to the community.</p> <p>To reiterate my earlier comments the local residents do feel that the planning office are trying to take advantage of the current pandemic situation, lockdown restrictions and the festive period by submitting a late application before Christmas and imposing a deadline of the 4th Jan 2021 for comments. As a result I have reached out to Sir Mike Penning MP and local ward councillor on this matter for assistance.</p> <p>I trust that all the points and supporting information I have provided will be reviewed by the appropriate planning and decision making members and that the bigger picture for improving the community is appreciated and that a number of these concerns will also be relevant to the East garage site development proposal 20/03735/FUL.</p> <p>From a very unimpressed and disappointed resident,</p> <p>RC</p>
<p>27 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>We would like to raise our objections to this development of 6 houses. Our concern is regarding parking spaces. Households have on average two cars but parking spaces are going to be developed only for one car per house.</p> <p>The new development will contribute negatively to already overcrowded on-street parking and will also affect the parking behind our house.</p> <p>From what I can see, there are still 6 parking spaces taken from a car park where we use (behind 27 St Albans Hill) and these 6 spaces are allocated to new houses. If there are enough parking spaces overnight</p>

	<p>within 400m as per your study, I strongly object to allocating 6 spaces to new properties. There should be a fair chance to park for everyone. New residents can also walk 400m to their car.</p>
<p>25 Ivory Court Hemel Hempstead Hertfordshire HP3 9YJ</p>	<p>The Design &amp; Access Statement notes in the pre-application that the development has been subject to consultation with near-neighbours. Plots 1-3 are directly opposite our property and the letter dated 14/12/2020 is the first mention of this development that we have been made aware of.</p> <p>There are a handful of queries that have not been mentioned or considered as part of the planning application documents that we would like clarification on;</p> <ul style="list-style-type: none"> <li>- What consideration has been made to the loss of light to the front of our property during winter months?</li> <li>- Has a swept path analysis been undertaken on the 6 no. parking spaces in front of Plots 1-3? The road out the front of our property is in regular use for on-street parking for our and other properties and there is a risk the development restricts the ability to park on the road</li> <li>- Further clarification on the construction period and coordination of access for materials and plant? Will the primary access be opposite our property? Reference made above to our on-street parking?</li> <li>- Connection of utilities? The Drainage Strategy advises connection directly onto Sempill Road. What consideration has been made for connection of communication and power utilities? There is a BT chamber directly in front of our property, will works require to encroach onto our drive?</li> </ul>
<p>Thornhill Barnes Lane Kings Langley Hertfordshire WD4 9LA</p>	<p><b>NOTIFICATION</b> Poor communication with the residents of Sempill Road and St Albans Hill. Only a limited number received postal notification these proposals and many residents reported that they were completely</p> <p><b>PARKING</b> Parking on north side is treacherous in the Winter due to the slope when parking in icy conditions disallow parking for fear of sliding down and across the road. In really bad weather cars, vans etc can't drive up Sempill so we they park up all along St Albans Hill. Congestion of cars at peak times make the bend dangerous to navigate. Cars park on the bend which makes visibility 'around the corner' impossible. It would appear that there are numerous 'abandoned' cars left. Despite these being reported Dacorum have made no attempt to remove them.</p> <p>At times when cars or vans drive up or down Sempill, it's a blind bend</p> <p>There are more than 100 houses on Sempill Road and a further 28 houses on the northern side of St Albans Hill with no spaces for parking at all. These residents park in the southern recesses on Sempill Road and gain access to/from the rear of their own properties. With only 150 on-road and off-road car parking spaces this amounts to only 1 space per dwelling. When larger work vans further limit spaces this falls to below 0.8 private car spaces per dwelling.</p> <p><b>CONGESTION</b> Congestion on Sempill Road at west and east is already very poor due to the cars parked on the bends thereby making the road effectively a</p>

	<p>narrow single carriageway. Cars having to reverse up/down the hill on the bend has resulted in numerous accidents. There have also been a series of incidents with cars reversing back onto St Albans Hill. incidents. Residents with larger vehicles present even more problems are precluded.</p> <p>Large public service vehicles have great difficulty navigating the narrow road at either end caused by cars parked on a single side of the Road.</p> <p>Larger construction vehicles will further exacerbate the existing conditions.</p> <p>unaware of notices on the surrounding lampposts.</p> <p><b>OVER DEVELOPMENT</b></p> <p>Houses on the northern side of Sempill Road have parking for 2 spaces but due to the cars parking behind each other some residents parking on the other side of the road, putting more pressure on available spaces.</p> <p><b>FLOODING</b></p> <p>Sempill Road currently floods St Albans Hill due to drains being blocked. Dirt and debris from construction will further block any open drains.</p> <p><b>INFRASTRUCTURE AND POLLUTION</b></p> <p>There is no indication that increasing the number of houses by 10% in Sempill Road will increase the infrastructure of the area by any means. With so many increased vehicle movements every day the impact on pollution is likely to be significant. With Dacorum Borough Council's 's pledge to reduce carbon emissions this development will do nothing to contribute to this target.</p> <p><b>SUMMARY</b></p> <p>Sempill Road is extremely congested at all times of the day and evening. The impact of losing a total of 46 garages and a potential increase in further 20 cars to be parked will have a massive negative impact on living in this area.</p> <p>The principal issue for this area is the lack of available parking. Suggestions for improving parking include:</p> <p>Diagonal indicative lines would help with more efficient parking by residents.</p> <p>Repair the low walls in the 3 parking recesses areas.</p> <p>Extend and formalise the parking in the recesses particularly the northern most space.</p>
<p>48 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I don't want more flats in our area I find it hard enough to find a parking space and I need one as of disabilities</p> <p>Also would be concerned about noise and the flats don't go with the houses around this road also I need the garage which is there, also it is right behind my garden so I will not get privacy.</p>
<p>90 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>My wife and I are challenging this application for the following reason:</p> <p>At 4pm Friday 1 Jan 2021 I counted 108 cars parked on roadside and hardstanding including 7 cars parked on the hardstanding behind the St Albans Hill houses. The parking in Sempill Road has become a hazard as cars park at the junction of Sempill Road and St Albans Hill end and at the top corner which makes passing difficult as visibility is a problem. The development will create more parking problems during demolition</p>

	<p>of the garages during building work, especially for the residents at the West end of Sempill Road. Where will the garage users park their cars when these are demolished? Once the houses are built, there will be more traffic flow and longer term more parking problems</p> <p>Also we will experience more problems due to road blockages when recycling vehicles, delivery vans need access. There is no room to pass due to parking and this problem will increase in future years.</p> <p>We are opposed to this development as it will create major parking and access problems in Sempill Road.</p>
<p>24 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>After reading your proposals and looking at the colourful drawings, you have not taken into account the parking on the hills and bends at either end of Sempill Rd or the bays. I also noted that it said close to major road and rail transport links.</p> <p>For years the Council have not listened to residents objections but totally ignored them.</p> <p>The site of Ivory Court, was once allotments, held in pertuity, objections were raised and ignored.</p> <p>The housing built onto the rear gardens from Deaconfield Rd into Sempill Rd, objections were raised and ignored. Tree's that had preservation orders on them were removed, houses built without any consideration to the parking situation, as those properties also park on the road. Additionally, residents from St Albans Hill now park in Sempill Road. The parking has now become intolerable. There have been numerous near misses, and several accidents, due to the parking issues on the bends at either end of Sempill Rd. Now you want to empty the garages to allow development. WHERE DO YOU EXPECT THEM TO PARK?</p> <p>Over the Christmas period and during the present covid situation, Sempill Rd had no parking spaces anywhere, and that vehicles were now parking along St Albans Hill causing traffic problems for other road users, but that pedestrians have to walk in the road to pass them.</p> <p>As for the wildlife it appears you don't care. The tree's that were removed housed a lot of wild life. I used to have Squirrels and 11 different bird types in my garden during the day, and hear owls at night, now I am lucky if I get any. At present there are 2 Fox dens in Sempill Rd, I have video proof of them everynight, in addition numerous resident witnesses, they keep down the vermin population, I know where the dens are. Ignorance of the area is not an excuse, to destroy wildlife with a stroke of a pen.</p> <p>There are 2 foot path's one at either end of Sempill by the garages, 1 gives access towards the local school, will they still be open during and after (if development goes ahead).</p> <p>Someone has been to Sempill Rd to observe the parking situation, I can supply video or photographic evidence if required.</p>

	<p>If the development does go ahead (I sincerely hope not) where will the contractors heavy machinery park, but also the contractors vehicles. Will this mean that parking on the hill sections be banned and if so WHERE will they park. Please could you give a honest answer to the problem that over development has caused.</p>
<p>15 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>This proposed development will seriously affect the safety of an already hazardous part of Sempill Road. Where Sempill Road bends down hill to meet the junction of St Albans Hill is already seriously overcrowded with parking and is often hazardous to negotiate and to see oncoming traffic from both directions, leading to near collisions. Losing the overspill parking adjacent to the existing garages to this development will force even more local resident an other vehicle parking onto this stretch of road. I urge the planning committee to re-think this development on the grounds of public safety.</p> <p>Yours sincerely,</p> <p>Mr Chris Quinn, local resident.</p>
<p>18 Sempill Road HP3 9PF</p>	<p>I have been informed by one of my neighbours in Sempill Road of the proposed developments on the garage sites, I have not received any notification from the council re this, should not all residents have been informed of this in a timely manner to be able to raise any questions or objections? I have been unable to raise my questions via the Dacorum website due to IT issues.</p> <p>I have various concerns about the development please see points listed below:-</p> <ol style="list-style-type: none"> <li>1. Parking - the demolition of 46 garages will bring more chaos for parking in an already heavily congested area, at the moment I'm lucky if I manage to get parked anywhere near my house. Parking is at a premium and it is unclear how the area will absorb this extra influx of vehicles as a result of no longer being able to park in the garage unit.</li> <li>2. Impact to Residential Property Values - what will construction of social housing do to property values as well as further reduction in parking spaces. From my point of view I can only see this affecting the resale my property in a negative way.</li> <li>3. Road Access - simultaneous on both ends of Sempill Road will create traffic flow congestion due to the large site vehicles that will be involved in demolition and construction.</li> <li>4. Rainwater Drainage - Sempill Road currently floods St Albans Hill due to drains being blocked and the dirt and debris from construction will further block any open drains.</li> <li>5. Construction Disruption - large site vehicles will cause roadblocks on both sides of Sempill Road which is already narrow from car parking congestion.</li> <li>6. Over Development - the area has been heavily developed from what</li> </ol>



	<p>was once gardens and allotments.</p> <p>7. Impact to Wildlife - ecological assessment shows for example no record of community of foxes in the area as well as danger to other animals.</p> <p>8. Improvements Required to Local Infrastructure to support such new developments.</p>
<p>19 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>Garages "disused or underused" = This amenity has not been maintained in a fit-for-use state by its owner - DBC!</p> <p>'Access Plan' makes no mention of the addition of construction or additional resident traffic at the difficult Sempill West to St Albans Hill junction.</p> <p>'Car Parking to policy standards' - what about the existing dwellings? Existing parking is over-subscribed - how is this addressing the parking standards. The Council's own planning brief for Sempill Rd states 'Sempill Road is too narrow to accommodate increased levels of on-street parking'.</p> <p>There has been a lot of housing development in the area in recent years. The need for social housing is not new. Is the stated need for additional social housing not an indication that DBC has let developers get away with too few such dwellings in the recent schemes on St Albans Hill, Ebbens Rd and Frogmore Rd? This wouldn't constitute a justification for the loss of amenity, inconvenience and additional risks from street / pavement parking.</p> <p>The role of a planning system surely encompasses increasing the amenity of an environment rather than making it even more dysfunctional.</p> <p>The handling of this : the neglect of the existing garages; the absence of notice to the majority of the affected houses and the short consultation period (particularly in the context of the Covid restrictions) combine to give an impression of sharp practice designed to sneak something unpalatable and unjustifiable past residents. Additional response to the Parking Survey</p> <p>I must continue my objection to this application and challenge the validity of the parking survey - largely on factual and fairness grounds.</p> <p>The 'method statement' indicates that the normal approach would be to consider spaces within a 200 metre radius of the site and that, because of the proximity of the two Sempill Rd sites, a radius of 400 metres from a central point was used in this case.</p> <p>It is a matter of basic geometry that the area of a circle of 400 metres radius is four times that of a circle of 200 metres. As the the distance between centres is less than 400 metres, the circles for the West and East Sempill sites would intersect. This means that the apparently</p>

reasonable approach taken in the survey would more than double the area considered for alternative parking - compared to applying the normal 200-metres radius to the two sites individually.

Taking a 200-metre catchment for either of the sites' parking, a resident would not be expected to have to go more than 400 metres to reach an alternative parking space identified in the survey. The method taken here increases that to 550 metres.

In an average case, a resident adjacent to a site would have to go up to 200 metres to reach an alternative parking space identified in a survey. This special method increases that to 350 metres.

There is a basic requirement to treat people fairly. The residents in and around Sempill Road would be treated significantly less favourably than they would be if the two sites were considered separately - each with a 200-metre radius for alternative parking spaces. Such an approach would clearly increase the 'parking stress' produced by the survey and, at least, significantly weaken a case for approval.

The issue of 'double counting' could easily have been addressed by assigning the spaces in the intersection of the two 200-metre circles to the two sites in proportion to the number of surveyed cars or dwellings in each. This is not rocket surgery and I can't see why this was not done.

Double counting - what about the citing of alternative garage spaces in garages that now have permission to be demolished. These are within 600 metres of the centre of this survey, so presumably some of the alternative parking identified for those garages will also have been included as alternatives for the Sempill schemes - hardly a consistent approach.

The map in Appendix B shows kerb parking either side of the access to the 'informal parking' off the western end of Sempill Road. Inspection of the proposed site plan shows that such parking would block access to the 8 new formal spaces shown in that area.

This map seems to show that the survey didn't include the up to 10 cars parked in the 'informal parking' off the western end of Sempill Road. The plan shows no other parking in that area, so the 10 or so vehicles would be displaced - taking 10 of the 12 'spare' spaces on Sempill Rd.

The map shows kerbside parking spaces on St Albans Hill - either side of the western end of Sempill Road. Residents largely refrain from parking in this area of the road during the day and I strongly suspect that the adjacent double yellow lines would soon be extended on safety grounds if these spaces were occupied more frequently.

It continues to be clear to me that the proposed scheme would reduce the parking provision for existing residents and visitors from the already challenging levels. It would also mean parking would overspill into more

	<p>dangerous areas (at least until the double yellow lines are extended into them).</p> <p>The development would also increase traffic on the effectively narrow Sempill road and lead to more reversing and maneuvering as vehicles traveling in opposite directions attempt to pass each other. This would inevitably increase pollution and reduce safety for motorists and pedestrians.</p>
<p>33 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I am a homeowner on Sempill Road and am objecting to the proposal of demolition of garages and building of houses on Sempill road at both proposed garage sites. This application in practice would result in over development of the road and area and overload the parking and traffic situation in this area.</p> <p>Sempill road was not built to handle this proposed over development, Sempill road was originally 61 houses the council have seen fit to allow this to increase to 104 properties coming from the majority of Deaconsfield road houses selling off part of the rears of their properties gardens to be turned into housing on Sempill road, houses 62 - 104. Whilst the council planners also didn't enforce that the housebuilders for houses 62 to 104 make all houses have to have driveway parking for 2 cars minimum and instead just 1, most households have 2 cars and many households multiple vehicles so now these extra vehicles are on Sempill road. You also have the fact that Sempill road is used for parking for many St Albans hill households as they do not have driveways or road parking. The garages which are currently used by vehicles these vehicles would then need to park on Sempill road if garages demolished. The new houses would bring more vehicles than the 1 parking space you are giving these 2/3 bed houses. Sempill road also is used by some Ivory court households for parking. Also looking at the plans some current areas of parking behind St Albans hill houses off Sempill road would be removed again these vehicles would then want to park on Sempill road. Put all these things together and it should be clear that the road is already at maximum and these plans would clearly result in overdevelopment of the road and overload the parking and traffic on the road as clearly the plans reduce current parking and increase vehicles onto the road.</p> <p>There has already been previous requests by Sempill road residences for the council to provide more parking on the road, suggested was taking out the 3 middle section greens/grass areas on the road and replacing with a driveable surface which would allow driveways and additional parking to ease the strain on Sempill road. As households these days have multiple vehicles. Yet the council said no at the time and now see fit to try and increase the number of vehicles on the road by planning 10 houses and reducing/removing current parking and garage parking this is madness.</p> <p>I also object to these planned houses as clearly they are not in keeping with the area and will result in a loss of privacy and light to many properties on sempill Road, st albans hill and ivory court.</p> <p>Also please be aware that many peoples comments section objections are objecting clearly to both planning proposals, the 6 house on the 36</p>

	<p>garage site and 4 houses on the 10 garage site even if only commenting in the 36 garage/6 houses page. so please process these objections rightly to both plans on Sempill road. I am appalled that you would separate these two plans when they are clearly linked. I am appalled that you have only posted to a small percentage of houses any information regards these plans in the area and has only been by chance I found out these plans but then I am sure if you had written to all relevant houses on Sempill, st Albans roads and ivory court you would get a resounding objection. Also as mentioned by others and I agree to have these plans up for such little time to be opposed or seen is not right at anytime but definitely not during tier 3 and 4 restrictions on movement and secondly the fact that so many people involved are not available for questioning and off for Christmas/new years involved in this regards the council and planning is very wrong.</p>
<p>15 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>Objections:</p> <ol style="list-style-type: none"> <li>1. Lack of notice to local residents</li> <li>2. Too large - will increase local parking congestion</li> <li>3. Dangerous road - too narrow with current level of parking</li> <li>4. Dangerous road - blind bends</li> <li>5. Dangerous road - turning in from St Albans Hill has to be very slow to avoid single lane oncoming cars</li> <li>6. Parking will be pushed onto St Albans Hill - already always parked illegally with no action taken (pavements always obstructed denying access for buggies and wheelchairs and buses required to manoeuvre around causing congestion and additional pollution.</li> <li>7. Decrease in parking for St Albans Hill residents (no other options)</li> </ol> <p>8. Pavements only in one side of the road with dropped kerbs already blocked</p> <p>9. Grass verges parked on reducing greenery and water soak away</p> <p>10. Increased vehicles means higher air pollution</p> <p>Suggestions</p> <ol style="list-style-type: none"> <li>1. Reduce number of houses built thus excess cars</li> <li>2. Turn residual area into green space with lots of eg fruit trees to absorb carbon emissions of cars and provide local fruit</li> <li>3. Make road one way - reduce risk of collisions</li> <li>4. Improve parking along the whole road</li> <li>5. Incorporate solar panels in roofs and other eco measures again to balance more carbon</li> </ol> <p>In general, town planning in Hemel is very poor with regard to the pedestrian. Please make this a priority.</p>
<p>82 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>I object to this firstly for the parking in the area. Parking on Sempill Road is very difficult which causes a lot of issues. Vans and cars have to park on the corners which make it very dangerous travelling along the road as you cannot see. This development will add to this issue .</p> <p>This will also had increased traffic along the road. Cars often speed along this road which makes it dangerous due to visibility issues and</p>

	especially when there are a lot of children living on the road. It will also have impact on the local environment and animals and birds that live in the area.
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# Agenda Item 5c

## ITEM NUMBER:

20/03735/FUL	Demolition of 10 residential garages and construction of 4 new dwellings.	
Site Address:	Garages At Sempill Road (East) Hemel Hempstead Hertfordshire	
Applicant/Agent:	Mr Ian Johnson	Mr Ian Morrison
Case Officer:	Martin Stickley	
Parish/Ward:	Hemel Hempstead (No Parish)	Bennetts End
Referral to Committee:	Dacorum Borough Council is the land owner	

## 1. RECOMMENDATION

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

## 2. SUMMARY

2.1 The application site is located within the residential area of Hemel Hempstead. It is not an allocated housing site and is therefore considered a 'windfall site'. Dacorum Borough Council's Core Strategy (2013) directs residential development to the towns and established residential areas, indicating that Hemel Hempstead will be the focus for new homes, jobs and infrastructure (see Paragraph 1.10 and Policy CS4).

2.2 Four new maisonettes are proposed on land currently occupied by a terrace of ten domestic garages. The garages serve nearby residents but due to their limited sizes, they are generally not fit for modern vehicles. Records indicate that of the ten garages, nine are being rented and one is void.

2.3 This application offers Dacorum Borough Council, as a provider of housing, with the opportunity to meet its own objective of providing high quality affordable housing. The scheme would also help to improve the local environment and security through new landscaping and increased natural surveillance.

2.4 The Council's affordable housing studies have identified affordability as a key issue for young people. The provision of four affordable flats for local people is therefore considered a significant benefit of this application. As such, and given that the development would be located in a sustainable location (being close to local facilities and public transport), the proposal is considered to comply with Policies CS1, CS4, CS17, CS18 and CS19 of the Core Strategy, saved Policy 10 of the Dacorum Borough Local Plan (2004) and the National Planning Policy Framework (the 'Framework').

## 3. SITE DESCRIPTION

3.1 The application site relates to a block of single-storey, flat roofed garages on the north-eastern end of Sempill Road, Hemel Hempstead. The site is raised from the road behind a retaining wall and a grassed amenity area. Low level metal fencing separates the amenity area from the garage forecourt. To the south-east of the site lies a larger amenity area. The site is circa 0.13ha and is accessed via an access road opposite 103-104 Sempill Road. An access road to another set of garages is directly north-east of the site. The site is set on land on the north-eastern side of the Gade Valley, meaning that the landscape rises as you move north.

3.2 The site is around one mile from Hemel Hempstead town centre and lies within the Crabtree Character Area (HCA17), an area characterised by a mixture of dwelling types that are mostly two-storeys in height. Sempill Road encompasses an original 1960s development of terraced properties at its core but later developments have brought detached and semi-detached units to its periphery.

#### **4. PROPOSAL**

4.1 Planning permission is sought for the demolition of 10 garages and the construction of four 1-bedroom maisonettes with associated parking areas and amenity areas. The development is comprised of four flats in a building resembling a pair of semi-detached units. Two flats would be situated on the ground-floors and two flats would be on the upper floors. The building would be two-storey in height. This application forms part of a Planning Performance Agreement (PPA) that encompasses seven garage sites across the Borough.

#### **5. PLANNING HISTORY**

Planning Applications (If Any):

None.

#### **6. CONSTRAINTS**

CIL Zone: CIL3

Former Land Use (Risk Zone):

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)

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

Residential Character Area: HCA17

Parking Standards: New Zone 3

Town: Hemel Hempstead

#### **7. REPRESENTATIONS**

##### Consultation responses

7.1 These are reproduced in full at Appendix A.

##### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

#### **8. PLANNING POLICIES**

National Policy Guidance (2019)

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Dacorum's Core Strategy (2006-2031)

NP1- Supporting Development

CS1 - Distribution of Development

CS2 - Selection of Development Sites

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS9 - Management of Roads

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS17- New Housing

CS18 - Mix of Housing  
CS19 - Affordable Housing  
CS26 - Green Infrastructure  
CS29- Sustainable Design and Construction  
CS31 - Water Management  
CS32 - Air, Soil and Water Quality  
CS35 - Infrastructure and Developer Contributions

Dacorum Borough Local Plan (Saved Policies) (1999-2011)

Policy 10 - Optimising the Use of Urban Land  
Policy 18 - The Size of New Dwellings  
Policy 21 - Density of Residential Development  
Policy 51 - Development and Transport Impacts  
Policy 99 - Preservation of Trees, Hedgerows and Woodlands  
Policy 100 - Tree and Woodland Planting  
Policy 111 - Height of Buildings  
Policy 129 - Storage and Recycling of Waste on Development Sites  
Appendix 1 - Sustainability Checklist  
Appendix 3 – Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents

Area Based Policies: HCA17 (Crabtree) (May 2004)  
Manual for Streets (2010)  
Planning Obligations (April 2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)  
Affordable Housing (January 2013)  
Parking Standards (November 2020)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The key considerations relating to this application include:

- The principle of development;
- The impact on parking and the local road network;
- The quality of residential development and impact on visual amenity;
- The impact on living conditions of existing and future residents; and
- Any other material planning considerations.

### The Principle of Development

9.2 The application site is considered a windfall site within the urban area of Hemel Hempstead. Saved Policy 10 encourages the effective and efficient use of urban land. The Core Strategy encourages residential development in the towns and established residential areas (see Policy CS4). HCA17 (Crabtree) highlights that infilling and the redevelopment of certain non-residential sites may be acceptable according to the development principles (see Para. 9.27).

9.3 The proposal would make a contribution towards meeting the Borough's identified affordable housing need of 366 homes per annum, as acknowledged by the Council's Strategic Housing Market Assessment (SHMA) (table 2, executive summary). Of the four proposed units, all four would



be affordable. As such, and given that the development would be located in a sustainable location, the proposal is considered to comply with Policies CS1, CS4, CS17, CS18 and CS19. Considering this, there is no compelling objection to the principle of development.

### The Impact on Parking and the Local Road Network

#### *Parking Provision*

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

9.5 The recently introduced Parking Standards (2020) Supplementary Planning Document (SPD) provides policy guidance for the amount of parking provision required for new developments. It highlights the following, per residential unit, in this area:

1 bedroom dwellings – 1.25 allocated spaces or 1 unallocated spaces

9.6 The standards indicate a requirement of four unallocated spaces for the proposals. The proposed layout provides four unallocated spaces. As such, the on-site parking provision is policy compliant.

9.7 The SPD requires the provision of electric vehicle (EV) charging points within new residential developments. It recommends that 50% are active i.e. can readily be used and 50% are passive i.e. can be connected in the future. The Proposed Site Plan (DBC-IW-SEE-00-DR-A-0100 Revision P1) includes 50% 'AEV' bays (active electric vehicle charging) and 50% 'PEV' bays (passive charging). Therefore, a policy compliant level of EV charging points would be provided. If the application is approved, the EV points would be conditioned to be provided prior to occupation.

9.8 This application was accompanied by a planning application for another garage redevelopment on the western side of Sempill Road (see 20/03734/FUL). This scheme involves the removal of 36 garages and the construction of six dwellinghouses. It has not yet been determined. Whilst both proposals would meet and exceed the off-street parking requirements for developments of their size, a significant number of resident objections have been received regarding on-street parking, the existing road network conditions and loss of the garage blocks. These points will now be disused.

#### *On-Street Parking, Road Network and Loss of Garages*

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

9.10 As mentioned previously, there have been a large number of objections relating to inadequate on-street parking, congestion and highway safety. Residents have highlighted the difficulty in parking near their homes and that the road is overcrowded. A large proportion of the terraced properties in the centre of Sempill Road do not benefit from off-street parking provision. As such, residents rely on shared parking bays and the surrounding residential streets. Many of the residents have identified that larger vehicles often 'overspill' from the parking bays and result in safety issues and the loss of two spaces.

9.11 Following receipt of the objection letters, the Applicant (Dacorum's Housing Development Team) was contacted. A Parking Stress Survey was submitted to help assess the existing situation

and potential consequences of the proposed development. The Survey, undertaken by Mayer Brown, was based on the Parking Standards SPD's survey criteria.

9.12 The Survey highlighted that garages must measure at least 6m x 3m to be considered large enough for modern vehicles, as per the 'Roads in Hertfordshire: Highway Design Guide'. The Parking Standards SPD echoes this, highlighting that if garages are not this size, they will not be counted as part of the parking provision to meet parking standards. This is to ensure that there is adequate room to park the vehicle, open the doors and exit the garage. The existing garages measure approximately 5.2m x 2.9m and have door widths of around 2.25m. As such, the existing garages are considered unsuitable for most modern vehicles, bar motorcycles.

9.13 Taking the above into account it is unlikely that all of the garages are being used to store vehicles. Irrespective of this, the Survey assumes a worst-case scenario and that each garage lost would result in one displaced vehicle. A car ownership exercise was also undertaken to identify the level of likely car ownership for the proposed residential units. This was based on national census data (2011) specifically for the area within which the site lies. Trip End Model Presentation Programme (TEMPro) was then used to increase the 2011 car ownership figures to expected 2021 levels to ensure that the assessment would be as accurate as possible. The full car ownership calculations are provided in Appendix A of the Survey.

9.14 The car ownership statistics revealed that rented flats in this area are expected, on average, to have 0.36 cars per property. Therefore, for the proposed development of four private flats, two cars may be owned across the four dwellings (rounded to the nearest whole car). As the proposals include four unallocated spaces, this creates the potential for two spaces to be used by visitors, if needed. It is therefore unlikely that the proposal would result in a significant number of vehicles associated with the proposed unit being parking on-street at any time.

9.15 Mayer Brown commissioned 360TSL Traffic Data Collection to carry out a Parking Survey for both of the Sempill Road applications (20/03734/FUL and 20/03735/FUL). The methodology used was in accordance with the Parking Standards SPD, Appendix C: On-Street Parking Survey Stress Specification. This requires all roads within 200 metres walking distance to be surveyed. As the sites are approximately 300m from each other, surveys up to 400m from a central point between them were undertaken to avoid any double counting of spare capacity. As per the SPD, the survey only counted parking bays of at least 5m x 2.5m to qualify as parking spaces.

9.16 The Parking Survey was undertaken between the hours of 00:30-05:30 on two separate weekday nights, as this is considered the time that most residents are likely to be at home. The surveys were undertaken on Tuesday 16<sup>th</sup> March 2021 at 00:30 and Wednesday 17<sup>th</sup> March at 00:30. The Survey provides a map of the area surveyed and full survey results (see Appendix B: Survey Data in Mayer Brown report). The table below illustrates the average parking stress on the roads within 400m walking distance of the central point between the sites, across the two surveys.

<b>Street Name</b>	<b>Total Spaces</b>	<b>Occupied Spaces</b>	<b>Empty Spaces</b>	<b>Stress</b>
Sempill Road	131	119	12	91%
Ivory Court	17	12	6	68%
St Albans Hill	35	22	13	63%
Leys Road	29	18	12	60%
Risedale Road	13	11	3	81%
Newell Road	19	15	4	79%
Katherine Close	4	3	1	75%

Royal Court	12	10	3	79%
<b>Total</b>	<b>260</b>	<b>208</b>	<b>52</b>	<b>80%</b>

Figure 1. Parking Survey Results

9.17 The results indicate that within a 400m walking distance of the central point, the average parking stress is 80% with a total of 52 vacant parking spaces overnight. The parking stress for Sempill Road alone was 91%.

9.18 The Parking Survey states, when considering a worse-case scenario, up to 30 additional vehicles could be displaced from the garages. This postulates that everyone who rents a garage uses it to store a vehicle. If this were the case, the overall parking stress would increase to 92% for Sempill Road and the surrounding roads mentioned above. However, it is worth noting that this is an unlikely situation due to the limited garage sizes. The Survey notes that there are 16 garages currently vacant within close proximity to the site, including eight at Deaconsfield Road, three at Risedale Hill and five on Wheelers Lane. From checking the geographical information system, it appears that none of these sites have been subject to a planning application for redevelopment. One resident commented that one of the sites included in the Survey already had planning permission, however, this relates to a different site off Langley Drive (see 4/00932/19/FUL).

9.19 At this point it is worth noting that if this application is approved, Dacorum Borough Council's Garage Management Team would provide the appropriate notice to each garage tenant and offer all residents an alternative.

9.20 It appears that Sempill Road residents mainly park on the street, in shared parking bays or on private driveways. Some residents have highlighted that the garage forecourts are used for parking. However, these areas are not designated for parking, as parked vehicles may block access to the rented garages. Therefore, the garage forecourts were not been included within the Survey. From studying the existing and proposed site plans, it does not appear that the proposals would result in the loss of any on-street parking spaces.

9.21 Dacorum's Verge Hardening Team were contacted to determine whether there would be scope to enhance existing parking areas or provide further parking areas in the area. Some photographs highlighting potential areas were sent from the Housing Development Team. They responded with the following: *"There is nothing suitable in this area, as all of the amenity greens in-between houses are too small. One has access problems also but is too small. Trees & Woodlands (T&W) said no to removing the good trees on the amenity green outside numbers 1 to 9. Most of the bays marked on the drawings are in visual splays of resident's drives, some have been put over entrances to private garages and most of the verges indicated on the drawing have trees on which T&W have said no to removing these."* Efforts have been made to improve the existing situation on Sempill Road. However, it appears that there is no scope for additional parking areas, mainly due to highway safety issues and trees.

### Summary

9.22 The development would provide sufficient off-street parking for the proposed maisonettes and meet the parking standards. The car ownership statistics identify that the future occupiers may only require two space and therefore the other two spaces could be used for visitors.

9.23 When considering the 30 rented garages across both (east and west) garage sites, the Survey indicates that the Sempill Road and the surrounding roads would be able to accommodate a worst-case scenario for vehicle displacement. This uses the methodology set out in the Parking Standards SPD.

9.24 The Survey demonstrates an average parking stress of 80% on streets up to 400m walking distance away from a central point between the two sites. If 30 additional vehicles were displaced onto local streets, the stress could increase to 92%. Neighbouring garage sites could potentially accommodate up to 16 displaced vehicles. However, it is unlikely that the garages are being used for vehicles when considering their limited size. The Survey concludes that both developments meet the on-site parking requirements, provide room for visitors and would have a minimal impact on the local highway as a result of vehicle displacement. Therefore, a refusal based on parking grounds would not be warranted.

9.25 Considering the large number of resident objections and parking stress results for Sempill Road, there is clearly an existing issue with parking here. The 1960s terraced units have no off-street parking and piecemeal developments around the area have increased the population in this area. This, combined with the increase in car ownership and larger commercial vehicles parking here, has put pressure on the road network.

9.26 The Framework, Para. 109 states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Although there is an existing issue, it is not felt that a significant number of vehicles would be displaced from the existing garages or forecourts. If some are, there is scope for re-location within the vicinity. The proposed development would over provide on-site parking and no on-street parking spaces would be lost. Therefore, it is not considered that the proposed development would significantly impact highway safety. Hertfordshire County Council as the Highway Authority have assessed the highway impacts and raised no objection to the proposals, stating, *"The proposal would not have a severe residual impact on the safety and operation of the adjoining highway."* They have considered that the existing access and proposed layout appropriate in terms of highway safety and manoeuvrability for larger vehicles e.g. fire tender and refuse vehicles, subject to conditions. Taking all of the above into account, the proposal is deemed compliant with the Framework, Policies CS8, CS9 and saved Policy 51 in relation to parking and highway safety.

#### The Quality of Residential Development and Impact on Visual Amenity

9.27 The Core Strategy seeks to secure quality design and deliver housing at a high standard. It also aims to provide optimum densities in the right locations. Policies CS11 and CS12 require development to preserve attractive streetscapes, integrate with existing streetscape character and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping. Saved Appendix 3 of the Local Plan discusses the layout and design of residential areas and provides on-site specifics, such as acceptable garden sizes, spacing of dwellings and crime prevention measures. HCA17 (Crabtree), sets out a number of development principles for new housing in this area, including:

*"Design: No special requirements.*

*Type: Semi-detached dwellings are encouraged. However, terraced and detached dwellings may be acceptable where these types respectively form the majority of nearby and adjacent development. Plots may be acceptable dependent on their scale, resultant appearance and compatibility with the street scene.*

*Height: Should not normally exceed two storeys.*

*Size: Medium sized buildings are acceptable and encouraged.*

*Layout: Dwellings should normally front the road and follow established formal building lines. Spacing in the medium range (2 m to 5 m) is expected.*

*Density: Development in the medium density range (30 to 35 dwellings/ha (net)) is acceptable.”*

9.28 The proposed development is for four maisonettes, provided in a building that looks like a pair of semi-detached properties. The building would be constructed of red/brown brick, tiled roofs and grey windows. The drawings confirm that full material details are not yet decided and therefore, if this application is approved, details would be secured via condition.

9.29 Sempill Road exhibits a variety of different dwelling types and designs, and a range of sizes. Therefore, the design of the proposed units would not appear out-of-place or harmful to the existing streetscape. The overall scale and shape of the buildings would be similar to the surrounding residential properties. The ground-floor maisonettes would be provided with an area of outdoor amenity space and there is a large grassed amenity area to the south-east. The main living areas would be either dual or triple aspect, providing future occupiers with ample light. The designs include some additional design features such as chimneys, glazed tiles and brick detailing. These details would add some visual interest to the buildings.

9.30 Turning to layout, the proposed building would sit opposite the terrace comprising 55-59 Sempill Road and down from the detached units, 103 and 104 Sempill Road. Sufficient spacing has been maintained to ensure that the proposals do not look cramped within the context of the street. The building does not follow any specific building line, but it would not appear out-of-place within this urban area. The buildings would follow the topography and ‘step down’ the hill, similar to the existing terraces opposite.

9.31 The site would provide a density of 30 dwellings/ha, meeting the medium range of 30 to 35 (as per HCA17). The proposed density is therefore considered acceptable.

9.32 In light of the above, its proposals are considered to provide a high quality residential development that would satisfactorily integrate within the existing streetscape. The proposed buildings are considered as an improvement when compared to the existing flat roofed garages. The proposals are considered to comply with regards to the quality of residential development and the impacts on visual amenity.

#### The Impact on Living Conditions of Existing and Future Residents

9.33 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable. Policy CS12 states that concerning the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. Paragraph 127 (f) of the Framework requires development to create safe, inclusive and accessible places that promote health and well-being and a high standard of amenity for existing and future users.

#### *Loss of Light / Visual Intrusion*

9.34 The proposed properties would be situated some 30m from the properties on Wheelers Lane to the north. To the north-west, Nos. 103 and 104 Sempill Road are sited around 23m from the proposed northern flank wall. The terrace comprising 55-59 is 22.5m from the proposed façade and the properties on St Albans Hill, to the south-east, are over 35m away. Considering the separation distances between the existing and proposed properties, it is unlikely that there would be any breach of the 25-degree lines taken from the mid-points of the neighbouring ground-floor windows, even when considering the topography. The proposal is therefore considered acceptable in accordance with the Building Research Establishment’s report, ‘Site layout planning for daylight and sunlight: a guide to good practice’ (BR209). These separation distances also illustrate that the proposed dwellings would not be visually intrusive to the neighbouring properties. Some residents have highlighted that the proposed buildings would ruin their views over the valley. Considering the

change in level and size of the units, it is unlikely that the proposal would significantly obscure views. However, it should be noted that the right to a view is not considered as a material planning consideration. Taking the above into account, the proposal is found to comply with BRE guidance and Policy CS12 with regards to light and visual intrusion.

#### *Overlooking / Loss of Privacy*

9.35 Turning to the impacts on privacy, the separation distances highlighted above ensure that there are limited impacts on overlooking into neighbouring properties. The neighbours to the sides of the proposed properties are situated over 23m from the proposed flanks. Therefore, it is not felt that the flank windows warrant an obscure glazing condition, as the distances meet the guidance set out in saved Appendix 3 of the Local Plan. The neighbours directly opposite (55-59 Sempill Road) would have a new two-storey building constructed in front of them. The land level rises sharply and views into the first-floor windows of these properties is already achievable from public land. Whilst this should not be worsened by the proposals, considering the distances between the existing and proposed properties, it is not felt that the scheme significantly increase overlooking into these neighbouring properties. Considering this, it is not felt that the proposed properties would warrant a refusal on overlooking or loss of privacy.

#### *Demolition / Construction*

9.36 In terms of demolition and construction, if this application were approved, these aspects would be controlled by Dacorum's Environmental Protection Team. Various informatives would be added in relation to this (e.g. construction hours, etc.).

#### *Summary*

9.37 The proposal would provide a high quality living environment for future occupiers and would not result in significant adverse impacts on residential amenity. The quality of residential development and the impact on the living conditions is therefore considered acceptable in accordance with the aforementioned policies.

#### Other Material Planning Considerations

##### *Impact on Trees*

9.38 The proposal involves the removal of one English Oak tree. The submitted Arboricultural Report (ref: S235-J1-IA-1) identifies that this tree was recently planted and is 'not thriving'. The tree was given a 'U' category, which is defined as "*those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.*" Dacorum's Trees and Woodlands Department have raised no objections to the removal of this tree. The Proposed Site Plan demonstrates that two additional trees would be planted to compensate for the loss. Taking this into account, it is concluded that there would be a limited impact on vegetation in accordance with saved Policy 99, and two new semi-mature trees would be provided as per Policy CS29.

##### *Landscaping*

9.39 The proposed site plan details planting around the site, which should help to soften the visual impact of the development and create an attractive site. The boundary treatment (1.8m timber fencing) and surfacing materials (block paving and bound gravel) is considered acceptable. Full details of landscaping would be requested by condition if the application is approved.

##### *Ecology*

9.40 An Ecological Survey and Bat Report has been submitted to the Local Planning Authority as part of the application submission. The report provides an adequate assessment of the impact of the proposals and is based on appropriate survey methods. The likelihood of an adverse ecological impact was found to be negligible-low. Hertfordshire County Council's Ecology Department have raised no objection but advised that a precautionary approach is taken. They also requested that informatives relating to birds and bats be added if consent is given.

9.41 The planning system should aim to deliver overall net gains for biodiversity where possible, as laid out in the Framework. As such, the County Ecologist requested that a 'Landscape and Ecological Management Plan' (LEMP) is secured by planning condition if approved. Simple measures to achieve this could be put forward in this plan, for example, the planting of native trees, fruit/nut trees, hedgerows; sowing of wildflower areas for pollinators and species diversity; provision of roosting opportunities through the integration of bat bricks/units within the design of the buildings; and the inclusion of bird boxes for common garden bird species and/or nest box terraces on buildings for swifts and house sparrows. This condition would be added, if approved, and could subsequently be monitored/signed off by the County Ecologist.

#### *Loss of Amenity Land*

9.42 The amenity land to the south of the garage block forms part of a quite attractive and extensive network of amenity areas, which together form part of the intrinsic character of the original 'New Town' neighbourhoods. This area of land has a positive contribution to the character and appearance of the local area. It is not felt that the loss of a small section of this land would significantly harm the prevailing character of the area or the townscape. However, as a small area is being lost, it must be outweighed by other planning gains. The affordable housing is one element, but it is also noted that benches, new and improved pathways and additional trees are being provided. These elements would contribute to enhancing local amenity. Furthermore, the provision of landscaping and ecological benefits captured through conditions would further add to this. As such, the loss of amenity land is considered acceptable.

#### *Waste / Bin Storage*

9.43 Developers are expected to provide adequate space and facilities for the separation, storage, collection and recycling of waste (see Dacorum's 'Refuse Storage Guidance Note'). The site plan indicates bin storage and a bin collection point for the properties. If the application is approved, the landscaping plan will capture full details of bin stores to make sure the bins are satisfactorily disguised from the public realm. Taking the above into account, no concerns are raised about refuse storage and collection.

#### *Community Infrastructure Levy (CIL)*

9.44 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. The Charging Schedule clarifies that the site is in Zone 3 within which a current charge of £131.50 per square metre is applicable to this development.

9.45 Depending on the tenure of any affordable housing units, these may be exempt from the payment of CIL. It is recommended that any exemption requirements are discussed with the CIL team prior to the submission of the proposals and that relevant paperwork is completed expediently upon any issue of planning permission.

#### *Contamination*

9.46 The Environmental and Community Protection Team have confirmed that they have no objection to the proposed development. However, it is judged that the recommendation for an

intrusive land contamination investigation is made. As such, it has been recommended that two conditions be included in the event that permission is granted.

#### *Drainage*

9.47 drainage strategy comprises of unlined permeable paving for car parking areas with an outflow into the proposed network. It is noted that surface water drainage calculations have been provided to support to scheme and ensure sufficient storage has been provided for the 1 in 100 year plus climate change event. As per the other garage redevelopment sites comprised within this PPA, if the application is approved it shall be subject to the inclusion of a final drainage scheme condition. The Lead Local Flood Authority would be consulted for comment on this.

#### *Crime Prevention and Security*

9.48 Hertfordshire County Council's Crime Prevention Design Advisor was consulted and has raised no objection. However, they suggested a number of recommendations to improve crime prevention and security on the site. These are listed in their consultation response in Appendix A. These were passed to the Applicant and they highlighted that *"Our landscaping design and Employers Requirements will address the comments from the Crime Prevention Officer. These will be included in the contract requirements."*

#### *Sustainability*

9.49 The development of Brownfield sites e.g. previously built upon, such as this, have a sustainable benefit as it results in a continuance of built development for each site thereby minimising the loss of Greenfield sites and consequential trees/habitat thereto.

9.50 The orientation of the dwellings has had consideration to the Dacorum Energy Efficiency and Conservation SPD. The properties are orientated towards the south-west to maximise access to afternoon sunlight. Windows are sized at 20% of habitable room footprints, to further reduce the demand for artificial lighting. The Applicant has confirmed that they *"will adopt a fabric first approach, with high levels of insulation, low levels of air leakage and systems to ensure controlled ventilation - all of which reduce the demand for mechanical heating and cooling."*

9.51 Furthermore, the Applicant has confirmed that the following measures will be implemented:

- All external planting will be native and will rely on natural precipitation only.
- Water saving devices will be specified e.g. low flush toilets.
- On site surface water disposal and attenuation measures have been considered and are included in the Drainage Strategy.
- The materials used in construction these will be of a low environmental impact over the full life cycle of the building.

9.52 The site would be subject to separate application for Building Regulations approval. These Regulations set out stringent statutory requirements for energy use and carbon emission targets, as defined by Part L1A: Conservation of Fuel and Power in New Dwellings.

9.53 In terms of construction, the Applicant has highlighted that the dwellings have been designed to be suited to elements of modern methods of construction and off-site manufacture, all of which contribute to reduced energy use in the construction phase. This can also reduce the site construction phase period.

9.54 It has been confirmed that during the construction phase of each site, the building contractor would be required to establish a Site Waste Management Plan in order to reduce, and enable the



recycling of, waste building materials. Further, it has been confirmed that the building contractor would also register each site under the Considerate Constructors Scheme to ensure that appropriate targets are met with regard to site management i.e. in an environmentally, socially considerate and accountable manner.

## 10. CONCLUSION

10.1 The provision of four affordable flats for local people is considered a significant benefit of this application. There has been significant objection from residents and it is understood that there is existing parking stress on Sempill Road. However, it is not considered that the loss of the garages and the provision of four 1-bedroom units would exacerbate this to an unacceptable level. The proposed maisonettes would satisfactorily integrate with the surrounding area. No significant adverse impacts are identified concerning residential amenity. The impact on trees is acceptable.

10.2 The redevelopment of this garage site would provide the Council as a provider of housing with the opportunity to complement the existing housing stock and to meet its own objective of providing housing. The scheme would add to the range of affordable homes being provided by the Housing Development Team and provide other benefits such as improved landscaping and visual benefits. The application is therefore recommended for approval.

## 11. RECOMMENDATION

11.1 It is recommended 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. **No development shall take place until the final design of the drainage scheme is submitted to and approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority. The surface water drainage system will be based on the submitted the Flood Risk Assessment reference M03001-04\_FR06 dated November 2020 prepared by McCloy Consulting and Drainage Strategy reference M03001-04\_DG02 dated November prepared by McCloy Consulting. The scheme shall also include:**

1. **Limiting the surface water run-off rates to a maximum of 2l/s for all rainfall events up to and including the 1 in 100 year + climate change event with discharge into the Thames surface Water sewer.**
2. **Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**
3. **Implement drainage strategy to include permeable paving, filter drain and attenuation tank.**
4. **Where infiltration is proposed infiltration testing in accordance with BRE Digest 365 at the proposed depth and location of the proposed SuDS feature**
5. **Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event, with a supporting contributing area plan.**

- 6. Demonstrate appropriate SuDS management and treatment for the entire site including the access road. To include exploration of source control measures and to include above ground features such as permeable paving.**
- 7. Maintenance and management plan for the SuDS features.**

**The scheme shall be implemented in accordance with the approved details.**

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraphs 163 and 165 of the National Planning Policy Framework (2019).

- 4. All remediation or protection measures identified in the Remediation Statement referred to in Condition 3 above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby permitted.**

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

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

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

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

- 6. The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing DBC-IW-SEE-00-DR-A-0100 (Revision P1). The Electric Vehicle Charging points and associated infrastructure shall thereafter be retained in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

- 7. 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 soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- o external lighting; and
- o minor artefacts and structures (e.g. bike stores, street furniture, play equipment, signs, refuse or other storage units, etc.).

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

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

8. **Prior to commencement of the development, a Landscape Ecological Management Plan (LEMP), shall be prepared, detailing how biodiversity will be incorporated within the development scheme. The plan shall include details of native-species planting, and/or fruit/nut tree planting, as well as the location of any habitat boxes/structures to be installed. The plan shall be submitted to the Local Planning Authority for written approval and the development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure that the development contributes to and enhances the natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019). These details are required prior to commencement to ensure that an overall on-site net gain for biodiversity can be achieved before construction works begin. The LEMP should include details of when the biodiversity enhancements will be introduced and this may be reliant on the construction process/timings.

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

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

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

DBC-IW-SEE-00-DR-A-0010 - Site Location Plan  
 DBC-IW-SEE-00-DR-A-0100 (Revision P1) - Proposed Site Plan  
 DBC-IW-SEW-00-DR-A-2210 (Revision P2) - Proposed 1B Dwelling Plans & Elevations  
 S235-J1-IA-1 - Arboricultural Report by John Cromar's Arboricultural Company Limited (dated 3rd September 2020)

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

**Informatives:**

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

2. Waste Comments

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

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

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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

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

3. 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.

4. 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.
5. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
6. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
7. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
8. 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](http://www.dacorum.gov.uk) by searching for contaminated land.
9. 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.
10. 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.
11. 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.
12. As per Agenda Item 14 (Page 3 of 6) of Cabinet dated 16th September 2014 (Update on Garage Disposal Strategy), all of those residents who currently rent a garage in a block earmarked for disposal will be offered an alternative garage. The Garage Management Team will wherever possible, offer a garage to rent in another garage site owned by Dacorum Borough Council in the vicinity of the development site.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Hertfordshire Ecology	<p>Thank you for consulting Hertfordshire Ecology on the above. I am pleased to see an ecological report has been submitted in support of this application:</p> <ul style="list-style-type: none"> <li>o Preliminary Ecological Appraisal and Preliminary Roost Assessment (Bernwood Ecology, 2 September 2020);</li> </ul> <p>The site was visited on 13 August 2020 and comprises a row of terraced garages on hardstanding with some amenity grassland, and a small area of scrub. There is an immature oak tree on site (and two adjacent trees), which is being retained and should be protected from damage (including roots and overhanging branches) during construction.</p> <p>The report provides an adequate assessment of the impact of the proposals and is based on appropriate survey methods and effort. The likelihood of an adverse ecological impact is negligible-low; however as bats and nesting birds are likely to be in the area, I advise the following precautionary approach Informatives are added to any consent given:</p> <p>"Any significant destructive works (including demolition or tree removal) should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest."</p> <p>"In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed."</p> <p>The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. It would be appropriate for this development to enhance the site for bats, birds, hedgehogs and invertebrates. Simple measures to achieve this could include the planting of native trees, fruit/nut trees, hedgerows; sowing of wildflower areas for pollinators and species diversity; provision of roosting opportunities through the integration of bat bricks/units within the design of the buildings; the inclusion of bird boxes for common garden bird species and/or nest box terraces on buildings for swifts and</p>

	<p>house sparrows; hedgehog homes and gaps in fencing to allow free passage of small animals.</p> <p>Consequently, I would like to see details of how biodiversity will be included in the development scheme to address the expectations of NPPF in achieving biodiversity net gain. This should be provided in a Landscape Ecological Management Plan (LEMP) or Biodiversity Gain Plan (or similar) secured by Condition and I can suggest the following wording:</p> <p>"Prior to commencement of the development, a Landscape Ecological Management Plan, shall be prepared, detailing how biodiversity will be incorporated within the development scheme. The plan shall include details of native-species planting, and/or fruit/nut tree planting, as well as the location of any habitat boxes/ structures to be installed. The plan shall be submitted to the LPA for written approval and the development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the LPA."</p> <p>Reason: to demonstrate the expectations of NPPF in achieving overall net gain for biodiversity have been met in accordance with national and local policies."</p> <p>I trust these comments are of assistance.</p>
Environment Agency	No comment.
Thames Water	<p>Re: LAND OFF, SEMPHILL ROAD, HEMEL HEMPSTEAD, HERTFORDSHIRE , HP3 9FW</p> <p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network</p>

	<p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a></p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a></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>
Affinity Water - Three Valleys Water PLC	No comment.
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><b>CONDITIONS</b></p> <p>1. Prior to the first occupation / use of the development hereby permitted the proposed access/on-site car and cycle parking / servicing / loading, unloading / turning /waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p><b>INFORMATIVES</b></p> <p>1) 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</p>



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.

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

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

#### COMMENTS

This application is for Demolition of 10 residential garages and construction of 4 new dwellings.

The site is located on Sempill Road, which is an unclassified local access road with a speed limit of 30mph and highway maintainable at public expense

#### ACCESS

Current access to the site is from Sempill Road, which will remain unchanged for the development. A pedestrian way through the site will be maintained.

	<p><b>PARKING</b></p> <p>A total of 4 parking spaces will be provided for the development.</p> <p>The applicant is reminded that DBC is the parking authority for the borough and therefore should ultimately be satisfied with the level of parking. Secure cycle parking will be provided for each property.</p> <p><b>EMERGENCY VEHICLE ACCESS</b></p> <p>The proposed dwellings are within the recommended 45m distance from emergency vehicle access.</p> <p><b>REFUSE / WASTE COLLECTION</b></p> <p>Arrangements have been made for the storage and collection of waste.</p> <p><b>CONCLUSION</b></p> <p>Hertfordshire County Council as Highway Authority considers the proposal would not have a severe residual impact on the safety and operation of the adjoining highway, subject to the conditions and informative notes above.</p>
Strategic Planning & Regeneration (DBC)	No comment.
Herfordshire Building Control	No comment.
Conservation & Design (DBC)	<p>Architectural Design:</p> <ul style="list-style-type: none"> <li>- Well designed terraces in the local area typically have a form of vertical façade articulation between dwellinghouses e.g recessed bricks / shadow gaps / brick pillars which assist in breaking the mass of the housing block into a finer urban grain. Perhaps the proposal elevations could benefit from a similar façade treatment along the party walls to distinguish between houses within a terrace and break down the blocks mass.</li> <li>- Subtle articulation added to the gable roof between units could also assist in the breaking down the massing of blocks where there is a long terrace of multiple houses or a highly visible roof.</li> </ul> <p>Comments received 03.02.21</p> <p>Recessed brick detail to be added to terraces as per other sites (email 26.01)</p>

	<p>No change to roof option (email 26.01)</p> <p>Final external materials, hard landscaping and window details subject to condition.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site is on land which has been previously developed and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed residential 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</p>

	<p>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 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) &amp; (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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
<p>Crime Prevention Design Advisor</p>	<p>In relation to crime prevention and security I have no objection to this application , however I would ask that the dwellings are built to the police Secured by Design standard . The surveillance is poor to the rear of the proposed properties and therefore could be at risk to intruders .</p> <p>Physical Security (SBD)</p> <p>Front doors</p>

	<p>Certificated to BS PAS 24:2016</p> <p>Windows: Ground floor windows and those easily accessible certificated to BS PAS 24:2016 or LPS 1175 SR2 including French doors .:</p> <p>Dwelling security lighting : (Dusk to dawn lighting above or to the side front doors ).</p> <p>Boundary Exposed side and rear gardens with robust fencing , minimum 1.8m height , gates to be secure with lock</p> <p>Car Parking: Adequate parking, good surveillance .</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
40	45	1	44	0

### Neighbour Responses

Address	Comments
39 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG	<p>We live at 39 St Albans Hill and have been notified about the proposed developments at each end of Sempill Road.</p> <p>We would like to express our objection to the development on the grounds that Sempill Road is already overdeveloped with huge overcrowding and very little space to drive up the road or park anywhere.</p> <p>We also have concerns about drainage as they are already overwhelmed and overflowing. During heavy rainfall, the road and pavement directly at the bottom of Sempill Road floods and drains that we used to unblock easily are now impossible to do anything with. The drains all the way along St Albans Hill are blocked and this was not the case before the houses were built at the top of Sempill Road some years ago. More properties will only have a greater impact on this problem.</p> <p>Our next door neighbours who have lived here for decades and who rent a garage in the proposed development site were not notified until today - by word of mouth from another neighbour! We find this really appalling since they have been part of this local community for many years and they will be directly and adversely affected.</p> <p>Lastly, we have serious concerns about the impact on local wildlife. In what is already an overdeveloped area with dwindling green spaces, the families of foxes, hedgehogs and birds will be displaced and possibly harmed. At a time when climate change and global warming are at a critical point, we think more housing in this particular part of Hemel Hempstead is short-sighted and irresponsible.</p> <p>We should be grateful if you would register our objections and let us</p>

	<p>know what we can do to be heard in any upcoming discussions on this matter.</p>
<p>6 Wheelers Lane Hemel Hempstead HP3 9JE</p>	<p>I have owned my house for 3 years. I paid a premium for this property for this area and the attraction is the secluded location and fantastic view of the Lime Walk valley and over to Apsley and the Shendish Manor golf course and surroundings woodlands.</p> <p>I object to the building of new social housing at Sempill East.</p> <p>Firstly I am desperate for more garage space for my family and have not been able to secure it as it seems they are not being upgraded and made available to residents. The statement that "residents aren't making use of the garages" is unfounded as we are looking for at least 2 and have not been able to secure the ones we want. Many more residents would use these if they were available and at an affordable price.</p> <p>Should building go ahead, my view would be obscured significantly and this would have an effect on the quality of life we have as a family. We spend most days outdoors with children and pets. We enjoy relative peace and quiet but adding more houses would firstly ruin our view and secondly overlook our garden. My son is disabled with Autism and noise and change significantly affects his wellbeing. There would be more traffic and more cars to park in the already overcrowded streets around Sempill. There is already a problem in Wheelers Lane with two or more cars per household. Some individuals own 3 cars. Residents are always parking on the grass on the green and using the new spaces for their diy and car repair projects and their work vehicles. These are residents from Deansbrook and Runham road as well.</p> <p>Many of us office workers now work from home, I cannot bear to imagine a year of construction traffic, noise and dust. The impact would upset our pets too.</p> <p>There is an environmental problem with the wildlife that inhabit the space around the garages we often see foxes and cubs coming out of the extended gardens on St Albans Hill. They will be negatively affected.</p> <p>We have issues with vehicles racing around the area already.</p> <p>We don't need any more social housing and the antisocial behaviour that comes with it, smoking illegal substances, dealing drugs out of the shared houses in our street and the people who work on vehicles on the road and run businesses out of their front gardens.</p> <p>The schools don't need to be pushed to breaking point either.</p> <p>Please put my objections forward.</p>
<p>10 Springfield close Croxley Green WD3 3HQ</p>	<p>I visit my son and daughter in law and since they have lived in Sempill Road this is becoming increasingly difficult for me. I am registered disabled and need to be able to park near to their home as I cannot walk far. However this is now impossible. I have to stop by their house</p>

	<p>and ask my son to park the car for me as the spaces are too far away. This new development is going to make the parking situation worse as more traffic will be on the road. The access to the road is dangerous as there are always cars parked on the corner and this completely blocks your view as you drive in and out of the road. There is enough development already in this road it really cannot take anymore. The overspill from the neighbouring roads is only going to get worse if this goes ahead. I feel this has been designed without any thought to how it will actually work by people who have no clue about the road apart from a short one morning. I strongly object to this proposal</p>
<p>15 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>Please consider: Pedestrians in the constructions. Plant many trees in order to provide better air quality and wildlife Making this dangerous road one way. Please address the current parking issues which will be worsened by over 10 more residences Make parking bays Prevent parking on grass verges Prevent parking across dropped kerbs Please ensure that parking overspill is not pushed onto St Albans Hill as it is already illegally parked in multiples daily, obstructing pavement access for buggies and wheelchairs. Increase road markings preventing parking to the intersection with St Albans Hill.</p>
<p>14 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>We strongly object to the proposed development within this planning app. As a resident of Sempill Road for the past 9 years, the parking has increasingly become worse during this time, even with the councils small effort to increase parking by removing some unused grass verges a couple of years ago. A simple supermarket home delivery vehicles causes chaos due to the single lane availability and lack of parking for the residents. Majority of houses along Sempill have AT LEAST 2 cars, but I would actually suggest the average to be closer to 3 per dwelling. We are also sharing our street with properties along St Albans Hill who have no driveways and feel its safer to park along Sempill rather than park along the main road (which does not have any parking restrictions). There is no consideration for where the local residents who currently use these garages will now be expected to park their vehicles? Again further impacting the already limited parking. The proposed development, although has provisions for allocated parking, will not be adequate and it can be guaranteed that it will spill out into Ivory Court and Sempill Road. The construction phase of the development will also have significant and detrimental impact to Sempill Road &amp; Ivory Court users. If both developments are granted and completed at the same time, what considerations have been made to the accessibility for vehicles entering/exiting the street? No doubt there will be obstructions caused by construction works in the form of heavy plant &amp; machinery movements, partial road closures to complete utility connections, parking for construction workers, mess spilling out onto Sempill and noise disruption from the chaos this will cause.</p>

<p>25 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>Accidentally submitted first part of my comment too early... The vehicles parked on Sempill Road include a number of very large commercial vehicles which can often take up 2-3 spaces, vehicles from the residents of St Albans Hill along with vehicles which belong to residents of the more recent build at the back of Deaconsfield Road, where they choose not to use their drives to full capacity. All of these have led to the most horrendous parking situation I have ever come across, yet you have failed to recognise this or even suggest sensible solution in your plans. How can removing garages and adding more homes to an already over populated and congested road be a good thing? Who will benefit? Certainly not us the current residents. I had previously typed a very long objection in December which failed to submit so I am keeping this one short but what I'm saying is that I strongly object to this proposal unless a solution is put forward to rectify our current lack of parking spaces.</p>
<p>112 Deaconsfield Road  Hemel Hempstead Hertfordshire HP3 9JA</p>	<p>There is not enough parking spaces at the moment, cars are already double parking on Sempill Road leading to St Albans Road. This is also on a hill, leading to St Albans Road. Which already causes problems driving up and down the hill. With move cars using this very small road, it will lead to an increase in potential accidents on this road. Please look at the safety aspect of an increase in traffic on the very small road. There is not enough parking space in this road, adding more houses will increase the volume of traffic. Cars already parking on grass verges, it is also on a hill whereby cars are already double parking. This will just increase the possibility of more accidents.</p>
<p>69 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>The proposal is to demolish in total 46 garages on the 2 sites of Sempill Road. That would mean an extra 46 vehicles looking for parking on residential streets which are already full to capacity with many vehicles already parking on pavements. The extra traffic it would bring to one of the main routes into town from the dual carriageway would also massively increase further putting pedestrians including primary school children who walk to school at greater risk of being hit by vehicles which already use St Albans Hill as a race track</p>
<p>49 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>The access to and parking on Sempill Road is already bordering on dangerous and is not sufficient currently. Inadequate parking/turning. Noise and disturbance.</p>
<p>91 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>Not enough parking spaces, source of plan (County Council) obviously unreliable. 1 bed dwellings will potentially house couples- 1 car each=2no. plus visitor space=1, equalling 3 car parking spaces per house. Sempill Road is already over run with cars. Ivory Court, a Housing Association development off Sempill Road has reasonable planning for cars, suggest you take a look at that. The model used by the Council is old and needs updating.  A footpath runs past the garages due to be demolished, it is not clear from the plans that this will be maintained. It will constitute a right of way and must be maintained.</p>



<p>58 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I object to both proposals of developing Sempill Road any further that it has already.</p> <p>There isn't enough roadside parking or parking spaces, to cope with the current volume of cars on Sempill Road and surrounding Streets/Roads. Adding more dwellings and only allowing 1 space per property is not realistic, as most households have 1 car per adult.</p> <p>These extra vehicles that have not been catered for, will end up parking in the bays along the top of Sempill Road and down the roadside to the East and West of Sempill, which will force existing Sempill residents to park elsewhere or the new residents to use the entrances to the new houses as parking areas, blocking existing drives, adding more congestion to the corners of the Road, and reducing the already poor visibility of oncoming traffic.</p> <p>I have recently witnessed the recycling truck struggling to navigate its way around the east side of Sempill Road, due to all the cars parking on the corner on the left. I have also seen many cars hit on the East side of Sempill, due to the poor visibility.</p> <p>Along with the additional cars from the new dwellings, will be the previous garage occupants, who will need to park their cars on Sempill Road, as other garages in the area may not be considered close enough for them to want to rent.</p> <p>Sempill Road needs widening to allow for the volume of traffic that we have daily, which includes the dustcart, lorries, emergency services and the endless amount of works traffic that this development will produce, if it goes ahead. Along with this, we need additional parking throughout the grass verges on Sempill Road., to ease the burden of the current parking situation and to allow for the additional cars that this development is going to create.</p>
<p>57 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I object for the above reasons</p> <p>I completely object to the proposed development to demolish garages at both Sempill Road East and West sites. Sempill Road cannot cope with the current amount of vehicles that use and park on this road not only from Sempill road but also the surrounding roads such as St Albans hill, to add more homes and cars to this already busy street is going to be extremely dangerous! I have personally had my car damaged numerous times when i have had to park on the Sempill Road East bend because there is nowhere else to park as residents of St Albans Hill use Sempill Road to park their vehicles. I can also recall a young child got hurt by a car reversing back up the bend to let another car through. If this application goes ahead it will make Sempill Road even more congested and an extremely dangerous road to live on.</p>
<p>101 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>I object to the proposed planning on the garage sites of Sempill Road my main reasons are as follows:</p> <p>Sempill Road in general has a lack of parking for the original houses that have been here since the 1970's. The new houses that have been built in the gardens of Deaconsfield Road mostly have two spaces, but towards the west end these are rather poorly executed, as some of these only have one small car space which is not sufficient for larger cars. This pushes extra household cars and larger cars out into the existing parking bays. Parking arrangements need to be investigated before any further dwellings are added to the area. Houses on St Albans Hill also compound the parking issues on Sempill Road due to</p>

their lack of parking facilities.

The existing parking bays are at times not used to their full potential as there are no lines marking the spaces. The cars have to park at angles to make the most of the space available, when there are larger vehicles the road width is significantly reduced. Making navigating the road difficult, also the quality of the road surface along Sempill Road is poor and has many potholes.

Having taken two years to rent a garage on the east site to then find I will be losing this not by the council's garage team but a letter drop saying the council was going to build a new development was a shock. I know that over 50% of these garages on the east side are used. So, to quote the planning and access statement "Over time the garages have become either disused or underused" is a false claim. I know of others that have tried to rent these garages, but have had unsuccessful applications. Therefore, this proves there is a demand for garage space in this area. With the loss of valuable garage space vehicles that are parked in these garages will be forced to park along the road. There is also the impact of a loss of storage space. Very few of the original houses on Sempill Road have a driveway or garage space. Taking these garages away means that residents lose the opportunity to have a garage.

The access to the proposed east site development is on a rather congested and blind corner, where I have witnessed a few near misses. The parking up the hill for the residents of St Albans Hill and those of Sempill Road make this road a single trail and passing can be fraught and difficult at times. Adding a construction site and then extra vehicles to this will add to the dangerous nature of the road. The proposed new builds only have one allocated space per household and no visitor spaces.

When you look at other new developments within Hemel Hempstead, for example, Frogmore Road, Ebbens Road and Nash Mills (along Red Lion Lane) you can see the parking issues that surround these new builds that have not had adequate parking planned into the development, as most households have a minimum of two cars. It is unrealistic to believe everyone will use public transport or cycle to and from work, schools, supermarkets and leisure facilities.

The council needs to have a proper consultation with the existing residents and consider their needs first before squeezing in more properties to an already congested area.

The parking report seems to imply that all the residents are making up the parking issues, but how can this be when 40 plus residents highlighted the same issues without a group meeting? The common sense value has also been squeezed out from the report expecting residents to have to park nearly 400m away on other roads. St Albans Hill residents already use Sempill Road due to the lack of parking on their road and that parking along this road is dangerous due to traffic levels and speed. The 35 spaces that have been highlighted in the report for St Albans Hill, I cannot work out where these are? Looking at Table 1.3: Parking Survey Results someone cannot add up either as several roads have gained extra empty spaces!

If you look at the issues in surrounding developments where parking is limited, it shows it spills out onto other roads. This will be the case for

	<p>the new developments.</p> <p>The report was conducted on two consecutive nights after midnight. I have carried out my own observations around the East site and the parking does fluctuate quite a lot from some evenings where there are a few empty spaces to other times where cars are having to double park on the corners. So, if a report is to be done fairly and properly it should be carried out at different times and over a few different days including Fridays and weekends. Was the team that carried out the report worried to come on a Friday evening as they would not be able to find a parking spot?</p> <p>The report also talks about garages around the area with empty spaces. The garages of Wheelers Lane are in a very bad state of repair and even though they are close to the East site I would not want to use these with their asbestos roofs and condition! The East site is also 90% full so it shows they are a well used block of garages and the West site would I expect have a higher occupancy if the system was easier to rent garages and they were kept in better repair.</p> <p>So being realistic this development seems to be a foregone conclusion as the properties have already been given street numbers! This is despite what the residents think, but to ignore all the concerns of parking and related road safety around this issue with a report that whitewashes the fact feels very disappointing.</p>
<p>102 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>Im not happy with the plan and I want to object y to the developers. The main issue is the car park space, cars parking already on grass. Next to the garages there is a footpath used by kids going on their own to school, which I believe will not be safe during the building works going on. In general I am very disappointed with those plans in place as we are going to lose our privacy we had</p>
<p>103 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>To whom it may concern</p> <p>We live adjacent to the proposed development site and are writing to ask you refuse this planning application.</p> <p>The block of flats and houses will overlook our property; this will lead to a loss of privacy, light and will certainly impact on the peaceful enjoyment of our home and garden.</p> <p>Parking will be adjacent to our home causing noise, pollution and dust at all times of the day and night.</p> <p>Sempill Road is already a busy and congested road; this additional concentration of traffic and roadside parking will cause traffic problems and create a safety hazard for other motorists as the road is not wide enough to support the extra traffic the development will generate.</p> <p>The field you are proposing to build on is the only green piece of land around what is an already overbuilt area. The children from the surrounding houses use it as a playground and that would be a massive lost for them.</p> <p>The construction site that will come if you go ahead with this will also bring major disruptions to our day to day life.</p>

	<p>Please consider our firm objections and help us preserve our overcrowded area already. To whom it may concern</p> <p>We live adjacent to the proposed development site and are writing to ask you refuse this planning application.</p> <p>The block of flats and houses will overlook our property; this will lead to a loss of privacy, light and will certainly impact on the peaceful enjoyment of our home and garden.</p> <p>Parking will be adjacent to our home causing noise, pollution and dust at all times of the day and night.</p> <p>Sempill Road is already a busy and congested road; this additional concentration of traffic and roadside parking will cause traffic problems and create a safety hazard for other motorists as the road is not wide enough to support the extra traffic the development will generate.</p> <p>The field you are proposing to build on is the only green piece of land around what is an already overbuilt area. The children from the surrounding houses use it as a playground and that would be a massive lost for them.</p> <p>The construction site that will come if you go ahead with this will also bring major disruptions to our day to day life.</p> <p>Please consider our firm objections and help us preserve our overcrowded area already. A parking survey has been carried out at 12:30am when the majority of residents are at work. Why? The congestion is happening after 4 o'clock so Was it a slip from the council or was it carried out just for the sake of it? Where are the 35 parking spaces on St Albans Hill as a majority of residents are still parking on Sempill Road? I find all of this survey done just for the sake of doing them and all our objections ignored. This is not acceptable Dacorum Council. You are going to impact massively our day to day life with this developments so at least do things properly.</p>
<p>6 Wheelers Lane Hemel Hempstead Hertfordshire HP3 9JE</p>	<p>I am a homeowner on Wheelers Lane. The garden and rear windows of my terraced house look directly over the garages at Sempill Road to the hills surrounding Apsley and Shendish Manor Golf Course.</p> <p>I chose my home 3 years ago because it has a great unobscured view over the Lime Walk park, St Albans Hill and the golf course and woods and Shendish Manor. I paid a prmium price for the area. I like my view, I also like my neighbours and the quiet locality.</p> <p>I really do object to the proposed 4 houses on Sempill 1 East. Not only will it destroy our peaceful neighbourhood for many months during construction, it will f orever bring more vehicles into the area, more traffic, more "social and afforable living tenants", (possible antisocial behaviour) and higher demand on our local schools.</p> <p>The double story building proposed, will destroy my view to the right of</p>

my patio and from the windows on the side. On Wheelers Lane we already have an issue with parking, there are more than 2 vehicles per house on the lane already. The HMO has at least 4 tenants and one chap has 3 cars just himself. We have boy racers and traffic up and down to the Wheelers Lane garages (backs onto the Sempill garages) all day and all night disrupting the neighbourhood. As well as people racing from town. The parking on Sempill and St Albans Hill is terrible some residents currently have to park 100 meters away from their homes at night.

Please do put me on your list of objectors. Send me all the information you have regarding how to formally contest planning permission. I will happily put together a petition of local residents and submit this to you.

Many thanks for your kind attention.

Good day I am unable to log into the page on the Dacorum site and therefore I apologise for the group email. Also the flyers and letters that were put into some letterboxes did not reach all surrounding households.

I live at 6 Wheelers Lane and I have owned my house for 3 years. I paid a premium for this property for this area and the attraction is the secluded location and fantastic view of the Lime Walk valley and over to Apsley and the Shendish Manor golf course and surroundings woodlands.

I object to the building of new social housing at Sempill East.

Firstly I am desperate for more garage space for my family and have not been able to secure it as it seems they are not being upgraded and made available to residents. The statement that "residents aren't making use of the garages" is unfounded as we are looking for at least 2 and have not been able to secure the ones we want. Many more residents would use these if they were available and at an affordable price.

Should building go ahead, my view would be obscured significantly and this would have an effect on the quality of life we have as a family. We spend most days outdoors with children and pets. We enjoy relative peace and quiet but adding more houses would firstly ruin our view and secondly overlook our garden. My son is disabled with Autism and noise and change significantly affects his wellbeing. There would be more traffic and more cars to park in the already overcrowded streets around Sempill. There is already a problem in Wheelers Lane with two or more cars per household. Some individuals own 3 cars. Residents are always parking on the grass on the green and using the new spaces for their diy and car repair projects and their work vehicles. These are residents from Deansbrook and Runham road as well.

Many of us office workers now work from home, I cannot bear to imagine a year of construction traffic, noise and dust. The impact would upset our pets too.

There is an environmental problem with the wildlife that inhabit the

	<p>space around the garages we often see foxes and cubs coming out of the extended gardens on St Albans Hill. They will be negatively affected.</p> <p>We have issues with vehicles racing around the area already.</p> <p>We don't need any more social housing and the antisocial behaviour that comes with it, smoking illegal substances, dealing drugs out of the shared houses in our street and the people who work on vehicles on the road and run businesses out of their front gardens.</p> <p>The schools don't need to be pushed to breaking point either.</p> <p>Please put my objections forward.</p>
<p>103 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>i would like to object the proposed plans for the demolition of 10 garages and redevelopment my reasons are as follows. the local area has had far too much development in the past few years, the gardens have been sold from most of the properties in deaconsfield for housing in sempill. Alotments have been demolished on the site where ivory court is now situated these alone account for approximately 52 houses in sempill and has attracted around 100 extra cars from these dwellings alone not including delivery vans etc. this has added more pollution and more danger on the immediate surrounding roads. if you couple this up with other developments in the very near vacinity apsley/manor estate etc it accounts for a significant increase in road traffic most of which will travel along st albans hill. (this is the only road you can access sempill from), there have been no road improvements to st albans hill to calm any of the extra traffic from any new developments, the roads are already in this area are already very busy at times. Adding more houses in sempill is totally unacceptable this will only add more danger to an already out of date road network.</p>
<p>101 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>We are lodging an objection to the proposal based on the excessive overdevelopment of the local area.</p> <p>There are several key factors that make even more over development of the area dangerous, unnecessary and immoral.</p> <p>1. Parking I am unable to submit my supporting video as I cannot add attachments to this comment, but frequently, at hours when residents are mostly at home, parking is full and mostly unavailable:</p> <ul style="list-style-type: none"> <li>- On Leys road</li> <li>- On the bay on St Albans Road before the slip road</li> <li>- Parking in the road along St Albans Hill</li> <li>- Parking on each of the East and West incline of Sempill, as well as all through the top of the road</li> </ul> <p>The parking proposed on the submitted plans, especially on the East development is less than sufficient.</p> <p>The average household has 2 cars, yet for 4 apartments, with likely 6-8 cars, a further 3 spaces are being added which will easily result in an excess of cars for the extra spaces provided, putting additional</p>

pressure on an already over limit parking situation. The majority of residents are already parking a very considerable distance from their house.

It should also be considered that with the world moving to Electric Vehicles, any addition pressure on parking will make it more impossible for people to be able to drive in the future as it places the infrastructure availability even more behind than it already is

## 2. Dangerous Roads

The proposal will increase over development of an area where 7 major junctions meet St Albans Hill in just 0.2 miles, from North to South:

1. Leys road slip road; with difficult visibility
2. Sempill East junction
3. Leys Road junction
4. Risedale Road junction
5. Newell Road junction
6. Sempill West junction
7. Additionally there is the parking entrance for Wellington Court

If you extend this to just 0.4 miles, this is extended to 10 junctions.

8. Roundabout meeting Wheelers lane
9. Junction for the flats on St Albans Hill
10. Junction for Northridge cars
11. Roundabout meeting Belswains Lane (also a danger for visibility)

Adding any additional and unnecessary flow of people or traffic to any of these roads is irresponsible and reckless.

Any person merely driving up or down St Albans Hill will experience how difficult it is to get through the stretch of road between the 2 Sempill junctions with the excess of cars given no option now other than to park along the road, blocking not only the road, but also considerably reducing path availability. This difficulty is greatly increased with larger vehicle i.e. buses or bin lorries that frequently need to use this stretch of road.

Additionally, the pressure placed on Wheelers Lane and the surrounding roads at the weekend when the Snow Centre is operating normally is excessive due to a major Tourist Attraction being allowed to be opened without adequate parking.

## 3. Excessive amount of development and load on local resources:

There has been what anyone would class as a massively excessive amount of development in the local area in the last couple of years, in particular:

1. All of the Ebbens Road development, with dramatically low parking provided, putting pressure on more people parking on Durrants Hill
2. All of the Frogmore Road development currently being undertaken
3. All of the new development up round the back of Apsley and Manor Estate.

	<p>4. All of the flats opposite Apsley Station  5. A new development in Magenta Court  6. All of the redevelopment of the John Dickinsons sight along red lion lane</p> <p>Roughly 80% + of these developments consist mostly of flats meaning an increased Population Density compared with developments of houses.</p> <p>All of this puts a massive additional excess on all of our local resources, putting parking aside, where is the additional infrastructure requirements for all of these developments?</p> <p>There has been:</p> <ol style="list-style-type: none"> <li>1. No extra doctors surgery's (Lincoln House was merely a relocation, not an addition)</li> <li>2. No extra schools, either primary or secondary</li> <li>3. Excessive pressure placed on the existing shops in the area</li> <li>4. Excessive pressure in particular on the road network in Apsley and the surrounding roads (including St Albans Hill).</li> <li>5. Excessive pressure on NHS services, which as we know are already massively under invested and do not need developments adding 1000's of additional people into these services</li> <li>6. No revision to our A&amp;E or hospital services of which there is none in Hemel Hempstead</li> </ol> <p>I would welcome the opportunity to be able to provide additional supporting evidence via video and photo.</p>
<p>19 St Albans Hill  Hemel Hempstead  Hertfordshire  HP3 9NG</p>	<p>My main objection to the proposed scheme is that as a local resident, I have observed there is a huge shortage of parking on Sempill Rd in the evenings and at weekends. in my opinion this is because -</p> <ul style="list-style-type: none"> <li>- Many of the Sempill and St Albans Hill residences have always had zero parking and therefore have to park on the road.</li> <li>- There has been an increase in house building (Ivory Court) and the flats on the other side of St Albans Hill in both of these developments demand for parking exceeds capacity.</li> <li>- The increase in cars per household since the original properties were constructed</li> </ul> <p>Demolition of 10 residential garages and construction of 4 new dwellings will create more pressure on top of the plan to remove 36 garages and (in my estimation) parking for at least 6 extra vehicles in the adjacent 'carpark' at the other end of Sempill. There will be even more congestion in the area which is suffering from a serious lack of parking already.</p> <p>I do fully appreciate the need for affordable housing in the borough, but in the 24 years that I have lived in this house, this side of Hemel has had more than its fair share of brownfield development leading to parking blackspots. I would site Red Lion Lane where the lack of adequate parking on the old Nash Mill site had led to a disastrous level of on-street parking. I suggest than the planners and architects should visit Sempill Rd in the evening to see the real situation.</p> <p>Finally, I approve of a policy that provides two designated parking</p>



	spaces for new houses that are designated affordable housing, but to allow this development when those 'rules' did not apply to the existing properties will seriously disadvantage all of the current residents.
41 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG	<p>Dear Mr Stickley,</p> <p>We live very near to the proposed development site and are writing to ask that Dacorum Borough Council refuse this planning application Sempill Road garages development x2: Public consultation 20/03735/FUL AND 20/03734/FUL</p> <p>Herein are our comments and objections relating to this planning application:</p> <p>Parking is already a contentious issue on Sempill Road in what is a very built-up area, with little to no on street parking. The demolition of 10 residential garages would force more vehicles onto the road and compound the issue on Sempill Road and also for residents that live along St Albans Hill that use this road for on-street parking. Residents rent those garages because of the lack of parking within this location.</p> <p>Sempill Road is already a busy and congested road; this additional concentration of traffic and lack of roadside parking will cause traffic problems and create a safety hazard for other motorists.</p> <p>Therefore, we ask that Dacorum Borough Council refuse this Planning Application.</p>
77 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ	<p>I object to these development. There are already too many houses in this area, we would be losing ecological grounds, it will be added pollution traffic, there are already not enough parking spaces and too much traffic. I have already sent emails to the council regarding the amount of traffic on St Albans Hill without adequate speed limit restrictions and lack of safety over the crossing of that road for my child. This construction will add to the danger.</p>
10 Ivory Court Hemel Hempstead Hertfordshire HP3 9YJ	<p>With reference to the proposed development of Sempill Hill road. I cannot believe that you are planning to building more homes on this road, it's adsoluetely outrageous!!. The planning of this has clearly not considered the road situation.</p> <p>Lack of parking. Even though the road has already had added more parking.</p> <p>All of the cars vans are Double parked allready.</p> <p>Steep hills on Both sides of access to Sempill that is not gritted and goes straight into a main road with blind corner, this is not safe for traffic coming down the hills because of the double parking on the corners of the road and danger that you may not stop adding more cars to this is suicide.</p>

	<p>. Cars backing on to a main road because of parking, this is a blind corner. Not safe for children at all to cross.  .I have nearly been run over several times trying to cross with my dog as you can't be seen by traffic.  .council do not cut the grass it grows to high and causes even more danger to all our residents.</p> <p>. Emergency services not being able to access the road due to double parking.</p> <p>Children walking to and from school that can't cross the road safely because of parking.</p> <p>The wild life. we have a group of foxes that live in the road our residents like to see them foraging for food</p> <p>Refuge and delivery drivers all ready block the road stopping access</p> <p>.In the winter/ snow and ice make it hard to get access to our homes because of the steep hills both ends of Sempill Hill road so people park on St Albans Hill this causes even more danger. To add more homes is ludicrous.</p> <p>Hi . I am objecting to both ends of Sempill Hill road proposal.  This really is the most crazy development idea! What with how the road has already been developed so many times . Not to mention the new build properties in Ebbans road, Apsley quarry also Frogmore road.  This is having such a traffic impact on St Albans Hill, The Albion road through Apsley .  Surly we residents that live in Sempill Hill road and surrounding areas don't need any more development.  safety must come first, such a huge impact on the environment in such a short over developed road already.</p>
<p>82 Sempill Road  Hemel Hempstead  Hertfordshire  HP3 9FW</p>	<p>I object to this firstly for the parking in the area. Parking on Sempill Road is very difficult which causes a lot of issues. Vans and cars have to park on the corners which make it very dangerous travelling along the road as you cannot see. This development will add to this issue .</p> <p>This will also have increased traffic along the road. Cars often speed along this road which makes it dangerous due to visibility issues and especially when there are a lot of children living on the road.  It will also have impact on the local environment and animals and birds that live in the area.</p>
<p>27 Ivory Court  Hemel Hempstead  Hertfordshire  HP3 9YJ</p>	<p>I'm afraid we don't have a home computer so obviously don't have the internet so can't register our comments, but wish it known that we support you and object to these plans.  The road cannot cope with the amount of traffic and parking at the moment. Cars often have to reverse up the hill to let one up, for one example.</p>
<p>59 St Albans Hill</p>	<p>Hi I've just found out that the council propose to knock down the</p>

<p>Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>garages and build houses?As much as I agree to building social housing to find out from a resident and not being told by the council is disgusting?I rent a garage along SEMPILL due to lack of parking where I live ST Albans Hill.</p> <p>I totally object as this will cause a very big parking issue for the residents of St Albans Hill.There is literally nowhere to park along St Albans Hill and I know that most people who rent live along St Albans Hill me being one of them.Have you thought where we will park our cars?Was this given a thought when this was being planned?When was you going to tell us the garages were being knocked down?Will you offer residents alternative garage to rent?I think it utterly disgusting that no letters have been sent or alternative garages offered?</p>
<p>24 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>Could you please explain how money has been spent on architects plans and drawings, surveys and painted areas at both garage sites, and now metal fencing has appeared. If no decision has been made, WHY?. It would appear that the development has already been signed and sealed. You go through the due process of consultation, hoodwink the residents by totally ignoring their objections and go ahead with the development. Would that now leave the council open to any damage claims to vehicles from construction vehicles and debris left on the road</p> <p>Could you please explain how money has been spent on architects plans and drawings, surveys and painted areas at both garage sites, and now metal fencing has appeared. If no decision has been made, WHY?. It would appear that the development has already been signed and sealed. You go through the due process of consultation, hoodwink the residents by totally ignoring their objections and go ahead with the development. Would that now leave the council open to any damage claims to vehicles from construction vehicles and debris left on the road</p>
<p>90 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>My wife and I are challenging this application for the following reason:</p> <p>At 4pm Friday 1 Jan 2021 I counted 108 cars parked on roadside and hardstanding including 7 cars parked on the hardstanding behind the St Albans Hill houses. The parking in Sempill Road has become a hazard as cars park at the junction of Sempill Road and St Albans Hill end and at the top corner which makes passing difficult as visibility is a problem. The development will create more parking problems during demolition of the garages during building work, especially for the residents at the East end of Sempill Road. Where will the garage users park their cars when the garages are demolished? ?Once the flats are built, there will be more traffic flow and longer term more parking problems.</p> <p>Also we will experience more problems due to road blockages when recycling vehicles, delivery vans need access. There is no room to pass due to parking and this problem will increase in future years.</p> <p>We are opposed to this development as it will create major parking and access problems in Sempill Road.</p>
	<p>It is with disappointment that I am writing to you to object to planning application: 20/03734/FUL and 20/03735/FUL. I object to these</p>

applications on the following grounds:

1. Due consultation and notification processes have not been followed.
2. Inadequate considerations of parking and road safety impacts.
3. Ecology report does not consider impact on all local wildlife in the area.
4. Development design does not follow the Sempill Road development plan.

Outlined below are further details of my specific objections and concerns with the proposed development.

Not following due consultation and notification processes as outlined under The Town and Country Planning (Development Management Procedure) (England) Order 2015.

The above-mentioned order clearly outlines the notification processes and procedures that must be followed for planning applications, unfortunately in the case of applications 20/03734/FUL and 20/03735/FUL these processes have not been followed. As a local resident I pass the proposed developments most days. At no point has a sign been visible for the period of 21 days outlining the proposed development. Furthermore, I do not believe that all impacted neighbourhood residents have been engaged. It was only by chance that I became aware of this development through a conversation with neighbour and as an effected party by the development I am disappointed not to have been contacted by the council planning office considering the development. I therefore do not believe there has been the necessary engagement, notification and consideration of neighbours views to complete and effective neighbourhood consultation. It is also disappointing to see that the consultations period is being run in tandem with a period where residents are under a tier 4 lockdown and are not able to meet to discuss the proposal together. I therefore request that planning considerations are delayed until such point that the correct and due process can be followed effectively.

**Inadequate considerations of parking and road safety impacts**

The planning application inadequately considers the impact the development will have on parking and road safety of Sempill Road. Parking on Sempill Road is already a problem that Dacorum Borough Council are aware of and attempted to address with the construction of additional parking spaces. This attempt to address and existing issue was inadequate and has actually made the parking situation worse as cars now park half in and out of the bay extensions previously provisioned. This impacts me as a resident as I can no longer exit my vehicle from my drive way without crossing on to my neighbours drive way. In effect if my neighbour uses their drive way my vehicle is actually blocked in due with protruding vehicles. This is not the only case on the road of congestion causing vehicles to be blocked in and you can frequently see double parked and blocked in cars across on the road. The removal of the garages from the road and the provisioning of additional housing which will in turn bring more vehicles to the road will only exacerbate the existing issues impacting the area.

The Supplementary Planning Document Development Brief for Deaconsfield Road (Sempill Road) 2005 clearly identified such risks associated with developing Sempill Road. Firstly, the report outlines in section 4.27 that Sempill Road is too narrow for packing to take place on both sides of the street but increasingly this is happening and

vehicles are parked on front lawns and council owned grass areas due to the overcrowding of parking (photos can be provided if necessary). Sections 4.28 & 4.24 outline both that a new footpath would be implemented and that street parking would be designed such that parking would not dominate the street scene neither of these have been maintained in the plan and they now represent a safety issue on the road. Cars are frequently parked on corners creating blind corners in which there have been accidents, young children have to cross roads between parked vehicles to get between their houses and a public foot path. Increasingly there are long wheel based vehicles on the road including vans and commercial vehicles that obstruct the highway. It should also be noted that residents on St. Albans Hill who do not have a parking provision without blocking their road frequently park on Sempill Road which further strains the road parking. Emergency vehicles and council refuge services have to block the whole road when servicing the area as do commercial deliveries.

Development that has taken place to date has over saturated Sempill Road, this can clearly be seen based on a survey of the area being performed on a weekday evening or weekend when the a majority of residents are at home you can compare this back to the parking photos in the 1991 Sempill Road Development Plan. Clearly the demolition of the residential garages will only make this problem worse. It would be more appropriate to make use of this land to alleviate the current parking issues on the road and improve road safety and the to use the land for further development. Statements that the garages have "become either disused or underused" in the planning application are inaccurate and if this is the case the land should be used not for housing development but to create parking for existing residents of St. Albans Hill/Sempill Road which I understand has been requested by other residents, who have also requested access to make use of garages.

Ecology report does not consider impact on all local wildlife in the area

The developers Ecology report does not consider all local wildlife in the area, it has made no mention of the local foxes that will be impacted by the development. As you will be aware foxes are classed as wild animals and not pests. The council has no statutory powers of legal rights to eradicate foxes on private or other land. Given report does not even mention local wildlife that the many residents are aware of and frequently see, I do not believe this survey has been performed with the necessary care and attention to the local environment.

Development design does not follow the Sempill Road development plan

The proposed development design does not meet the Sempill Road development plan of 1991 which states in section 4.29: "If the area of land to the rear between 120-122 Deaconsfield Road and rear of 97-103 St Albans Hill comes forward for redevelopment, alternative parking provision must be made on-site, to compensate for the loss of the garages." Simply put the designs do not adequately compensate for the demolition of even 10 of the 46 garages that are being removed under the two plans, instead the properties are provisioning parking for the residents on the new properties. Furthermore the development plan states that off street parking that is provided for the properties must be located behind the building line which is not the case in these designs and is not in line with existing property developments in which drive

	<p>ways have been provisioned for off-street parking. As a result section 4.28 is being contravened which means that car parking is dominating the street scene.</p> <p>I kindly request that planning permission should be denied until such time that the above issues addressed.</p>
<p>45 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>Having been informed of your plan's for Sempill road . I have been living here for 45 years seeing car's taking over making parking a problem .The planned building is just crazy more car's and no spaces. No Driveway's lost parking when new houses came along , most of them have 2 or more cars reducing spaces. The best way to describe Sempill road is a FULL CAR PARK. Scary what you have Planned with no thought for the Residents. My car is in a garage I have rented for a good few year's. So with your plan's car's from garage's will park in Sempill Madness. WE NEED SPACE'S NOT MORE HOUSES AND CARS.</p>
<p>87 Sempill Road Hemel Hempstead Hertfordshire HP3 9FW</p>	<p>Sempill Road in its entirety suffers from a lack of parking based on the number of properties already situated on the street. Despite the council increasing bay sizes this has had no effect on easing the issue. Adding additional properties at either end of the street will cause added strain to the situation.</p> <p>Access is already difficult with there being no passing places on either bend to allow for traffic to move in both directions easily. Adding construction traffic will make access even more difficult.</p> <p>There have been various accidents on the junctions over the last few months as a result of increased traffic and road closures on St Albans Hill. Access egress issues from the South end of Sempill Road onto St Albans Hill is currently High risk due to vehicles parking on or around the junction with St Albans Hill. There is already a blind spot in respect of oncoming</p> <p>traffic from the roundabout at Belswains Lane which is further exacerbated by frequent flooding. Additionally, traffic speed travelling from the ski centre makes it difficult for people wanting to exit Senlill Road. Improvements need to be made to the existing road layout before more properties can be considered otherwise it is likely further incidents will arise with the additional of construction traffic and the need for further road closures.</p> <p>The majority of properties in the street house children. Allowing more vehicles and construction traffic passing through the street increases the risk of accidents on an already busy road.</p> <p>Previous applications by residents to increase boundary lines for additional parking requirement have been rejected resulting in people parking on the highway, destroying land and making it impossible for delivery vehicles and emergency service vehicles to gain sufficient access to properties on the road.</p> <p>The proposed development will restrict current properties view leading a loss of light and having a detrimental effect to the privacy of existing residents at all angles. Construction noise will also have a negative impact on people due to increased home working.</p>
<p>104 Sempill Road Hemel Hempstead Hertfordshire</p>	<p>I am writing to you concerning the Sempill Road Garage Sites Development Proposal of which we just found out and I would like to make an official complain as this affects us directly.</p>

HP3 9FW

Together with my family we recently moved to 104 Sempill Road from London with hope to find peace, quiet and green spaces - something that you don't find anymore in London.

As a matter of urgency I want to ask you and your team to revise the decision you made regarding the demolition of 10 residential garages for only 4 new flats.

My request is based on the following:

1. You have failed to communicate these proposals to all residents of the community that will be affected by these plans

2. Road Access - simultaneous on both ends of Sempill Road will create traffic flow congestion due to the large site vehicles that will be involved in demolition and construction

3. Parking - demolition of these garages will bring more chaos for parking in an already heavily congested area, parking is at a premium and is unclear how the area will absorb this extra influx of vehicles as a result of no longer being able to park in the garage unit

4. Impact to Wildlife - ecological assessment shows for example no record of community of foxes in the area as well as danger to other animals

5. Rainwater Drainage - Sempill Road currently floods St Albans Hill due drains being blocked and the dirt and debris from construction will further block any open drains

6. Construction Disruption - large site vehicles will cause roadblocks on both sides of Sempill Road which is already narrow from car parking congestion

7. Over Development - the area has been heavily developed from what was once gardens and allotments

8. Impact to Residential Property Values - what will the construction of social housing do to property values as well as further reduction in parking spaces

9. Improvements Required to Local Infrastructure to support such new developments

10. We bought this house specifically because it has views and green space around the house

11. The noise - it will be an absolute nightmare and an impossible job to do my work during these difficult times when Covid-19 is happening.

	<p>I trust that I can count on your cooperation to revise and resolve this matter promptly. Looking forward to hearing from you.</p>
<p>30 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>As a resident of Sempill Road for 20 years I would like to raise my objections to this development.</p> <p>Firstly I was disappointed to read in one of the documents attached to this proposal that the consultants hadn't even got the name of the road correct. McCloy who have done the flood risk report have written the whole report as SEMPHILL Road. I would have expected professionals to have spelt this correctly and for the council to have paid enough attention to have noticed this.</p> <p>The access into Sempill Road from St Albans Hill on both the east and west sides is extremely narrow and with the parked cars on one side leaves the road one car wide. Cars also have to park on the sharp bend opposite your proposed development, on the access road causing huge issues with visibility. As the road is not one way vehicles are constantly meeting each other head on and this forces one driver to reverse back. This is either up to the main part of Sempill Road or down onto St Albans Hill a very busy main road. This is extremely dangerous and has led to accidents. Yet on your plans you have no provision to alter this access or widen the road to address this. With more cars accessing the most awkward part of the road this is going to make the road even more dangerous.</p> <p>I note you mention the refuse collection will not be from Sempill Road due to access issues which is very interesting. As you will note on the grass verge on the left hand side of the road there are huge grooves in the grass (sadly you didn't take a picture of this). This is where the dust cart cannot get up the road due to parked cars and has to mount the kerb to get round. With more cars parking on this part of the road it will only make it more difficult for them to access.</p> <p>You mention in your report that the main issue for the houses in St Albans Hill is being overlooked. Yet you fail to recognise the lack of parking they have that impacts on Sempill Road. These houses do not have any off road parking which means that both west and east ends of Sempill Road are used by these house holders to park their cars. As you progress further into Sempill Road the residents of St Albans Hill have added gates in their back fences which allow them to park their cars in our road and then access their properties via this gate. Another factor your report has failed to take into consideration.</p> <p>I also note you say these garages are under used. On speaking to residents in the road many confirmed they are currently renting the garage as they had nowhere to park. Can you please explain where these extra vehicles will now park? Residents have also asked to rent garages but the cost was too high and the council would not reduce this and would rather they remain empty.</p> <p>Sempill Road has already been extremely over developed with the</p>



addition of multiple houses built in the back gardens of properties in Deaconsfield Road. Despite objections and petitions from residents the council went ahead with the assurance of adequate off road parking for the new builds. Sadly this has not been the case. Despite having the ability to park two cars on their driveways because some of them are not level these properties all choose to only use one space. This means the other vehicles are all parked in the resident's bays. The idea of one car per property is at best unrealistic. Currently all of the new build houses have more than vehicle including one house that has four cars and a milk float. Only one is on their drive.

Following more petitions we were able to get the council to remove some of the grass verges and turn them into parking bays. These were supposed to be for the residents of the houses which had no driveway parking. However as I have said these are being used by the residents of the new build properties. When the council put in the parking bays they did not paint any white lines indicating spaces. As the road is narrow cars park diagonally however, no lines means cars park at opposite angles and leave large gaps taking up even more parking spaces. Despite asking the council still will not put the lines in.

Your report on flooding indicates it will not be an issue as they have gone on line and seen there is no reports of flooding. However, I have contacted the Highways agency and the council as when it rains the water floods the drain by our house and pours down the hill. The highways agency refuse to come out as they do not consider this to be a problem and according to their records the drain does not exist. The cause of the flooding is the drain is blocked by builder's waste which was flushed down the drains by the developers when the new build houses were erected. The addition of more cars parking on the remaining grass verges means there is no natural drainage. Because of the amount of vehicles in the road when it rains the water collects at the bottom of the road where it joins St Albans Hill. I doubt this is ever reported and won't appear in online searches.

The provision of parking spaces per new build is inadequate despite it being the correct calculated amount. Your recent development of flats in St Albans Hill is a prime example of where the allocated parking is completely inadequate. The car park is always full which means the residents are then forced to park on St Albans Hill outside of the flats entrance. This clearly shows your perfect ideal of one car per new build certainly does not exist so where will the overspill of cars park? Yes in Sempill Road on the main entrance opposite the original houses.

The residents of the original houses have repeatedly asked for the grass areas in front the blocks to be removed to provide more parking but have been told it's too expensive to do and maintain. Yet you will be gaining even more income from the renting/purchase and council tax on these properties. Some of this needs to be put back into the main road. Removing these grass areas will allow us to park our cars in front of our houses leaving space in the main road. Surely this is the answer to the problem we are and will continue to have if this development goes ahead. The claim regarding maintenance being an issue is irrelevant as the road has certainly not been maintained. At the moment we have pot holes in the road and in some of the blocks the brick wall is collapsing. Can you please provide us with a date you did any

	<p>maintenance work?</p> <p>The infrastructure and capacity of the road was never designed to take the massive increase in cars driving in and parking in the road. We have had the constant upheaval of pavements outside our houses being dug up to lay new cables/pipes etc. often causing issues with our own utility supplies. Pavements have been left uneven and dangerous.</p> <p>This new development is ill thought out and done without any understanding or knowledge of the existing road and the challenges the house holders face. Having lived in my house for 20 years Dacorum have only ever sought to add more and more houses, never amending the existing the infrastructure which cannot cope anymore. This once nice quiet road is now completely congested and not a nice place to live anymore. As per normal, the road has not been assessed at a time which clearly shows how the residents are struggling with access and parking. Something you need to address before making any final decision. While I understand the need for affordable housing this policy of putting houses in any space without any thought for the impact on the residents is not the way the council should proceed.</p> <p>I am completely opposed to this development and I have contacted my local MP and councillor to let them know about this as well.</p>
<p>46 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I object to more houses being built in Sempill Road. There is already extreme difficulty to find a parking space without more homes being built in this area. It will be more dangerous as people are having to already park on corners to get a parking space and so this causes blind spots and accidents. Children walk to school from this area and it is a cause of concern that there will be even more vehicles trying to park or drive away from this tight and packed road full of cars. The area is very built up and there is lack of space at both ends of Sempill Road. I do not feel this is a safe plan at all and should be looked at again.</p>
<p>11 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NG</p>	<p>Dear Sirs,</p> <p>I wish to object to the proposed development of both parcels of land (currently garages) in Sempill Road to Residential properties</p> <p>Firstly I do not think that all local residents have been fully consulted-I live &lt;100 yards from one of the set of garages and have never received any communications.</p> <p>One of my biggest concerns is further congestion of what is already a densely populated area where car parking is already at a premium. You can clearly see that people are having to park in St Albans Hill partially blocking pavements and creating traffic flow issues as simply there is not enough parking in Sempill Road.</p> <p>The traffic flow along St Albans Hill can often be an issue because of the need for residents of St Albans Hill &amp; Sempill having no alternative but to park there which causes issues for pedestrians and especially families with prams. Just goes to illustrate how overcrowded the are already is.</p>

	<p>I live in St Albans Hill and I am also concerned that pedestrian access at the back of my house will also be potentially blocked due to the development of the "East" site.</p> <p>As mentioned on other objections Sempill is often subject to flooding and another development will also add to this existing issue.</p> <p>Finally, as a home owner there will of course be a detrimental impact to local property values if social housing is introduced to an all ready very densely populated area</p> <p>Please acknowledge my objections</p>
<p>30 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I am writing to strongly object to the proposed development of the garages in Sempill Road Having been a resident for 20 years I seen continual development at the detriment to the original residents. The infrastructure of the road has never been altered to accommodate this increase in house building and now it is at a critical point. I work night shifts which should mean I miss the main parking issues but this is not the case. In fact for me it is even more difficult. I have constantly been blocked in but double parking and been unable to find the owners of the cars. Indeed at times I have had to call the police to get the vehicles moved, a complete waste of their time, just so I can go to work. Then when I return home because the road is completely full it is impossible to find space to park and I end up parking a street away from home.</p> <p>As you drive in or out of the road regardless of which entrance you use the parking along one side of the road means it is a blind spot as you leave or come in. Residents have to reverse back on to St Albans Hill which is a busy main road and there will be accidents.</p> <p>We have repeatedly asked for the grass verges in front of our homes be removed to make parking but the council continues to refuse to do this due to costs. However a drive or walk along the road shows numerous pot holes and cracks in the road from the previous house building where the road was dug up to accommodate new utilities, all never maintained.</p> <p>The idea of one space per home is completely unrealistic and outdated. At least three of the homes in my block are rented out by the room which means one house has three cars. A family can easily have at least two cars if not three so where do these extra cars go? Then add in the extra cars in the road which have been thrown out the garages and that means even more. Cars are already parking along St Alban's Hill now making it impossible for two cars to pass through at the same time. This is made even worse by the new flats which don't have enough parking and the residents are now parking on St Alban's Hill as well.</p> <p>The recent heavy rain has caused a huge flood at the bottom of Sempill Road which according to your consultant does not exist or happen.</p>

	<p>Clearly the council knows it does as a flood warning sign was put by it. It's about time that you actually visited the site at the sensible time and spoke to residents to see the challenges faced before submitting ill conceived plans.</p> <p>You cannot even imagine the disruption and upheaval this development would cause the residents and this will only cause even more bad feeling towards the development.</p> <p>There are new developments on Durrants Hill and Two Waters Road which are both social housing how many more can you add to an already over populated town? A search for a flat to buy brings up pages of social housing so there is clearly a good supply. The councils idea of putting houses on any scrap of land they can find is more about the money it generates than actually what damage it does to the current community.</p> <p>Enough is enough! Object Object Object!!!!</p>
<p>18 Sempill Road HP3 9PF</p>	<p>I have been informed by one of my neighbours in Sempill Road of the proposed developments on the garage sites, I have not received any notification from the council re this, should not all residents have been informed of this in a timely manner to be able to raise any questions or objections? I have been unable to raise my questions via the Dacorum website due to IT issues.</p> <p>I have various concerns about the development please see points listed below:-</p> <ol style="list-style-type: none"> <li>1. Parking - the demolition of 46 garages will bring more chaos for parking in an already heavily congested area, at the moment I'm lucky if I manage to get parked anywhere near my house. Parking is at a premium and it is unclear how the area will absorb this extra influx of vehicles as a result of no longer being able to park in the garage unit.</li> <li>2. Impact to Residential Property Values - what will construction of social housing do to property values as well as further reduction in parking spaces. From my point of view I can only see this affecting the resale my property in a negative way.</li> <li>3. Road Access - simultaneous on both ends of Sempill Road will create traffic flow congestion due to the large site vehicles that will be involved in demolition and construction.</li> <li>4. Rainwater Drainage - Sempill Road currently floods St Albans Hill due to drains being blocked and the dirt and debris from construction will further block any open drains.</li> <li>5. Construction Disruption - large site vehicles will cause roadblocks on both sides of Sempill Road which is already narrow from car parking congestion.</li> <li>6. Over Development - the area has been heavily developed from what was once gardens and allotments.</li> </ol>

	<p>7. Impact to Wildlife - ecological assessment shows for example no record of community of foxes in the area as well as danger to other animals.</p> <p>8. Improvements Required to Local Infrastructure to support such new developments.</p>
<p>19 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I strongly object to the proposed development on Sempill Road, due to the over development already causing issues in Sempill Road with traffic, overcrowded parking and poor road maintenance.</p> <p>As a resident of over 20 years, I am extremely concerned about the decrease in road safety caused by the proposed new developments. The lack of adequate parking provision for the proposed new properties is also a great concern. Demolition of garage blocks at either end of the road will increase parking issues which are already at breaking point. Demolition and construction traffic will cause further damage to the road surface. Increased traffic will make access and egress to this narrow, congested once quiet residential road more dangerous.</p> <p>The last development which used the gardens from Deaconsfield Road has already placed extra strain on the limited space available in the road as the residents from the new builds don't use their driveways as intended, generally parking one car on their drive, and up to 3 other vehicles on the road. Vehicles from St Albans Hill residents park in Sempill Road due to having no off street parking outside their homes. The vast overcrowding of vehicles makes effective and safe pedestrian use of the pavements in Sempill Road almost impossible.</p> <p>Before granting any further planning applications for increasing residential properties and decreasing the availability of parking in Sempill Road, I strongly suggest the planning committee visit the road one evening or weekend to properly assess the situation.</p>
<p>39 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>I think this is a terrible idea it will increase traffic on a already busy residential road. Over crowd the roads with more vehicles where there is not enough space for as it is. Make it more dangerous for children to walk down the streets as will be dangerous crossing roads with vehicles parked everywhere. The added cars to be parked on the road from the garages that are currently storing them. Even if you allocate parking for this new development chances are each house will have more then 1 car and will take up more parking on the roads. Why not make more parking outside the houses where the green and the over grown trees are as these trees are more damaging to houses roofs and gutters</p>
<p>Thornhill Barnes Lane Kings Langley Hertfordshire WD4 9LA</p>	<p>NOTIFICATION Poor communication with the residents of Sempill Road and St Albans Hill. Only a limited number received postal notification these proposals and many residents reported that they were completely PARKING Parking on north side is treacherous in the Winter due to the slope</p>

when parking in icy conditions disallow parking for fear of sliding down and across the road.

In really bad weather cars, vans etc can't drive up Sempill so we they park up all along St Albans Hill. Congestion of cars at peak times make the bend dangerous to navigate.

Cars park on the bend which makes visibility 'around the corner' impossible.

It would appear that there are numerous 'abandoned' cars left. Despite these being reported Dacorum have made no attempt to remove them.

At times when cars or vans drive up or down Sempill, it's a blind bend

There are more than 100 houses on Sempill Road and a further 28 houses on the northern side of St Albans Hill with no spaces for parking at all. These residents park in the southern recesses on Sempill Road and gain access to/from the rear of their own properties. With only 150 on-road and off-road car parking spaces this amounts to only 1 space per dwelling. When larger work vans further limit spaces this falls to below 0.8 private car spaces per dwelling.

#### CONGESTION

Congestion on Sempill Road at west and east is already very poor due to the cars parked on the bends thereby making the road effectively a narrow single carriageway. Cars having to reverse up/down the hill on the bend has resulted in numerous accidents. There have also been a series of incidents with cars reversing back onto St Albans Hill. incidents. Residents with larger vehicles present even more problems are precluded.

Large public service vehicles have great difficulty navigating the narrow road at either end caused by cars parked on a single side of the Road.

Larger construction vehicles will further exacerbate the existing conditions.

unaware of notices on the surrounding lampposts.

#### OVER DEVELOPMENT

Houses on the northern side of Sempill Road have parking for 2 spaces but due to the cars parking behind each other some residents parking on the other side of the road, putting more pressure on available spaces.

#### FLOODING

Sempill Road currently floods St Albans Hill due to drains being blocked. Dirt and debris from construction will further block any open drains.

#### INFRASTRUCTURE AND POLLUTION

There is no indication that increasing the number of houses by 10% in Sempill Road will increase the infrastructure of the area by any means. With so many increased vehicle movements every day the impact on pollution is likely to be significant. With Dacorum Borough Council's 's pledge to reduce carbon emissions this development will do nothing to contribute to this target.

#### SUMMARY

Sempill Road is extremely congested at all times of the day and evening. The impact of losing a total of 46 garages and a potential increase in further 20 cars to be parked will have a massive negative impact on living in this area.

The principal issue for this area is the lack of available parking.

	<p>Suggestions for improving parking include:          Diagonal indicative lines would help with more efficient parking by residents.          Repair the low walls in the 3 parking recesses areas.          Extend and formalise the parking in the recesses particularly the northern most space.</p>
<p>33 Sempill Road          Hemel Hempstead          Hertfordshire          HP3 9PF</p>	<p>I am a homeowner on Sempill Road and am objecting to the proposal of demolition of garages and building of houses on Sempill road at both proposed garage sites. This application in practice would result in over development of the road and area and overload the parking and traffic situation in this area.</p> <p>Sempill road was not built to handle this proposed over development, Sempill road was originally 61 houses the council have seen fit to allow this to increase to 104 properties coming from the majority of Deaconsfield road houses selling off part of the rears of their properties gardens to be turned into housing on Sempill road, houses 62 - 104. Whilst the council planners also didn't enforce that the housebuilders for houses 62 to 104 make all houses have to have driveway parking for 2 cars minimum and instead just 1, most households have 2 cars and many households multiple vehicles so now these extra vehicles are on Sempill road. You also have the fact that Sempill road is used for parking for many St Albans hill households as they do not have driveways or road parking. The garages which are currently used by vehicles these vehicles would then need to park on Sempill road if garages demolished. The new houses would bring more vehicles than the 1 parking space you are giving these 2/3 bed houses. Sempill road also is used by some Ivory court households for parking. Also looking at the plans some current areas of parking behind St Albans hill houses off Sempill road would be removed again these vehicles would then want to park on Sempill road. Put all these things together and it should be clear that the road is already at maximum and these plans would clearly result in overdevelopment of the road and overload the parking and traffic on the road as clearly the plans reduce current parking and increase vehicles onto the road.</p> <p>There has already been previous requests by Sempill road residences for the council to provide more parking on the road, suggested was taking out the 3 middle section greens/grass areas on the road and replacing with a driveable surface which would allow driveways and additional parking to ease the strain on Sempill road. As households these days have multiple vehicles. Yet the council said no at the time and now see fit to try and increase the number of vehicles on the road by planning 10 houses and reducing/removing current parking and garage parking this is madness.</p> <p>I also object to these planned houses as clearly they are not in keeping with the area and will result in a loss of privacy and light to many properties on sempill Road, st albans hill and ivory court.</p> <p>Also please be aware that many peoples comments section objections are objecting clearly to both planning proposals, the 6 house on the 36 garage site and 4 houses on the 10 garage site even if only commenting in the 36 garage/6 houses page. so please process these</p>

	<p>objections rightly to both plans on Sempill road. I am appalled that you would separate these two plans when they are clearly linked. I am appalled that you have only posted to a small percentage of houses any information regards these plans in the area and has only been by chance I found out these plans but then I am sure if you had written to all relevant houses on Sempill, st Albans roads and ivory court you would get a resounding objection. Also as mentioned by others and I agree to have these plans up for such little time to be opposed or seen is not right at anytime but definitely not during tier 3 and 4 restrictions on movement and secondly the fact that so many people involved are not available for questioning and off for Christmas/new years involved in this regards the council and planning is very wrong.</p>
<p>31 Sempill Road Hemel Hempstead Hertfordshire HP3 9PF</p>	<p>Dear Sir/Madam,</p> <p>I want to raise my concern for this planning application because the parking situation at shared parking bays is very awkward on Sempill Road for residents. Some non-residents park their cars/vans at shared parking bays because they can easily gain access from nearby area, the 4 new houses proposed in this application would only make the situation worse. Furthermore, this can cause safety concerns as you might be aware that a serious accident happened last year, and multiple parked vehicles were damaged. Last but not least, when I come home from work, it's depressing that sometimes I have to drive up and down the road to find a parking space. I hope you can understand the inconvenience and frustration it would bring to current residents, and take that into consideration, thanks a lot.</p> <p>Dear Sir/Madam,</p> <p>I want to raise my concern for this planning application because the parking situation at shared parking bays is very awkward on Sempill Road for residents. The 4 new houses proposed in this application (together with other 6 new houses in another application reference no.20/03734/FUL) would only make the situation worse. Furthermore, this can cause safety concerns as you might be aware that a serious accident happened last year, and multiple parked vehicles were damaged. Last but not least, when I come home from work, it's depressing that sometimes I have to drive up and down the road to find a parking space, I hope you can understand the inconvenience and frustration it would bring to current residents, and take that into consideration. In my opinion, I would like to object it, thanks a lot.</p>
<p>37 St.albans Hill Hemel Hempstead Herts</p>	<p>First of all I would like to repeat the invitation from Mrs ##### for the council to come and view the area for themselves to see at first hand the congestion in the area. However I feel that no one will do this so I have taken the liberty to bring the area to you. Please find a video tour I have uploaded to YouTube taken by myself last night of Sempill Road highlighting the issues faced in the area with parking congestion - <a href="https://youtu.be/FVoU6tH5ghQ">https://youtu.be/FVoU6tH5ghQ</a></p> <p>Footage starts at Sempill Road/St Albans Hill showing the parking congestion towards garage site labelled as West, it shows how narrow the road is for single vehicles to pass which is much more difficult when 2 standard vehicles meet head to head which is going to be impossible</p>



and create severe disruption with large site vehicle trucks if plans are approved. The footage shows the car parking area at the base of the West garage site and how it is used by the community, I have shown that the entry to the area is narrow and will not be suitable for bin collection trucks as per the proposed plan to have a bin store area at the rear where the public access path is. You can see vehicles are parked alongside the verge of the bottom 2 garages where parking bays for the social housing are being proposed, parking here will no longer be possible therefore adding more congestion onto Sempill Road along with the loss of the 36 garages that the residents park their vehicles in overnight. From the car parking area the footage continues up Sempill Road to the sweeping right turn with Ivory Court to the left, you can see that residents park all the way along the road, I turn to show the visibility is poor when vehicles are traveling in both directions to one another on this bend which will be more of a concern and dangerous if demolition and construction occurs, from here the footage continues along the long straight towards the secondary garage site East.

As I walk along you can see how congested the road is with vehicles parked diagonally all the way along the road, there are no free spaces for more cars to park in the area and access continues to be narrow as from the start of the road. You can see in some areas that vehicles are doubled parked which makes it extremely difficult for residents to simply move their car as they are boxed in and then need to coordinate with neighbours to move their cars so that they can exit. The footage ends as I approach the East garage site having walked almost the entire length of Sempill Road showing the parking congestion in the community. It is clear that the area is heavily congested and can not absorb the loss of the garages and more cars looking to park in the area. The area has been overdeveloped and it is not acceptable to continue to do so.

In the attached document you will see evidence of how the area has been developed in recent years. When viewing the Title Plan for my property I can see that Sempill Road was once an area of green space from the rear gardens of Deaconsfield Road, land that has been sold and developed on with new dwellings all fronting to Sempill Road. Also in addition it is evident of further local development by the demolition of a public house and residential properties to build 3 blocks of flats, all that were provisioned with parking that has proved to be inadequate with residents being forced to park on St Albans Hill creating further congestion on a busy main road, something that will only increase with the loss of the 2 garage sites as residents congest the area further due to parking needs.

I would also like to share that the local paper has also written an article on how these plans and concerns from the local community which can be read here - <https://www.hemeltoday.co.uk/news/people/residents-object-plans-new-homes-hemel-hempstead-3081649>

	<p>In addition from word of mouth there seems to be issues with the Dacorum web site when registering comments and the site is failing to either show registered comments or allow you to register your comments. This seems very convenient in the benefit of the council to make it appear that there is very little objection to the plans, therefore I have been advising the community of these technical issues which seem very underhanded and for them to contact you all directly to ensure their opinions are heard.</p> <p>As there seems to be a false opinion from the council that these garages are underused and as previously communicated I had tried to lease a unit in Nov 2019 and was not able to find any vacancies if the council wish to dispose of these sites then offer the existing tenants the option to buy the unit from you? Following this the second phase would be to open the option to purchase a unit to the local residents as I for one will be more than happy to purchase a garage for parking my car in. I will write you a cheque today as I am sure many other residents would do also. Let me know your price?</p> <p>One final comment regarding the flooding that occurs on St Albans Hill as a result of the surface water streaming down Sempill Road which is known as hot spot 26 in the Dacorum Borough Surface Water Management Plan I believe from my records I reported this issue on the 21st November 2019 ref 610396 to which no response was received.</p>
<p>Flat 2 Windsor Court Corner Hall Hemel Hempstead Hertfordshire HP3 9AW</p>	<p>Dear Sir/Madam,</p> <p>I wholeheartedly object to this planning application. The plans have been put together with little thought or consideration for the existing local residents, or the residents that the development will bring to the area.</p> <p>Firstly, parking on Sempill Road is already horrendous and poorly planned. Poor planning from the council when these houses were built didn't take into consideration the increased car ownership that has been seen over the course of the last few decades. Cars are now strewn all over Sempill Road, often blocking footpaths and resulting in pedestrians, including elderly people and children, having to use the road to walk past parked cars. This is a direct result of poor parking provision on the existing site, not even taking into consideration the new proposed development, that will actively remove parking, and fail to replace it. This will increase the health and safety risks to pedestrians and local residents who will be forced to park in precarious positions, as well as use the road to walk. Residents from the wider area are already parking on St. Albans Hill, Sempill Road and the junction between the two, it is currently a real hazard to road users and pedestrians. Additionally, I believe access to Sempill Road will be so effected, emergency vehicles such as fire engines and ambulances may struggle to navigate the road when all the cars are parked on the street at night. The development proposed by the council will only enhance this hazard.</p> <p>I would also like to raise the health and safety issues that any development work will have on the local residents. There are a number of elderly residents and children who will live within close proximity of</p>

	<p>the site. Where is heavy machinery going to be kept? Where are building materials going to be kept? It is going to be a health and safety nightmare and should the work go ahead, it would be a calamity for the council if someone got injured given the number of objections being raised with very valid concerns for peoples safety. The council would be 100% responsible.</p> <p>Also, the noise pollution will be considerable. In a time where people are actively being told to work from home due to Covid-19 there are increased numbers of people doing just that. Their work life and ability to their job will be negatively effected due to noise pollution with heavy machinery and building work on their front doorstep. The plans being put forward by the council are actively going to effect peoples ability to work from home and encourage people to go back to offices and making unnecessary journeys.</p> <p>Also, the removal of grass areas to enable the development will increase water run off from rain and snow. The area is already prone to flooding with heavy rain and with the removal of grass areas the run off of water from the top of Sempill Road will be considerably more. The development will increase the level of road flooding on St. Albans Hill.</p> <p>In summary, these are ill conceived plans by the council with very little thought for local residents, new residents and a total disregard for peoples quality of life, as well as increasing hazard and health and safety risks that may well result in someone getting seriously injured, be that from the development work itself or the increased traffic and parking.</p> <p>I would implore these plans to be reconsidered and a better, more beneficial development be considered at a more open space where the council will actually be able to provide housing with a good quality of life, rather than shoehorning in several houses to an already overpopulated area, negatively effecting all that live there.</p>
<p>69 St Albans Hill Hemel Hempstead Hertfordshire HP3 9NQ</p>	<p>Object to this development. Parking and social infrastructure will be impacted . Totally unsuitable</p>

# Agenda Item 5d

## ITEM NUMBER:

21/00643/FUL	6x floodlights	
Site Address:	Chipperfield Tennis Club, The Common, Chipperfield	
Agent:	Hayden Dicker	
Case Officer:	Robert Freeman	
Parish/Ward:	Chipperfield Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	The application has been referred to the Development Management Committee given the contrary recommendation of Chipperfield Parish Council.	

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

## 2. SUMMARY

- 2.1 The site is located in an area that is highly sensitive to light pollution. The proposed floodlights would result in the provision of a box of light within the existing street scene fundamentally altering the character and appearance of this sensitive rural location. The intrusion of light is considered to be significantly harmful to the character and appearance of the area and as such would be contrary to the National Planning Policy Framework, Policies CS5, CS10, CS12, CS27 and CS32 of the Core Strategy and Saved Policy 113 and Appendix 8 of the Local Plan 1991-2011
- 2.2 Although the proposals will deliver some social benefits through the improvement in facilities for outdoor sport and recreation, these benefits would be insufficient to outweigh the harm and visual intrusion resulting from the additional lighting within the street.

## 3. SITE DESCRIPTION

- 3.1 Chipperfield Tennis Club is located to the south west of the centre of the village of Chipperfield and on the northern side of The Common. The site is outside the defined settlement of Chipperfield, it is within the Green Belt and the Chipperfield Conservation Area.
- 3.2 The club comprises two outdoor tennis courts located adjacent to the village school, allotments and social club (Blackwells) The northern tennis court is illuminated by existing floodlights allowing tennis to be played till 9pm. The application site comprises the southern tennis court which is located adjacent to the pavement to The Common and access road to St Pauls Primary School. There is a large beer garden located adjacent to the south western court boundary from which the court is accessed.

## 4. PROPOSAL

- 4.1 The proposals seek planning permission for the construction of six floodlighting columns to 6.7m tall (model: HLC067LS) and would be fitted with HiLux model: Match LED luminaires. The column and luminaire would be finished in RAL NO: 6005 (Green)
- 4.2 This would be similar in appearance to those used on the northern (rear) tennis court.

4.3 The lights would be subject to a timer control allowing play to be limited till 9pm.

## **5. PLANNING HISTORY**

5.1 Planning permission for the floodlighting of two tennis courts at the address was refused in 1998 under reference (4/00619/98/FUL) for the following reason:

“The proposed floodlighting columns and the lighting itself will detract from the visual amenity of the Chipperfield Conservation Area, both during the day time and at night”

5.2 The conclusions in this case highlight that the officer considered “the floodlights would adversely affect the appearance of the conservation area. The box of light, which is really unavoidable, will be alien in this generally dark landscape”

5.3 A subsequent planning application for the floodlighting of the rear tennis court was approved in 1999 (4/00380/99/FUL) These floodlights were replaced in 2009 (4/01146/09/FUL)

## **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 in 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  
CS5 – The Green Belt  
CS6 – Selected Small Villages in the Green Belt  
CS8 – Sustainable Transport  
CS10 – Quality of Settlement Design  
CS11 – Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS23 – Social Infrastructure  
CS25 – Landscape Character  
CS26 – Green Infrastructure  
CS27 - Quality of the Historic Environment  
CS29 – Sustainable Design and Construction  
CS32 – Air, Soil and Water Quality  
Countryside Place Strategy

## Local Plan

Policy 13 – Planning Conditions and Planning Obligations  
Policy 51 – Development and Transport  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 113 – Exterior Lighting  
Policy 120 – Development in Conservation Areas  
Policy 121 – Management of Conservation Areas  
Appendix 8 – Exterior Lighting

### Supplementary Planning Guidance/Documents:

Car Parking Standards SPD (November 2020)  
Energy Efficiency and Conservation  
Water Conservation

## **8. CONSIDERATIONS**

### Policy and Principle

- 8.1. The site is located within the Green Belt and the Council will apply national planning policy to protect the Green Belt in accordance with the National Planning Policy Framework (NPPF) Policy CS5 of the Core Strategy. Paragraph 145 of the National Planning Policy Framework states that local authorities should consider the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include the provision of appropriate facilities for outdoor sport and recreation which preserve the open character of the Green Belt and do not conflict with the purposes of land within it. Paragraph 146 of the NPPF also allows for the provision of engineering operations providing such works would preserve openness.
- 8.2. The floodlights would constitute appropriate facilities for outdoor sport and recreation and could be viewed as an engineering operation under paragraph 146 of the NPPF. As such they would not be considered inappropriate development as a matter of principle in the Green Belt in accordance with the National Planning Policy Framework (NPPF) and Policy CS5 of the Core Strategy. The floodlighting columns would individually and collectively preserve the openness of the Green Belt.
- 8.3. The key consideration is whether the appearance of the floodlights would be acceptable both during the daytime and when illuminated and whether this would be significantly harmful to the visual amenities of the area in accordance with Policies CS5, CS10, CS11, CS12, CS25 and CS26 of the Core Strategy. The impact on the visual amenity of the Conservation Area should also be considered in accordance with Policy CS27 of the Core Strategy.
- 8.4. Exterior lighting is important in promoting safety and security, for recreation and leisure, and other evening activities. Therefore a degree of lighting is required in most environments to support the use of social infrastructure under Policy CS23 of the Core Strategy. Light pollution needs to be kept to a minimum to avoid a detrimental effect on both rural and urban views and the character of the countryside.
- 8.5. The aims and objectives of lighting schemes should reflect those in paragraph 180 of the NPPF and in particular should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

- 8.6 The Countryside Place Strategy indicates that “existing light pollution should be managed and not worsened by new development”
- 8.7 Saved Policy 113 of the Local Plan states that proposals for new exterior lighting will only be permitted where it can be demonstrated to the satisfaction of the local planning authority that there is no significant adverse impact upon important features of the urban and rural areas. This can extend to the amenity of neighbours and the visual character of the natural and historic environment.
- 8.8 The Institution of Lighting (ILP) Engineers publication “Reduction of Light Pollution (2nd Revision)” establishes four Environmental Zones for the consideration of lighting proposals as set out in Saved Appendix 8 of the Local Plan. Within each a different approach to provision of external lighting should be taken. These zones establish ‘Obtrusive Light Limitations for Exterior Light Installations’ and include the effects of ‘Sky Glow’ and light into windows. The publication also addresses ‘source intensity’ (the potentially obtrusive direction of lighting outside the area being lit). The zones represent a progressive way of differentiating between brighter urban areas and the dark landscapes of the rural environments of the Borough. The village of Chipperfield is considered in the Saved Local Plan to be in Zone E1, an intrinsically dark area with restrictions on illuminance as set out in the table below:

Environmental Zone	Description	Sky low (UWLR) (Lux)	Lights into Windows (Lux)		Building Average Luminance (Lux)
			Before Curfew	After Curfew	
E1	Intrinsically Dark National Park AONB	0	2	1*	0
E2	Area of Low District Brightness (rural area or small village)	2.5	5	1	5
E3	Area of Medium District Brightness (Urban Location)	5	10	2	10
E4	Area of High District Brightness (Town Centre)	15	25	5	25

This table in Appendix 8 of the Local Plan has now been superseded with the ILP introducing an additional Environmental Zone (E0) relating to ‘Protected Dark Astronomical Observable Dark Skies, UNESCO starlight reserves and IDA dark sky places however it remains relevant as the most up to date policy within the development plan and is still considered robust and reflective of the latest design advice. The applicants contend that the site should now be considered in relation to E2 criteria in accordance with the latest ILP advice.

- 8.9 The application of Environment Zones is not intended to be prescriptive, but the site is a sensitive and prominent location, on The Common, within the Chipperfield Conservation Area. It is the principle of introducing additional lighting within this highly vulnerable location that is problematic.

### Visual Amenity

- 8.10 The proposed floodlights would be viewed in the daytime against the existing enclosure of the tennis court and would not project significantly beyond the court enclosure in terms of height. The slim lighting columns would be painted in green to match the existing court fencing and as a result would not, in my opinion, appear particularly intrusive or harmful to the daytime character and appearance of the area in accordance with Policies CS5, CS11, CS12 and CS27 of the Core Strategy.
- 8.11 It is the introduction of additional lighting within the area and the impact of the floodlights upon the evening and night environment that needs more careful consideration.
- 8.12 The introduction of an intensively used floodlit facility is considered to be harmful to the visual amenity of the rural environment. One would not expect to see a constant /regular 'box of light' in an established intrinsic dark landscape (E1) or even with an E2 environment. The visual intrusion of this type of facility would be harmful to the appearance of the street and rural area contrary to Policy CS5, CS10, CS12, CS32 and the Countryside Place Strategy from the Core strategy and Saved Policy 113 and Appendix 8 of the Local Plan 1991-2011. The proposals are also considered to be harmful to the character and appearance of this area of the Chipperfield Conservation Area contrary to Policy CS27 of the Core Strategy. The proposals would introduce external lighting beyond the clear edge of the village and within a dark gap within the existing street scene. This light would spill out onto the highway area at a level in excess of the above limits and would thus appear as a discordant feature within the rural setting. This impact would be exacerbated by an absence of street lighting in the locality.

### Impact upon Residential Amenity

- 8.13 The submitted lighting assessment by Luminance Pro Lighting Systems indicates that the proposed lighting levels would pass an assessment in relation to luminous intensity at neighbouring properties with the impact being measured at between 0.04 Lux and 0.09 Lux. This is below the pass mark for an E1 environment and indicates that the lighting would not be intrusive to neighbouring residents. These dwellings are however a significant distance from the site itself.

### Impact upon Ecology

- 8.14 The impact of lighting upon ecology has also been considered in accordance with Policies, CS10, CS12, CS25 and CS26 of the Core Strategy. Advice has been requested from the County Council ecologist in relation to this matter and any comments will be reported to members of the committee. The vulnerability of wildlife especially bats to light pollution needs close scrutiny given the use of adjacent woodland. The lux diagrams submitted with the proposals indicate that the artificial lighting would not extend to significant illumination of the opposite highway verge.

### Impact on Highways Safety

- 8.15 The highway authority have raised concerns that the proposals will lead to a significant increase in lighting to the public highway and that this could provide a hazard in this location. The main concern is that it might dazzle drivers and decrease the visibility of pedestrians or other objects that might be within the highway. This could give rise to conditions that would be prejudicial to matters of highway safety and contrary to Policies CS8 and CS12 of the Core Strategy, Policies 51, 113 and Saved Appendix 8 of the Local Plan 1991-2011.



### Impact of Other External Lights

- 8.16 Members should be aware that a number of minor domestic light fittings are not subject to planning control and as such the impact upon the wider environment from poorly sited and intense lights can often go unchecked. Many bad examples of over-lighting in sensitive rural/countryside environments have been there many years and are beyond the scope of planning control. Such situations should not however be allowed to worsen and a high level of existing lighting in a rural location should not justify an increase in lighting nearby.
- 8.17 The applicants have made reference to a number of light's within the vicinity of the site including 4 x external lights to a small hall to the rear of court 1 and 2 x lights to the adjacent Primary School Building. There are also a number of light fittings to the adjacent Blackwell's Social Club. No planning permission can be found for any of these light fittings.
- 8.18 The primary school appears to be fitted with movement sensitive security light fittings which typically do not require planning permission and do not provide continuous illumination of the area.
- 8.19 It is understood that Blackwells was vacant for a substantial period of time in the late nineties and remained vacant till circa 2006. This now has a number of external light fittings altering the character and appearance of the area. The fittings at Blackwells, meanwhile, were subject to an enforcement investigation in 2011 (E/11/00181) to which it was concluded that a number of lights were placed on plastic hooks fixed to the fabric of the building and given their degree of permanence did not fall within a description of development. The lights to the front gable to this property were understood to have been installed in 2009 and original lighting had been retained at the rear and sides of the property. These lights to the side of the property provide a relatively low level of illumination and provide a subtle level of illumination. More recently fairy lights have been provided to illuminate external marquee areas and within the beer garden. These would appear to be provided as a response to the COVID-19 pandemic and the operating restrictions to such establishments.
- 8.20 The proposed lighting scheme would introduce a relatively stark area of external lighting which contrasts with the subtle uplighting associated with the Two Brewers public house and more domestic lighting additions in the locality.

### Social Infrastructure

- 8.21 The applicants argue that the public benefits associated with the proposals would outweigh any harm resulting from the introduction of lighting within the area. These benefits would extend to an increase in participation in the recreational activities of the tennis club and associated benefits to public health. There is general support under Policy CS23 of the Core Strategy for the improvement of community facilities and these benefits should be carefully considered in the planning balance.
- 8.22 A number of the benefits are not easily quantified nor has any evidence been supplied to support the claimed community benefits associated with the scheme. I am not convinced that the proposals would provide a substantial or material deterrent to anti-social behaviour or crime in the area nor that they would provide a substantial benefit to the adjacent primary school. There was a single incidence of Anti-Social Behaviour crime reported in March 2021 in the Chipperfield Parish
- 8.23 Although it may be desirable to play competitive tennis from the site, competitive tennis is not precluded within the Borough There are a number of illuminated tennis courts in the

area, including that at the nearby village of Bovingdon, and within the more urban locations.

## 9 CONCLUSION

9.1 I am not persuaded that the harmful impact of the lighting upon the character and appearance of this rural road and upon the rural character and appearance of Chipperfield village and its Conservation Area is outweighed by any social benefits arising from the increased use of the tennis club facilities. It is considered that the lighting of the tennis court will result in substantial harm to the character and appearance of the rural area contrary to aims and objectives of the Core Strategy and Saved Policies 113 and Appendix 8 of the Local Plan.

## 10 RECOMMENDATION

10.1 That planning permission be **REFUSED** for the following reason:

- 1) The introduction of floodlighting within this sensitive countryside location would permanently harm the visual amenities of the area. It is not a sustainable development as it is not in accordance with the National Planning Policy Framework's environmental objective. The development would be contrary to the National Planning Policy Framework (Paragraph 180), Policies CS1, CS5, CS10, CS12, CS27, CS32, and The Dacorum Countryside Placed Strategy of the Dacorum Core Strategy (2013) and saved Policies 113 and Appendix 8 of the Dacorum Borough Local Plan (2004)
- 2) The proposed lighting is considered to detrimental to highways and pedestrian safety contrary to the NPPF, Policies CS8 and CS12 of the Dacorum Core Strategy (2013) and saved Policies 113 and Appendix 8 of the Dacorum Borough Local Plan (2004)

### Informatives:

- 1) Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. 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
Chipperfield Parish Council	<p>Chipperfield Parish Council (CPC) supports the application subject to the following comments.</p> <p>Prior to submission, a pre-app meeting was held between representatives of Chipperfield Tennis Club (CTC) and the Parish Council Planning Committee. At that meeting an explanation of the proposals was provided by the Tennis Club and we would like to see our understanding of the proposals and conclusions embedded as planning conditions.</p>

	<p>Hours of use: Dusk to 9pm. Court users wishing to use the lights input an access code which permits use for 1 hour duration (unless 9pm is reached when the lights are automatically turned off). A Time clock should be provided to prevent early morning use or use outside of these hours.</p> <p>Location of columns: These are to be immediately adjacent to the existing fence on the outside face. CPC wishes that the hedge adjoining the access road to the school be undisturbed during installation.</p> <p>Light spill: It was accepted that CTC had been thorough in devising a scheme that would seem to have low/acceptable levels of light spill and that it would be incumbent on DBC as planning authority to assess this aspect technically during the planning application process.</p> <p><b>ADDITIONAL COMMENTS</b></p> <p>Representations made to CPC in respect of the existing floodlights on Court 2 alleged these lights are often left on whilst not in use for extended periods. To prevent this, we recommend extending the 'hours of use' condition as worded above to be equally applicable to the existing lights on Court 2.</p>
Councillor Adeleke	<p>I am writing to you in Support of the Application for six floodlights at Chipperfield Tennis Club. This Club provides invaluable support to the Community and I, along with the Parish Council would be grateful if we can have a positive outcome to this Application.</p> <p><b>Chipperfield Tennis Club</b></p> <p>The application site consists of the front court only of Chipperfield Tennis Club. Chipperfield Tennis Club is a village club run entirely by a dedicated team of volunteers as a non-profit organisation that seeks to primarily promote social tennis. The club currently has approximately 370 members, consisting of 105 family memberships, 40 Adults, 12 Students and 2 Juniors. The Club also provides coaching sessions and is regularly used by the adjacent primary school. It holds club competitions and designates court time for mixed social tennis of all abilities during the summer months.</p> <p><b>Benefits of the scheme</b></p> <p><b>1. Increased court usage</b> – The proposed floodlights would significantly increase the amount of tennis played on the front court. Currently due to a lack of floodlights, the front court is severely limited</p>

in terms of its use from September-April.

**2. Increased peak court time** – The proposals would not simply enable additional court time, but it would also significantly increase the peak court times (4pm-9pm) in which the majority of tennis is played during the week.

**3. Increased coaching opportunities** - Currently, due to high demand for one court during peak hours, coaching opportunities at the club are limited. The proposals would allow a greater number of coaching sessions for players of all ages and abilities (including after-school activities/coaching), in Autumn, Winter and early Spring.

**4. Enabling of club social tennis events** – currently, as there is only one court with lights, social tennis is seasonally restricted, usually only running up until September due to the light. The new floodlights the front court would allow for social tennis to operate all year round.

**5. Enabling competitive tennis** – Due to a lack of floodlights at Chipperfield, the club cannot facilitate competitive tennis vs other local clubs. If the proposed lights were erected, the club could then allow Chipperfield to play home matches vs various other local teams.

**6. Increased membership** – If the proposed floodlights were to be approved, it would allow the Tennis Club to significantly increase its capacity for new membership as a result of the increase in peak court time available. Currently, membership at the club is capped due to high demand and the club being unable to facilitate front court tennis during peak hours for the majority of the year. It is that membership would increase by 20% if the proposed lights were erected.

**7. Reducing opportunities for crime and anti-social behaviour** – As the proposed floodlights would allow for the courts to be in use during the evening hours for large portions of the year, this would allow for increased passive surveillance to help reduce opportunities for anti-social behaviour and vandalism, not only to the tennis club itself, but the neighbouring occupiers of Blackwells, the small hall, and the primary school.

**8. Increased school use** – Having two courts with flood lights will mean the club will be able to support more children's tennis in conjunction with the neighbouring primary school, St Paul's. This will be an opportunity to promote more tennis and exercise for children in

	<p>the local community.</p> <p><b>Issues</b></p> <p>The Case Officer has raised an issue of the introduction of lighting in this location being unacceptable. To accompany the application a lighting assessment was submitted, which demonstrates the proposals would comfortably meet the lighting requirements for this area. Furthermore, as shown in the accompanying lighting pictures document, there currently existing a significant number of external forms of lighting within the vicinity. Therefore, as there already exists a number of forms of external lighting in the vicinity there cannot be an in-principle issue with the proposed additional lighting on the front tennis court.</p> <p><b>Conclusion</b></p> <p>The Case Officers current opinion that the introduction of lighting in this area would be an issue is not an accurate opinion. As demonstrated, there is already significant amounts of external lighting within the vicinity, furthermore, as shown in the lighting assessment the proposals would not have a detrimental impact to neighbouring occupiers in terms of light spill. In any case, one would argue that the significant public benefits to the community would outweigh any harm caused. This is evidenced through there being a minimal amount of objections and with the Parish Council being in full support of the application.</p>
<p>Conservation and Design</p>	<p>I understand that floodlighting has previously been refused to the front court on its impact on the character and appearance of the Conservation Area. If use is restricted to 9pm, the public benefits to the scheme should outweigh the harm to the Conservation Area.</p>
<p>Environmental Health</p>	<p>The lighting report submitted by Luminance Pro Lighting Systems Ltd ref 5226b dated 08/02/2021 indicates that light spillage from the use of the tennis court flood lights will not exceed the limits detailed within Institution of Lighting Professionals Guidance Note 01/20 Guidance note for the reduction of obtrusive light. I have no objection with the outcome of the assessment and therefore have no in principle objections to the application subject to the following condition being attached to any consent granted.</p> <p>Outdoor Tennis Lighting Control Scheme</p> <p>The outdoor tennis LED lighting design hereby permitted shall be installed in strict accordance with the details provided in the lighting</p>

	<p>report submitted by Luminance Pro Lighting Systems Ltd ref 5226b dated 08/02/2021. The lighting system shall thereafter be retained as approved. The lighting system shall not be used unless the equipment is installed in compliance with these details.</p>
<p>Hertfordshire Highways (Ringway)</p>	<p>The lighting calculations provided indicate that there will be a significant amount of spill light on to the adjacent Highway, ranging from 5 Lux to in excess of 100 Lux. This lighting could therefore create a hazardous situation whereby drivers approaching the lit area are unable to see beyond the lit area sufficiently to identify people or objects in the road. I would recommend that shields or baffles on the luminaires, or a physical barrier between the tennis court and Highway is required to prevent this amount of light on the Highway, such that no more than 1 Lux is calculated to be emitted on the Highway.</p>
<p>Lighting Advisor</p>	<p>It is fully acknowledged that the submitted design has been prepared with reference to:</p> <ul style="list-style-type: none"> <li>• The expected level of lighting to enable tennis to be safely played at the appropriate standard.</li> <li>• The identification of the site as being within an E2 Lighting Zone – as referred to by the Institute of Lighting Professionals (ILP) Guidance Note for the Reduction of Obtrusive Light 2020 and clarification that the tennis courts lighting levels are in accordance with this.</li> </ul> <p>In considering the scheme it is noted that:</p> <ul style="list-style-type: none"> <li>• The night time character of many rural areas/ villages is due to the combined presence of road and domestic lighting, both of which can often be installed without planning permission.</li> <li>• Many rural areas/ villages do not have road lighting and therefore, domestic and other lighting can be more strident. Much community based rural buildings such as village halls and schools will be reliant upon subtle security lighting, with village pubs and restaurants dependent upon lit signage, amenity areas and car parks. These are all key aspects which collectively create the rural/ village nightscape.</li> <li>• In contrast, in an urban location road lighting is an integral and dominant part of the night time environment amalgamated with domestic, industrial, commercial and sports lighting. Urban lit and rural lit environments/ nightscapes are expected to be fundamentally different.</li> </ul> <p><u>Environmental Lighting Zones</u></p> <p>The Institution of Lighting Professional Environmental (ILP) (E) Zones differentiate between E0 and E4 Zones:</p> <p>E0 Protected Dark Astronomical Observable dark skies, UNESCO</p>

starlight reserves, IDA dark\sky places

E1 Natural Dark rural areas National Parks, Areas of Outstanding Natural Beauty, IDA buffer zones etc.

E2 Rural Low district brightness, sparsely inhabited rural areas, village Or relatively dark outer suburban locations

E3 Suburban Medium district brightness well inhabited rural and urban Settlements, small town centres of suburban locations

E4 Urban High district brightness Town/city centres with high levels of Night time activity

*The Notes include:*

1. Where an area to be lit lies on the boundary of two zones the obtrusive light limitation values used should be those applicable to the most rigorous zone.

2. Rural zones under protected designations should use a higher standard of policy.

3. Zone E0 must always be surrounded by an E1 Zone.

4. Zoning should be agreed with the local planning authority and due to local requirements a more stringent zone classification may be applied to protect special/specific areas.

The application of zones is not intended to be totally prescriptive.

There is a need for some flexibility. There will be cases where, despite the location of the zone, it is justifiable to provide an increased level of lighting. Examples of the exceptions in Zones E1 and E2 may involve the exterior lighting of an isolated church or listed building and discreet security lighting for community buildings: e.g. a village hall car park.

The Saved Local Plan refers to Zones E1 to E4, which have been subsequently superseded by Zones E0 to E4. It is fully acknowledged that based on the ILP 2020 policy the village would be within Zone E2. Appendix 8 represents a very precautionary approach to new lighting in the Borough's rural areas such as Chipperfield. This part of Chipperfield is not an entirely unlit environment. In this respect the Agent has referred to the lighting at Blackwells. It is understood that this is lawful and has changed the character of the area since the DBLP's adoption. In addition there is the adjoining lit tennis court.

The pivotal issue is the question of the principle of any sports lighting is acceptable at the site. By reason of the proposed floodlighting's location and design, it is considered that the scheme will introduce a very significant harmful intrusive 'box of light' in this highly vulnerable location. This will permanently, fundamentally and detrimentally change the expected intrinsic character of what should be a lowly illuminated part of the Conservation Area, as articulated through saved DBLP Appendix 8. This notwithstanding that it has been demonstrated the scheme complies with the latest ILP E2 Zone criteria. This includes an acceptable impact upon the residential amenity of the locality.

	<p>There is also the need to address the Ecological Implications, given the sensitivity and vulnerability of wildlife (especially bats) to light pollution. This takes into account that site adjoins the Church and The Common. It has been noted that Hertfordshire Ecology's advice is awaited.</p> <p><u>Conclusion</u></p> <p>There will be significant environmental harm due the principle of introducing a very harsh 'box of light' into such a sensitive rural location within a prominent part of the village core/ Conservation Area and in the context of the setting of St Pauls Church/ The Common.</p> <p>It will be contrary to Policies CS6 (i) and (ii), CS27, C32, and the Core Strategy's Countryside Place Strategy, saved DBLP Policies 113, 119 and 120 and Appendix 8 and the National Planning Policy Framework environmental objectives in delivering sustainable development.</p> <p>The clearly identified environmental harm based upon the unacceptability of the principle of the tennis court lighting in this rural / small village heritage location has to be weighed against evident the social benefits of providing the floodlighting.</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

Address	Comments
1 Old School Cottages	<p>We are concerned as there is already sufficient evening/night capability to play on the existing rear court.</p> <p>We believe this will increase light pollution and change the character of the area - particularly as we are close to the court.</p> <p>There is already too much noise and parking due to Blackwells Club and this will add to evening disturbance as well as encourage people to eat and drink outside whilst watching evening tennis.</p>
6 Queen Street	<p>I wish to object to the above application for the following reasons:</p> <ol style="list-style-type: none"> <li>1. I was a member of the Chipperfield Parish Council when the original proposal to illuminate the tennis courts came before us. It was the strong view of the Parish Council that an area of bright light adjacent to a road and then darkness beyond would affect driver's vision to the point where they may not see a pedestrian on the unlit and unpaved part of The Common. I appreciate that there is now a level of illumination by Blackwells social club, but there is still absolute darkness beyond that.</li> <li>2. The Lighting Assessment does not seem to fully reflect the road conditions: there is a verge and parking that occupies some 60% of the available width shown on the plans. This means that there will be</li> </ol>



	<p>50 Lux or more across the road beside the court, ie still very bright compared to the area around it as per the attached diagram (partial extract from the Lighting Assessment).</p> <p>(Please note that I cannot include a diagram at this point - I will send a letter as well)</p> <p>3. The village of Chipperfield is recognised as a 'dark skies area' due to the lack of street lighting and its rural location. The addition of these floodlights will be detrimental to this.</p> <p>4. Currently, the existing court lighting is frequently left on even when no-one is using the rear court and this will be very likely to happen with the front court.</p> <p>5. The Planning Notice on the fencing of the Tennis Club is undated and therefore invalid</p>
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# Agenda Item 5e

## ITEM NUMBER:

20/03295/FUL	One barn, one polytunnel, agricultural track and relocation of entrance gate	
Site Address:	Bury Farm Cupid Green Lane Hemel Hempstead Hertfordshire	
Applicant/Agent:	Mr Ben Wiggins	
Case Officer:	Intan Keen	
Parish/Ward:	Great Gaddesden Parish Council	Watling
Referral to Committee:	Contrary views of Parish Council	

## 1. RECOMMENDATION

1.1 It is recommended that planning permission is granted subject to conditions.

## 2. SUMMARY

2.1 The application site is located within the Green Belt where agricultural buildings are one of the appropriate forms of development. The development and its cumulative impact with previously approved development on the site, would not have an adverse impact on the countryside and would protect the special qualities of the adjacent Chilterns Area of Outstanding Natural Beauty. The proposal would be acceptable with regards to highway safety and parking provision. It would not adversely impact upon the amenity or function of neighbouring properties.

2.2 The proposal would therefore accord with the aims of Policies CS5, CS12 and CS24 of the Dacorum Core Strategy and paragraphs 145 and 172 of the National Planning Policy Framework.

## 3. SITE DESCRIPTION

3.1 The application site comprises part of a wider agricultural field, which benefits from an existing access off the south-eastern side of Cupid Green Lane. It sits slightly south-west of the junction with Gaddesden Lane and lies within the Green Belt. Land within the Chilterns Area of Outstanding Natural Beauty sits on the opposite (north-western) side of Cupid Green Lane.

3.2 Surrounding land uses are predominantly agricultural. North of the application site is a storage building and polytunnels in agricultural use (granted under 20/00213/FUL), beyond is the hedgerow boundary and an open agricultural field on its far side. To the east is vacant agricultural land with extant permissions for three polytunnels (granted under 4/00143/18/FUL, 4/00144/18/FUL and 4/00145/18/FUL). Immediately south is a timber enclosure (for which there are no records of planning permission). Directly west is part of the looping agricultural track and the remaining parts of the open field.

3.3 The local topography is gently undulating, levels appear to fall gently in a south-western direction.

## 4. PROPOSAL

4.1 Planning permission is sought for the construction of one polytunnel and one barn of the following dimensions:

- Agricultural barn – width of 12m and depth of 14m with a gable roof 4.55m high;
- Polytunnel sitting behind the barn – 10m wide by 7m deep, to a height of 3m.

4.2 Justification for the need for a barn and polytunnel has been set out in the supporting statement submitted as part of the application and is summarised below:

- Polytunnels provide a protected growing area that would enable the holding to grow a variety of crops over an extended growing season, in order to provide a regular year-round supply of salad, fruit and vegetable crops;
- The polytunnel will make it easier to control the growing environment (such as temperature, moisture and soil conditions) to maximise harvest;
- These controls ensure that crops can be produced to a consistently high level (with no damage to leaves from wind or sun scald) and maintain an even supply to meet the demands of consumers;
- Without a controlled growing environment, the growing period of such crops would be significantly constrained to summer months, which would not guarantee ideal conditions;
- The barn would provide secure storage of machinery, tools, seeds, composts and any necessary horticultural items to enable crop growth;
- It would also be used for necessary machinery maintenance;
- The barn would double as a useful area for the storage of harvest produce, as well as sorting and packaging crops before sale.

4.3 The agricultural compound would also comprise open storage areas accessed via an area of hardstanding comprising crushed concrete and aggregate.

4.4 This area would be accessed via a track leading from an existing access off Cupid Green Lane. It is noted that the agricultural track is retrospective.

4.5 It is also proposed to relocate the entrance gate further into the site.

4.6 For reference, the proposed buildings would sit immediately adjacent to the approved buildings within the agricultural compound under planning permission 20/00213/FUL.

## **5. PLANNING HISTORY**

Planning Applications (If Any):

19/02518/LDE - Siting of a mobile home on agricultural land used for agricultural purposes.  
*REF - 16th December 2019*

19/02838/FUL - Construction of Green House, Chicken Run and Chicken Coop for Agricultural Research. A 1.8 Metre Fence to be Constructed on the Boundary and Associated Works.  
*WDN - 12th March 2020*

19/02895/ART - Article 4 Direction  
*DET - 10th June 2020*

20/00213/FUL - Construction of horticultural polytunnels, storage building and boundary fence.  
*GRA - 4th May 2020*

20/03616/FUL - Construction of two barns and two polytunnels  
*PCO -*

20/04061/FUL - Construction of polytunnels, agricultural storage building and associated works  
*PCO -*

4/01243/19/DRC - Details required by condition 3 (landscaping) attached to planning permission  
4/00145/18/ful - construction of agricultural building  
GRA - 7th August 2019

4/01236/19/DRC - Details required by condition 6 (landscaping details) attached to planning permission  
4/00143/18/ful - creation of an access track and construction of a poly tunnel  
GRA - 5th August 2019

4/01235/19/DRC - Details required by condition 4 (landscaping details) attached to planning permission  
4/00144/18/ful - construction of a polytunnel  
GRA - 5th August 2019

4/00145/18/FUL - Construction of agricultural building  
GRA - 19th July 2018

4/00144/18/FUL - Construction of a polytunnel  
GRA - 23rd July 2018

4/00143/18/FUL - Creation of an access track and construction of a poly tunnel

GRA - 19th July 2018

4/00563/17/FUL - Construction of stock wire fence with planted hedgerow to divide off an area of land. Installation of 5 bar gate to provide Access.  
GRA - 4th May 2017

Appeals (If Any):

20/00033/ENFORC - Material change of the use of the land from agricultural to use for agricultural research with associated development.  
ALW - 11th January 2021

21/00030/ENFORC - Without planning permission, the erection of two timber framed structures and the installation of fencing and a septic tank system on the land  
FEEDUE -

## **6. CONSTRAINTS**

Parking Accessibility Zone (DBLP): 4  
Special Control for Advertisements: Advert Spec Contr  
Article 4 Directions: Land at the top of Cupid Green Lane, Great Gaddesden  
CIL Zone: CIL2  
Green Belt: Policy: CS5  
Oil Pipe Buffer: 100  
Parish: Great Gaddesden CP  
RAF Halton and Chenies Zone: Green (15.2m)

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

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

Relevant Policies:

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 – Green Belt  
CS8 – Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS24 – Chilterns Area of Outstanding Natural Beauty  
CS25 – Landscape Character  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Parking Standards (2020)  
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 Article 4 Direction on the land;  
The visual impact of the development;  
The impact on residential amenity; and  
The impact on highway safety and car parking.

### Principle of Development

#### *Policy Context*

9.2 The application site is located within the Green Belt where the provisions of Policy CS5 of the Core Strategy and Section 13 of the National Planning Policy Framework apply.

9.3 For the purposes of assessment under Policy CS5 of the Core Strategy, the development of the site with one barn and one polytunnel to support a community supported agricultural enterprise with two employees, taking up a small portion of the wider agricultural field would be considered as small-scale. Policy CS5 continues with a list of development that would be permitted in Green Belt areas, which includes building for the uses identified in national policy.

9.4 Turning to the National Planning Policy Framework, paragraph 145 includes a closed list of development that would not be inappropriate in the Green Belt. This includes buildings for agriculture and forestry (paragraph 145(a)). Unlike the types of development which follow under paragraph 145, buildings for agriculture and forestry are acceptable without restriction.

9.5 The definition of agriculture is stated under Section 336 of the Town and Country Planning Act 1990 as follows:

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly

### *The Proposal*

9.6 The proposal as described above (section 4 of this report) would fall within the definition of ‘agriculture’ as previously outlined, which is considered to meet the first exception to inappropriate development in the Green Belt under paragraph 145 of the Framework. Consequently, the proposal would also be acceptable under Policy CS5 of the Core Strategy. Although other extant planning permissions exist on the site for agricultural buildings and structures, it is noted that agricultural buildings are an acceptable form of development in the Green Belt, and without restriction.

9.7 Additionally, the proposal would support the rural economy and would not conflict with objectives in terms of maintenance of the wider countryside under Policy CS5 of the Core Strategy. It should be noted that any planning permission would run with the land and not the applicant. Therefore any non-agricultural related enterprises of the applicant would not be considered relevant in the determination of this application; the proposal only considers the development in conjunction with the site’s established agricultural use. The red outline on the submitted site location plan would suggest that the remaining area of the field is outside of the applicant’s control and the intentions for the remaining land is unknown and not a matter for consideration under the current application.

9.8 Any concerns with respect to use of the buildings could be adequately addressed by the imposition of a planning condition restricting the use of the buildings for agriculture, in line with paragraph 145 of the Framework and Policy CS5 of the Core Strategy. This would be consistent with the approach taken for planning permissions 20/00213/FUL (north-east of the site) and 4/00143/18/FUL (polytunnel immediately south-east of the site). It is noted there are comments that the proposed agricultural barn would fall short of the associated internal space needs of the operation. Whilst agricultural and forestry buildings are one of the types of development permissible in the Green Belt (and without size limitation), it is welcomed that the building has been rationalised in the interests of safeguarding the open character of the site.

9.9 Also in the interests of safeguarding the open character of the Green Belt and the agricultural use of the site, a condition shall be placed on any planning permission restricting overnight parking on the site, consistent with 4/00143/18/FUL. It would be reasonable to expect the proposed building to incorporate a limited area for an ancillary office and toilet considering employees could be on the site for long periods of time during harvest. (The staff break room, office and toilet taking up a total internal area of 20sqm would be proportionate and indeed ancillary to the agricultural use, with a proposed barn area of 168sqm.)

9.10 It is acknowledged that the site would be located to the north of the Hemel Garden Communities proposal area. As such, regardless of any relocation of the town’s boundary, national and local Green Belt policy outlined above would still be applied to development on the application

site. There are no reasons which have been put forward, or which are apparent, that would result in withholding of planning permission for agricultural buildings on this site.

9.11 It follows that the development would be acceptable in principle.

#### Article 4 Direction

9.12 The application site, and the wider field within which it sits, is subject to an Article 4 Direction which restricts fencing in the site.

9.13 The proposal involves the relocation of the entrance gate by the access to Cupid Green Lane, at the request of Hertfordshire Highways to enable a vehicle to wait clear of the highway while the gate is being opened.

#### Visual impact of the development

9.14 The site is located to the south of the Chilterns Area of Outstanding Natural Beauty (AONB) and in determining the application, regard shall be given to the duty under section 85(1) of the Countryside and Rights of Way Act 2000. This requires that decisions have to have regard to the purpose of conserving and enhancing the special qualities, distinctive character and key features of the AONB.

9.15 The site occupies a ridge location where the development could be viewed at a distance from parts of Cupid Green Lane to the north-west and south-west, where it would be seen adjacent to the AONB. Additionally views of the development would be obtained, again at a distance from the local public footpath network located to the south of the site, including the public footpath to the north-west within the AONB.

9.16 A bridleway runs alongside the north-eastern boundary of the wider field, from which it is likely that some views of the agricultural barn and polytunnel may be gained. These however would be partly obscured by the intervening boundary hedge and the approved agricultural buildings under 20/00213/FUL.

9.17 The proposed agricultural barn and polytunnel would be located within an historically open field, however these are uses and buildings that are compatible with countryside locations, and are typical of such a landscape, including in areas of outstanding natural beauty. The development would also be seen against the backdrop of other buildings subject to extant planning permissions (for example, 20/00213/FUL and 4/00143/18/FUL on two sides of the development).

9.18 Where visible, the design of the proposed barn would appropriately respond to the adjacent Chilterns Area of Outstanding Natural Beauty incorporating a gable roof and a timber exterior. The polytunnel would appear subservient to the barn and would be of a similar style to polytunnels approved on the wider field. Materials would be conditioned on any planning permission.

9.19 No concerns would be raised by the relocation of the existing entrance gate. Any planning permission would be subject to a condition requiring details of its location relative to the highway in accordance with Policy CS12 of the Core Strategy.

9.20 Parking areas and the crushed rock track would have limited visual impact on the area in terms of the track itself and the anticipated number of movements associated with the use as described in the supporting statement. A condition would be included on any planning permission requiring details of parking to be submitted.

9.21 It follows the proposal would accord with the aims of Policies CS12 and CS24 of the Core Strategy and paragraph 172 of the Framework.

### Impact on Highway Safety and Parking

9.22 The proposal would utilise the existing access off Cupid Green Lane and the shared track leading from this access.

9.23 As recommended by Hertfordshire Highways, any planning permission shall be subject to a condition requiring the access gates to be set back from the highway to allow a vehicle to wait clear of Cupid Green Lane while the gates are being opened. Details to be reserved by condition would include a plan showing the location of the new gates and their distance from the highway boundary.

9.24 Swept path diagrams have been prepared showing that the largest vehicle to use the site would be able to enter and exit the site in forward gear in one manoeuvre. Hertfordshire Highways has found this to be acceptable. Together with the relocation of the entrance gate, this would ensure that obstruction to the highway would be minimised in the interests of highway safety.

9.25 It has been confirmed there would be no more than two staff on the application site (excluding the shared track) at any one time, and an area for sufficient car parking would be provided to accommodate this.

9.26 The proposal would therefore accord with the aims of Policies CS8 and CS12 of the Core Strategy.

### Impact on Neighbouring Properties

9.27 The development is not located adjacent to any residential buildings. It would be surrounded by agricultural development on two sides (planning permissions referenced above). The nature of the agricultural use would not compromise any other agricultural activity on the site.

9.28 It follows the proposal would be in accordance with Policy CS12 of the Core Strategy.

### Other Material Planning Considerations

#### *Ecology*

9.29 Hertfordshire Ecology commented on one of the first agricultural applications on the site, above-referenced 4/00143/18/FUL, stating:

‘Herts Ecology has no comments to make on this application, which falls within an arable field.’

9.30 With the existence of adjacent agricultural buildings (immediately north-east), it is considered that the proposal for agricultural buildings would not conflict with the aims of Policy CS26 of the Core Strategy in relation to ecology on the site.

#### *Contamination*

9.31 The Council’s Scientific Officer was consulted and has confirmed that there is no need for any conditions pertaining to contaminated land investigation.

#### *Oil Pipeline*

9.32 The British Pipeline Agency has raised no objection in relation to the proposals.

## **10. CONCLUSION**



10.1 To conclude, the proposal would represent an appropriate form of development in the Green Belt. Agricultural buildings are permitted in the Green Belt without size restrictions, and it is considered that the barn and polytunnel have been satisfactorily justified with respect to the proposed use. Although it would result in a change from existing conditions, the development would not have an adverse impact on the character and appearance of the countryside, would not compromise residential amenity or highway safety and provide adequate car parking. The development would therefore accord with the aims of Policies CS5, CS12 and CS24 of the Core Strategy and paragraphs 145 and 172 of the Framework.

## **11. RECOMMENDATION**

11.1 It is recommended that planning permission is 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 and documents:**

**Plot (proposed site layout plan)**

**Building Elevations**

**Agricultural Justification and Statement (received 5 May 2021)**

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

- 3. The buildings hereby permitted shall not be used other than for the purposes of agriculture (including horticultural purposes).**

Reason: To safeguard the open character of the Green Belt in accordance with Policy CS5 of the Dacorum Core Strategy (2013).

- 4. Construction of the buildings (agricultural barn and polytunnel) hereby permitted shall not commence until the following details have been submitted to and approved in writing by the local planning authority:**

- A metrically scaled plan showing the location of the entrance gate and the height of the gate above ground level in its relocated position;**
- A metrically scaled plan indicating the location for on-site car parking with parking bays to be of minimum dimensions of 2.4 metres by 4.8 metres.**

**The approved details shall be carried out prior to the first occupation of the buildings hereby permitted.**

Reason: To safeguard the character and appearance of the surrounding countryside and the adjacent Chilterns of Outstanding Natural Beauty in accordance with Policies CS12 and CS24 of the Dacorum Core Strategy (2013).

5. **The buildings hereby permitted shall be constructed of materials specified in the Agricultural Justification and Statement (received 5 May 2021).**

Reason: To safeguard the character and appearance of the countryside and the adjacent Chilterns Area of Outstanding Natural Beauty in accordance with Policies CS12 and CS24 of the Dacorum Core Strategy (2013).

6. **There shall be no overnight parking associated with the development hereby approved.**

Reason: To safeguard the open character of the Green Belt and the countryside in accordance with Policies CS5 and CS12 of the Dacorum Core Strategy (2013).

**Informatives:**

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Campaign To Protect Rural England	<p>We are puzzled about aspects of this application for a barn and polytunnel in the Green Belt.</p> <p>This site is Plot 1 of six into which the original field was subdivided in 2016, prompting the Council to impose an Article 4 Direction to prevent "very significant harm to this very sensitive rural / Green Belt landscape." That Article 4 Direction was renewed in 2019 (19/022895/ART).</p> <p>In January 2018 the Council gave approvals for the construction of an agricultural building, a polytunnel and an access track on this site. (Applications Nos. 4/00143/18/FUL; 4/00144/18/FUL and 4/00145/18/FUL). We note that the applicant for this current application is different and assume that the land has changed hands, but the earlier approvals remain extant.</p> <p>We are concerned that, while the Application Form description of the current proposal is "One Barn and one polytunnel", the title page of the Planning Statement refers to polytunnels and on page 10 to "the cluster of proposed polytunnels" (there are in fact ten references to polytunnels in the plural throughout the document.) This suggest an intent to go beyond the approvals already given. The Council should clarify this before determining the application.</p>

	<p>At no point does the Planning Statement refer to a Barn, only to a "general purpose agricultural shed" of which, strangely, it is said that "the storage requirement of the proposed enterprise is greater than the size of the proposed building. It is likely, therefore, that some less valuable items such as trailers will need to be stored outside."</p> <p>There is no plan of the proposed storage shed included in the documents accompanying the application, but the schedule of accommodation in the Planning Statement includes a staff break room, office and toilet. There is no indication of how these facilities will be serviced by electricity and water supply. Sewage disposal is to a septic tank, though its location is not indicated. Similarly, four car parking spaces are mentioned in the application form, but not shown on the site plan.</p> <p>The proposal occupies a fifth of the total site area. There is no indication of the applicant's intention for the rest of the site. This also needs to be clarified before determination of the application.</p> <p>While we recognise the appropriateness of the proposed horticultural use, we have concerns regarding the sporadic nature of the building in an open Green Belt location and the ultimate intent of this application.</p>
British Pipeline Agency	<p>Thank you for your correspondence regarding the above noted planning application.</p> <p>Having reviewed the information provided, the BPA pipeline(s) is not affected by these proposals, and therefore BPA wishes to make no comments on the application.</p> <p>However, if any details of the works or location should change, please advise us of the amendments and we will again review this application.</p> <p>Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.</p>
Conservation & Design (DBC)	<p>With the Article 4 Direction, and this being an extremely open rural site, I am concerned the amount of infrastructure will proliferate, particularly as the planning statement refers to the fact that the proposed barn will not accommodate all the site's storage needs, and that it will also incorporate staff areas, entailing new services being brought to the site. The scheme also requires a surfaced track and a new access onto Cupid's Green Lane, which is characterised by dense hedgerows. The barn itself will be prominent and of no architectural merit.</p>

	<p>Nothing has materially changed to affect this assessment.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Contaminated Land (Scientific Officer)</p> <p>Having reviewed the application submissions and the ECP records I am able to confirm that there are no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p> <p>Environmental Health</p> <p>I do not have any objections to the application or make any further comment.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>7 May 2021</p> <p>I consider the tracking plans sufficient and acceptable.</p> <p>28 April 2021</p> <p>Yes satisfied that the gates set back be secured via a condition.</p> <p>In relation to the visibility splays I was wondering the same whether it is reasonable considering it is an existing access. I think if the gates are set back and there is the ability for vehicles to turn around on site and egress to the highway in forward gear then the access arrangements would be sufficient and not a reason to recommend refusal from a highways perspective.</p> <p>20 April 2021</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 recommends that permission be refused for the following reasons: Insufficient details have been submitted in order to recommend approval of the application.</p> <p>In order for a full assessment of the acceptability of the proposals to be made, the following information would need to be submitted (the details of which would need to be approved by the LPA in consultation with HCC as Highway Authority) including:</p> <ul style="list-style-type: none"> <li>• Vehicular entrance gates set back a sufficient distance to enable a vehicle to stand clear of the highway carriageway</li> </ul>

	<p>whilst the gates are being opening and/or closed.</p> <ul style="list-style-type: none"> <li>• Visibility splays of at least of 2.4m by 33m (preferably 43m) would need to be shown to be available in either direction along Cupid Green Lane from the access point. This is in the interest of highway safety and to ensure that visibility levels are in accordance with HCC's Roads in Hertfordshire: Highways Design Guide. Dacorum Borough Council as LPA would also need to be satisfied whether or not the loss of any hedging that may be needed is satisfactory from an ecological and sustainability perspective.</li> <li>• A tracking plan / swept path analysis to illustrate that the largest anticipated vehicle to use the access would be able to safely and easily utilise the adjacent highway when entering and egressing the site without causing damage to any highway verge nor impacting the safe functioning of the adajcent highway.</li> </ul> <p>There would sufficient space for vehicles to turn around on site and egress to the highway in forward and therefore HCC as Highway Authority would not have an objection to the proposals in this respect.</p> <p>It is acknowledged that a condition was recommended in the highway authority's response to planning application 4/00143/18/FUL requesting that a visibility splay be provided (2.4m by 43m) at the access point, which is also proposed to be used for the use linked to this application.</p>
Parish/Town Council	<p>Great Gaddesden Parish Council wishes to object to this application which corrects some of the factual inadequacies of 20/03295/FUL but is fundamentally the same and in our view will have a significant impact on the character and appearance of the countryside and breach Green Belt Policy CS5. We also have concerns about the ultimate intent of the use of the land.</p> <p>The land off Cupid Green Lane was previously open space agricultural land used for crops. It is green belt land adjacent to AONB. If the North Hemel housing plan gets it's full go ahead, this thin strip of Green Belt will be the last green field before the Chilterns AONB and should be protected. As such, it has an Article 4 restriction in place. We would like to encourage small businesses and welcome applications that use the land in a sympathetic way.</p> <p>The supporting statement indicates that the applicant is part of a 'Community supported agriculture scheme'. The Parish Council would approve of such schemes, but we have reservations as the applicant is 'Landesigns Ltd' which inquiries show as a gardening and landscaping company with no details of what this scheme is or the applicants new diversion into the production of food.</p>

	<p>This application includes a barn 14m x 12m (168sqm) to support a poly tunnel 10m x 7m (70sqm) and is an over development for the size and location of the plot. It will have a significant impact on the character and appearance of the countryside within the Green Belt.</p> <p>The application asks the question 'Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?' This was answered 'No' although the agricultural statement refers to 2 occasional staff in the planting season and 2 seasonal staff in the harvest season. Mention in the previous application of 4 car park spaces which weren't detailed on the plans has been removed leaving us unclear how the employees will get to the site.</p> <p>There is a list of equipment that will be needed to support the operation but does 70sqm of poly-tunnel for salad crops really need a barn 14m x 12m (168sqm) containing a fork lift, mini digger, flat bed trailer, tipping trailer, small trailer, transport dumper, delivery van, potting machine and a mower.</p> <p>In conclusion, the Parish Council object to this application believing that the structures proposed will have a significant impact on the character and appearance of the countryside and breach Green Belt Policy CS5. We also have concerns about the ultimate intent of the use of the land.</p>
Parish/Town Council	<p>Great Gaddesden Parish Council wishes to object to this application.</p> <p>The land off Cupid Green Lane was previously open space agricultural land used for crops. It is green belt land adjacent to AONB. If the North Hemel housing plan gets it's full go ahead, this thin strip of Green Belt will be the last green field before the Chilterns AONB and should be protected. As such, it has an Article 4 restriction in place. We would like to encourage small businesses and welcome applications that use the land in a sympathetic way.</p> <p>The supporting statement indicates that the applicant is part of a 'Community supported agriculture scheme'. The Parish Council would approve of such schemes, but we have reservations as the applicant is 'Landesigns Ltd' which inquiries show as a gardening and landscaping company with no details of the scheme or the applicants new diversion into the production of food. The application indicates a potential profit of £65,000 pa from the 70sqm of polytunnel. However, this application includes a barn 14m x 12m (168sqm) to support a poly tunnel 10m x 7m (70sqm) and is an over development for the size and location of the plot. It will have a significant impact on the character and appearance of</p>

	<p>the countryside within the Green Belt.As such, we intend to object.</p> <p>We are also concerned in inconsistencies in the application between the application form, it's supporting statement and the given plans. The supporting statement refers on numerous occasions to polytunnels rather than just the one polytunnel as indicated in the plans. Although these could just well be typing errors, this and other mistakes run consistently through the application.</p> <p>One major error that needs to be highlighted is in the 'Site' section of the supporting statement. Figure 1 has positioned the application plot and Green Belt in completely the wrong positions. On the map shown, the correct position lies between Eastbrock Hey Farm and Hawbush farm adjacent to Cupid Green Lane northern section. The Green Belt runs adjacent to the Chilterns AONB.</p> <p>Other errors of note. In the 'design' section, it details Translucent roofing lights will be incorporated into the building and windows will be positioned where the office and staff area to provide natural light. These windows are not shown on the plans. Speaking of office and staff area. The application asks the question 'Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?' This was answered 'No' The application then states... vehicles entering the site will meet and makes it well positioned in terms of meeting the site manager at the office. There is mention of 4 car park spaces and a septic tank. None of which are detailed on the plans.</p> <p>There is a list of equipment that will be needed to support the operation but does 70sqm of polytunnel for salad crops will need a barn 14m x 12m (168sqm) containing a fork lift, mini digger, flat bed trailer, tipping trailer, small trailer, transport dumper, delivery van, potting machine and a mower.</p> <p>In conclusion, the Parish Council object to this application believing that the structures proposed will have a significant impact on the character and appearance of the countryside and breach Green Belt Policy CS5. We also have concerns about the inaccuracies and ultimate intent of the use of the land.</p>
British Pipeline Agency	<p>Not Affected - But Pipeline Close.</p> <p>Thank you for your correspondence enclosing details of your proposals as listed above.</p> <p>We are not aware that any of BPA Pipelines apparatus, falls within the vicinity of the above noted location, but it is close. Please see attached map for location.</p>

	<p>However, if the location of your work should change, please contact us immediately, on 07766 781 297 or email <a href="mailto:nickifarenden@bpa.co.uk">nickifarenden@bpa.co.uk</a></p> <p>Whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
0	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>



**ITEM NUMBER: 5**

<b>21/00138/FUL</b>	<b>Construction of 5 dwellinghouses including associated hard and soft landscaping</b>	
<b>Site Address:</b>	<b>38 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SF</b>	
<b>Applicant/Agent:</b>	<b>S Hayes</b>	<b>Mr David Lomas</b>
<b>Case Officer:</b>	<b>Colin Lecart</b>	
<b>Parish/Ward:</b>	<b>Nettleden With Potten End Parish Council</b>	<b>Ashridge</b>
<b>Referral to Committee:</b>	<b>Contrary view of Parish Council</b>	

**1. RECOMMENDATION**

That planning permission be GRANTED subject to conditions.

**2. SUMMARY**

2.1 The proposal is considered to constitute limited infilling within a village and therefore an appropriate form of development within the Green Belt. Weight has been given to the National Planning Policy Framework (NPPF 2019) and an appeal decision for the site, as well as another local appeal decision. As such, the development would not have a detrimental impact on the openness of the Green Belt.

2.2 The size, layout and density of the development is sympathetic to the overall pattern and layout of development exhibited within the immediate area. Furthermore, only limited views of the proposal would be available from the surrounding area. The development would not have a detrimental impact on the residential amenity of the surrounding properties by way of its separation distances and would offer an acceptable level of residential amenity to future occupants.

2.3 It is noted that past tree coverage has been removed. However, the assessment has taken place on the current conditions of the site. There is adequate space within the site for the implementation for new planting. A Landscape and Ecological Management Plan (LEMP) are to be secured by condition, where details of ecological enhancements will be sought.

**3. SITE DESCRIPTION**

3.1 The application site comprises an irregular-shaped parcel of vacant land which is located to the west of Rambling Way, Potten End. An access gate (non-vehicular) is located to the east of the site and an electricity substation is situated to the south of this access.

3.2 The immediate surrounding area is considered to be predominantly residential in terms of both use and character, with the wider area comprising largely of agricultural land.

**4. PROPOSAL**

4.1 The application seeks planning permission for the construction of 5 dwellinghouses including associated hard and soft landscaping. Three four bedroom dwellings and two five bedroom dwellings are proposed.

## **5. PLANNING HISTORY**

Planning Applications:

19/02925/MFA - Construction of 14 dwellings (7 x 3-bed and 7 x 2-bed dwellings) and associated hard and soft landscaping  
*REF - 16th March 2020*

Appeals:

20/00024/REFU - Construction of 14 dwellings (7 x 3-bed and 7 x 2-bed dwellings) and associated hard and soft landscaping  
*DIS - 14th September 2020*

## **6. CONSTRAINTS**

Special Control for Advertisements: Advert Spec Contr  
CIL Zone: CIL1  
Former Land Use (Risk Zone):  
Green Belt: Policy: CS5  
Parish: Nettleden with Potten End CP  
RAF Halton and Chenies Zone: Red (10.7m)  
Small Village: 1  
Parking Standards: New Zone 3  
EA Source Protection Zone: 3  
Tree Preservation Order: 111, Details of Trees: T1 Oak

## **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 (2013)

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 – The Green Belt  
CS6 – Small Villages within the Green Belt  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design  
CS17 – New Housing  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality  
CS35 – Developer Contributions

Dacorum Local Plan (2004)

Policy 18 – The Size of New Dwellings  
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 129 – Storage and Recycling of Waste on Development Sites  
Saved Appendix 3 – Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents:

Parking Standards SPD (2020)  
Affordable Housing Clarification Note (2019).

**9. CONSIDERATIONS**

Main Issues

The main issues to consider are:

Whether the proposal constitutes limited infilling within the Green Belt  
The quality of design and impact on visual amenity;  
The impact on residential amenity;  
The impact on highway safety; and  
Car parking provision

**Principle of Development**

9.1 Paragraph 145 of the NPPF (2019) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, a number of exceptions to this are listed, one of which being limited infilling in villages.

9.2 The application site is located within a Selected Small Village within the Green Belt where Policy CS6 of the Core Strategy (2013) states that limited infilling with affordable housing for local people will be permitted in selected small villages in the Green Belt, including Potten End and the application site.

9.3 The preamble to Policy CS6 states that infilling is defined as form of development whereby buildings are proposed or constructed within a gap along a clearly identifiable built up frontage or within a group of buildings. The term 'limited' refers to development which does not create more than two extra dwellings. In this context the development does not fill a gap along a clearly identifiable frontage along Rambling Way and the quantum of development proposed exceeds two units.

9.4 With regards to the above, it is noted that a previous development for 14 units on the site was refused under application 19/02925/MFA and an associated appeal was dismissed under decision APP/A1910/W/20/3251407. The inspectors appeal for the previous development is considered to be a material planning consideration when assessing the current proposed development.

9.5 In their decision, the inspector noted that the wording of Policy CS6 was more restrictive than the NPPF. However, as the Core Strategy predated the NPPF (2019), it was considered that more weight should be given to the Framework. As the appeal decision is a material planning consideration, the inspector's approach has been adopted and assessment of whether the proposed development constitutes limited infilling in the context of Paragraph 145 of the NPPF (2019) is carried out in the section below.

9.6 It is also noted that Policy DM39 of the Emerging Local Plan (2020-2038) makes no reference to a specific number of units in terms of infilling. The policy does refer to clearly identifiable spaces within a built up frontage. However, the Emerging Local Plan is not at an advanced stage and so it is considered only limited weight can be afforded to this. Significant weight is given to the Framework.

### **Assessment – Limited Infilling**

9.7 The Framework does not contain a definition of 'limited infilling' and it is a matter of planning judgment whether or not the development proposed can be considered as such.

9.8 When taken into account the less restrictive wording of the Framework, the inspector considered the previous development to constitute infilling as the site is bounded by development along Rambling Way and the Laurels. Therefore, for the purposes of this application, this approach has been adopted and it is considered that the proposed development would represent infill development.

9.9 Whether the development would be limited requires an assessment of both the size of and scale of development and must be determined with regard to the overall aim of Green Belt policy, which is to preserve its openness.

9.10 The previous application was not considered limited by the inspector as relative to the scale of the neighbouring developments the proposal would involve a significantly higher density of development. The previous proposal consisted of a mix of semi-detached and terrace properties with relatively small gardens in an area comprising predominantly detached properties set aside on spacious plots. It was considered that the previous scheme would result in a cramped form of development and therefore out of keeping with the comparatively spacious character of the surrounding area.

9.11 Furthermore, it is noted that five dwellings have been granted on appeal at The Spice Village in Chipperfield under decision APP/A1910/W/19/3231097. From both these decisions it appears that an assessment on what is considered 'limited' has not been attached to a specific number of dwellings, but their resultant impact on character of the surrounding area with regards to its scale and massing.

9.12 The current scheme has now been reduced to comprise 5 detached properties set aside on spacious plots which is more sympathetic to the character and pattern of development found within the surrounding area. It is considered that this combined with what would be limited views of the site from the surrounding area means that the proposed development can be considered limited. The scheme would have a density of approximately 10.4 dwelling per hectare and represent low density, spacious residential development that integrates with the existing built form of this part of the village.

9.13 On the issue of openness, infilling an open gap within the village would reduce openness on a physical level. However, in allowing infilling as an exception, national Green Belt Policy has implicitly taken openness into account. The site is currently open in nature, but it is located within the main built form of the village. While the proposal would fill this gap within the village, it would not result in encroachment into the countryside and would not harm the wider openness of the Green Belt as a whole.

9.14 Due to the above, it is considered that the proposal constitutes limited infilling within the Green Belt. Weight has been given to an appeal decision on site as well as a recent appeal decision in Chipperfield. More weight has been given to the Framework than Policy CS6 with regards to the exception of limited infilling.

### **Impact on the Character and Appearance of the Area**

9.15 Policies CS11 and CS12 of the Core Strategy states that on each site, development should integrate with the streetscape character and not result in a detrimental impact on the character and appearance of the surrounding area

9.16 The nature and location of the site is such that only very limited views of the application site are possible from public vantage points, restricted to those which are available from the access gate situated on Rambling Way. It is unlikely that the development would be visible from this point.

9.17 Glimpsed views of the proposals would be possible from the northernmost part of Rambling Way although these would be experienced from a substantial distance from the new dwellings, with visibility interrupted by the vegetation that is present within the rear amenity area of the dwelling located closest to the corner of the plot. The overall distance of the proposed units from this view means that the immediate open nature of Rambling Way would not be significantly impacted. Furthermore, any views of the properties would be seen in conjunction with the existing built form of developments along Rambling Way and again, at a considerable distance.

9.18 As stated previously, the scheme has now been reduced to allow for large detached dwelling houses set aside on spacious plots akin to surrounding development. As such, the development is sympathetic to the overall pattern and layout of development exhibited within the immediate area.

9.19 No objection has been raised with regards to the specific design of the units. Details of materials to be used will be secured by condition.

9.20 Overall, it is considered that the proposal complies with the relevant criteria of Policies CS11 and CS12.

### **Impact on Residential Amenity**

9.21 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.

9.22 The proposal plans illustrated that the development would provide sufficient separation distances between all of the relevant elevations (front to back and back to back distances) and as such, would be acceptable with regards to the requirements of Saved Appendix 3.

9.33 Furthermore, given their scale and location in relation to surrounding development, the proposals would not result in the loss of sunlight, daylight and privacy to neighbouring occupiers.

9.44 It is noted that a first floor window on the side elevation of number 20, The Laurels would face onto the rear garden of one of the proposed 5 bedroom units. This window would be positioned approximately 16m from the rear elevation of the unit in question at an oblique angle. It is noted there is no back to side distance guidance contained within Saved Appendix 3. However, this distance and angle is considered acceptable with regard to the rear fenestrations of the proposed 5 bedroom unit in question. Furthermore, some level of overlooking into rear gardens is not unexpected within residential areas and it is considered appropriated landscaping could further screen views between these two properties. Details of landscaping will be secured by condition.

9.45 Environmental Health have no objections to the application on noise or air quality grounds.

9.46 The garden depth of the proposed plots all exceed the 11.5m depth required by Saved Appendix 3.

9.47 Thus, it is considered that the proposal complies with the relevant parts of Policy CS12 and Saved Appendix 3 from a residential amenity perspective.

### **Impact on Highway Safety**

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

9.49 Furthermore, Saved Policy 51 of the Local Plan (2004) states that the acceptability of all development proposals will always 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.

9.50 The proposed access to the site is off Rambling Way, which is an unclassified local access road with a speed limit of 30mph.

9.51 Hertfordshire Highways were consulted and additional information was requested regarding drainage, visibility splays, swept path analysis for refuse and emergency vehicles, bin collection points and the access.

9.52 Additional details were submitted regarding the above and Hertfordshire Highways were subsequently satisfied with these details. Conditions related to surface water run off and the submission of a construction management plan will be attached to the permission, if this application is granted.

### **Parking**

9.53 The Parking Standards SPD (2020) sets the council's car parking requirements in relation to the proposed developments. The site is located in accessibility zone 3.

9.54 The proposal would comprise three four bedroom properties and two five bedroom properties.

9.55 The four bedroom properties would be served by three car parking spaces overall (two on the front driveway and one within the garage). This would meet the standards set by the SPD. The standards state that for units that are above four bedrooms, provision will be assessed on a case by case basis. In this instance, the five bedroom units would be served by four parking spaces (two on the front drive and two within the double garages). This level of provision is considered acceptable for these units. Furthermore, Rambling Way does not appear to exhibit significant levels of car parking stress.

9.56 Minor amendments have been received which increase the widths and depths of the proposed garages to be compliant with the dimensions set out within the Parking Standards SPD (2020).

### **Other Considerations**

#### **Affordable Housing**

9.57 The council's Affordable Housing Clarification Note (2019) updates the council's policies on affordable housing to align it them with the NPPF (2019).

9.58 The proposed development is under six units within a designated rural area and so no affordable housing contribution is required in accordance with Table 1 of the clarification note.

#### Trees and Landscaping

9.59 Historical aerial imagery indicates that the site once (and recently) benefitted from significant vegetative cover which no longer appears to be present at the site. An Oak tree which is covered by Tree Preservation Order No. 111 is located at the site's southernmost boundary. A number of other existing trees are marked on the proposed site plan

9.60 The trees and woodlands officer was consulted and requested that a number of existing trees on site should be afforded protection during construction works. As such, the submission of a tree survey was requested. This would include details of tree protection measures to be implemented during construction and will be secured by condition.

9.61 While the loss of trees that historically existed on site is unfortunate, it is considered there is enough space within the proposed development to incorporate a level of replacement planting into the development. Indicative planting has been included on the proposed site plan and specific landscaping details will be secured by condition.

#### Ecology

9.62 A Preliminary Ecological Appraisal was submitted in support of the application. Hertfordshire Ecology were consulted and provided detailed comments which are attached to this report.

9.63 Overall, there was no objection to the proposal and conditions recommended relating to a reptile survey and the submission of a Landscape and Ecological Management Plan (LEMP). Overall, it was considered that the site does not support an ecological interest sufficient to reasonably represent a fundamental constraint on development. However, the site was considered to provide a local ecological resource and the loss of this should be compensated and biodiversity net gain provided should the application be approved.

9.64 The Landscape and Ecological Management Plan (LEMP) will be secured by condition and should outline ecological enhancements to the site, with a view to securing biodiversity net gain.

#### Flood Risk and Source Protection Zone

9.65 The site is situated within Flood Zone 1 and as such, is acceptable for residential development in this respect.

9.66 It is noted that the site is located within Source Protection Zone 3. However, on the previous application, The Environment agency had no comment to make on the proposal with respect to this, as it was confirmed that the intention was to connect to the main fould drainage. The agent has confirmed that this position has not changed on this scheme. The applicant would have to engage with the relevant authorities (Thames Water) in proposing to connect to their drainage network.

#### Land Contamination

9.67 The scientific officer was consulted on the application, and conditions relating to the submission of the appropriate environmental risk assessments have been requested. These will be attached to the permission, should the application be granted.

## Community Infrastructure Levy (CIL)

9.68 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 1 July 2015. The application is CIL liable if it were to be approved and implemented.

### **10. CONCLUSION**

10.1 The proposal is considered to constitute limited infilling within a village and therefore an appropriate form of development within the Green Belt. Weight has been given to the Framework and an appeal decision for the site, as well as another local appeal decision. As such, the development would not have a detrimental impact on the wider openness of the Green Belt.

10.2 The size, layout and density of the, the development is sympathetic to the overall pattern and layout of development exhibited within the immediate area. Furthermore, only limited views of the proposal would be available from the surrounding area. The development would not have a detrimental impact on the residential amenity of the surrounding properties by way of its separation distances and would offer an acceptable level of residential amenity to future occupants.

10.3 There is adequate space within the site for the implementation for new planting. A Landscape and Ecological Management Plan (LEMP) will be secured by condition where details of ecological enhancements will be sought.

### **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:**

**20/43/05E  
20/43/03F  
20/43/01F**

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 brick and tiles material samples specified on the submitted Design and Access Statement.**

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



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

- 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 retained historic landscape features and proposals for restoration, where relevant.

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

**Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a 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. **No development (excluding ground investigations or archaeological investigations) shall take place until a Landscape and Ecology Management Plan for the enhancement of the site for biodiversity purposes, to include timescales for implementation and future management, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of enhancements shall be implemented in accordance with the approved details and thereafter so retained.**

**It is advised that this should include a Biodiversity Metric and show how measures to achieve biodiversity net gain can be provided on the site.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).

6. **No disturbance of soil, roots or vegetation in respect of the development hereby approved shall take place until a full reptile survey has been undertaken and the details submitted to and approved in writing by the Local Planning Authority. The details shall include measures and programme for reptile mitigation and conservation, including a detailed methodology for the capture and translocation of such. The mitigation and conservation measures shall be implemented in accordance with the approved details and programme to the satisfaction of the Local Planning Authority.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard

to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).

7. **No work (including site clearance) in relation to the development hereby approved shall be undertaken until full details setting out how retained trees shall be protected, in accordance with BS5837:2012 (Trees in relation to design, demolition and construction), have been submitted to and approved in writing by the Local Planning Authority. Details shall include:**
- o **A scaled Tree Protection Plan showing the approved development layout and retained trees (surveyed in accordance with BS5837:2012), to include their accurate crown spreads and root protection areas (RPAs).**
  - o **The sequential order of events required for tree protection.**
  - o **The position and specification of tree protection fencing in accordance with BS5837:2012 (as applicable).**
  - o **The position and specification of ground protection in accordance with BS5837:2012 (as applicable).**
  - o **Details of hard surfacing constructed using no-dig techniques where proposed over the RPA of retained trees (as applicable).**
  - o **Details of proposed levels.**
  - o **The position of service routes and drainage (to include soakaways), and means of installation if these encroach through the RPA of retained trees.**
  - o **The position(s) of welfare site cabins and areas for the storage of materials.**
  - o **Tree protection measures during the landscaping stage(s).**
  - o **Details of arboricultural site supervision to include timing and how each site visit shall be recorded.**

**There shall be no excavation, changes in levels, storage of materials or access within the RPA of retained trees unless previously specified and agreed.**

**Arboricultural supervision shall include a pre-commencement site visit prior to any work commencing. The Local Planning Authority shall be informed of this at least three working days prior to it occurring. Arboricultural monitoring reports shall be sent to the Local Planning Authority within five working days of each site visit.**

**The works must then be carried out according to the approved details.**

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).

8. **(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.

9. Any contamination, other than that reported by virtue of Condition 8 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.

10. 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 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) and Policy CS31 of the Dacorum Core Strategy (2013)

11. Prior to the commencement of any below ground construction works including the erection of any foundations a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan should consider all phases (excluding demolition) of the development. The construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:

- construction vehicle numbers, type and routing;

- traffic management requirements;
- construction and storage compounds (including areas designated for car parking);
- siting and details of wheel washing facilities;
- cleaning of site entrances, site tracks and the adjacent public highway;
- timing of construction activities (to avoid school pick up/drop off times);
- provision of sufficient on-site parking prior to commencement of construction activities;
- post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- construction or demolition hours of operation; and
- dust and noise control measures.

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

- 12. Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be 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 ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

**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. Waste Comments  
There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

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

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.

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.

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.

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. 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.
5. 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.

6. Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide". 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.
7. Any vegetation clearance should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until nesting activity has ceased.
8. To avoid killing or injuring of hedgehogs it is best practice for any brush piles to be cleared by hand. Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes could fill with water.

#### APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	<p>The Parish Council wish to object to this application. We acknowledge the significant efforts made by the applicant to address the concerns raised in a previous application for the same site but believe that the same underlying issues remain.</p> <p>This application follows a proposal for 14 dwellings on the same site submitted in November 2019 (19/0295/MFA) which was refused by Dacorum BC in March 2020 on the grounds that:</p> <p>'The proposed development fails to meet with the definition of acceptable 'limited infilling' within the designated Small Village, constitutes backland development and is unsympathetic to the surrounding area and incongruent with its prevailing character, which is contrary to Policies CS6, CS11 and CS12 of the Dacorum Borough Core Strategy (2013). Furthermore, no very special circumstances exist to justify a departure from Green Belt policy, which is contrary to the National Planning Policy Framework'.</p> <p>It was appealed in June 2020 and the appeal was dismissed in September 2020 (APP/A1910/W/20/3251407) on the grounds that:</p> <p>'As the site lies between buildings on Rambling Way and The Laurels</p>

the development would be infilling. Whether it would be limited requires an assessment of both the size of the site and scale of development".

'The development proposed ' would result in a cramped form of development that would be out of keeping with the comparatively spacious character of the surrounding area.'

'35% of the houses proposed would be affordable housing. However ""the market houses would not be affordable in accordance with the Framework.'

'It would therefore be inappropriate development in the Green Belt and conflict with paragraph 145 of the Framework and Policy CS6 of the Core Strategy'

'It would also conflict with Policies CS6, CS11 and CS12 of the Core Strategy [which] require amongst other things, that development be sympathetic to its surroundings in terms of local character, design, scale and that it respect the typical density intended in an area'.

The Planning Statement for the current application incorrectly states that there were " no objections from statutory consultees' to the previous application. The Parish Council objected both to the original application and re-submitted those objections to the Planning Inspector.

The Design and Access statement submitted also incorrectly states that the revised proposal 'reflects a growing need for additional houses in this location as identified in the Neighbourhood Plan and Council development strategy'. There is no Neighbourhood Plan covering this site and we contend that the even though substantially revised, the proposed development remains outside the scope of the Dacorum Core Strategy Policy CS6, which defines the types of development permitted in Potten End.

The Planning Statement also suggests that 'given the recent revision of the Standard Methodology in Dec 2020, the Site may form part of a contribution toward the 5yr Housing Land Supply (HLS) which has increased from a planned figure of 320 to 1023 dwellings per annum'. That it 'may' form part of a revised housing land supply is irrelevant; at the time of the application it doesn't, nor is it currently identified in the draft Dacorum Local Plan either as a growth or development zone.

The Inspector determined that any development of this site represents infill (para 6 of the Appeal Decision of 14th September 2020.) 'Limited infilling in villages' is one of the exceptions for new building in the Green

Belt defined in the NPPF (145.e) but what constitutes 'limited infilling' is undefined. Although the Inspector identified conflict between Policy CS6 and the NPPF it was only a matter of weighting, and where the NPPF is silent we contend that the Core Strategy definition of limited infilling should be adopted

'Infilling will only be permitted where it is limited in scale; the housing is affordable and it meets the needs of local people. The term 'limited' refers to development which does not create more than two extra dwellings'. (8.34)

The revised application does not meet this criteria.

The problem around defining 'infilling' in the context of the village layout has been a perennial one, and is clearly something Dacorum Borough Council have sought to address in their revised guidelines in the emergent Local Plan 2020-2038. Policy DM39, which covers the development allowed in Potten End, Wiggington, Flamstead and Chipperfield, states:

Planning permission will be granted for limited infilling within these selected small villages in the Green Belt provided that it meets all of the following criteria:

- i) an 'on the ground' assessment of the site shows that it lies within the envelope of a selected small village;
- ii) the site comprises a gap in an otherwise clearly identifiable built up frontage, or a gap within a group of buildings, and does not include backland development;
- iii) the dwelling(s) must be constructed on a similar building line (formed by the front main walls of existing dwellings) and be of a similar scale, form and proportion to those adjacent;
- iv) the proposed dwellings are in keeping with the size, width, scale, height and spacing of those in the immediate locality of the site; and
- v) there would be no harm to the settlement pattern, grain or morphology of the village (including any open land considered important to the open character of the village or its contribution to the openness of the Green Belt).

It is clear that the proposed development would be flagrantly in breach of several of these criteria. This is not a case where the NPPF and a Local Plan are in disagreement, rather that the Local Plan goes into greater detail about how it defines a NPPF principle. It would be troubling indeed to think the Council could allow a development that contravenes so comprehensively the rules they hope to have in place in the near future.



Policy CS20 identifies rural sites for affordable homes, but notes it will only be permitted if it:

- (a) it meets an identified local need for affordable housing;
- (b) the housing is for people who have a strong local connection with the village or parish through work, residence or family; and
- (c) the scheme is of a scale and design that respects the character, setting and form of the village and surrounding countryside.

The revised application does not conform with items (a) and (b) above.

We are also concerned about the following elements:

' Policy CS12(f): This development does not integrate with the streetscape character of the surrounding roads, particularly in terms the uniform character of the houses and their materials.

' Policy CS12(c): We have concerns that the proximity and topography of the site will mean that neighbours on Rambling Way will suffer significant loss of privacy.

' Policy CS26: We understand that this area has been designated as protected by 'Natural Environment and Rural Communities Act (2006) Section 41 habitats of principal importance' led on by Natural England. Local residents report that it has been home to populations of owls and bats with badgers, foxes and muntjac deer using the land as a safe corridor. Some of the felled trees were fitted with owl boxes which were occupied for several years. Clearly, destroying this green space would fail to conform to supporting biodiversity plans.

Finally we are aware of ongoing sewage capacity problems in the area which have been reported on a number of occasions to Thames Water involving raw sewage being found in residents' gardens. We are concerned that although the Thames Water response to the application acknowledges that there are issues under certain circumstances it doesn't consider that the proposed development will materially affect the sewer network. Until such time as the sewage problem is adequately resolved, any increase in capacity must affect the sewage network.

In summary we would support an identical decision to that made in March 2020.

The proposed development fails to meet with the definition of acceptable 'limited infilling' within the designated Small Village, constitutes backland development and is unsympathetic to the surrounding area and incongruent with its prevailing character, which is contrary to Policies CS6, CS11 and CS12 of the Dacorum Borough

	<p>Core Strategy (2013). Furthermore, no very special circumstances exist to justify a departure from Green Belt policy, which is contrary to the National Planning Policy Framework'.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site is close to land with a contaminated land use history, brickworks and landfill/refuse, and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed residential 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 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) &amp; (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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p> <p>08.02.2021:</p> <p>No objections on noise or air quality grounds.</p>
Hertfordshire Ecology	1. There are no historical biological records for this site in the Herts Environmental Records Centre database.

2. Historic maps from the 1890s show nothing on this site until a cottage and scrub appeared in the 1960s. The adjacent old orchard has been lost to housing. Consequently, there is no old intrinsic habitat interest present.

3. The site has survived as an undeveloped plot, formerly part of the curtilage of another property. It had developed a natural successional vegetation of trees, scrub, bramble and some remaining open grassland.

4. A Preliminary Ecological Appraisal has been submitted in support of this application. The 21st Nov survey date is clearly sub-optimal for undertaking detailed ecological survey work although in terms of identifying key habitats likely to be of some notable value it is acceptable in the context of a PEA.

5. The ecology report suggests the site was cleared between 2017 and 2018 and scrub regrowth and saplings date from this time, consisting of a wide range of native tree and scrub species. Presence of woodchip suggests this history is a reasonable assumption. Ruderal vegetation is dominated by bramble. The site value is considered to be at the site level only. Whilst the impact of the proposals will be significant, I do not disagree with this view. Furthermore, the site would not meet Local Wildlife Site criteria.

6. I am less convinced that the site can be regarded as not supporting reptiles or amphibians. Whilst I acknowledge the limitations of the surrounding land uses, the habitats on-site - including log piles - are suitable for both groups and suitable gardens can support species such as slow worms, frogs and toads. However, recent disturbance would not have taken any regard of their presence and could have harmed small local populations. Great crested newts have been recorded from Berkhamsted Common, although records are in excess of 500m away.

7. The site is of little wider value other than for common garden birds and not suitable for roosting bats, although it is likely to be used by foraging bats and in this regard I consider is likely to be more important than the assessment in 5.3.3. No badger setts were observed within the site.

8. The proposals will comprise roads, gardens and new buildings. There is no open space and therefore little or no opportunities for substantial ecological compensation or enhancement. The development is described as removing almost all of the existing vegetation other than some trees and boundary vegetation. Local landscaping around the boundaries and within the site is welcomed but

this is largely insignificant in respect of the impact on the local ecological resource currently present. Compensation is proposed through planting of native flora and shrubs, and proposals for bird and bat boxes, lighting and hedgehog access. Whilst this may be limited, it is supported.

9. The impact is assessed in relation to be plans outlined within Appendix 4 of the PEA; however these are now different from the current proposals as the PEA relates to the previous proposals for 14 houses on the site; the current proposal is for five. Whilst this would reduce the dwelling density and the ecological impact in respect of undeveloped land, the loss of existing biodiversity resource will be similar. The proposed open garden areas cannot be realistically considered as providing adequate or genuine biodiversity compensation or gains as their use, character and management is entirely at the discretion of the future householders and cannot be controlled through any planning agreement.

10. However, it is recommended (PEA, 5.2) that compensation is needed to avoid net loss of biodiversity and to deliver net gain. To inform this it is also recommended that, consistent with the aims of NPPF, a Biodiversity Impact Calculation is provided to assess the measurable ecological losses and any gains associated with the development. This approach to achieving Biodiversity Net Gain (BNG) is also outlined within the 2019 Environment Bill, although this is not yet law and is not, therefore, a mandatory planning requirement. If it is not provided the LPA has no legal justification to refuse an application on these grounds. Nevertheless, I strongly support this approach and advise that the NE Biodiversity Metric V2 is used to inform this process. Any compensation requirements can be provided on and / or offsite, possibly through a financial contribution if necessary, as stated in the PEA.

12. Recommendations 6.3 include provision of bat and bird boxes within the site and / or on the new buildings, and I support this. Measures to reduce the effects of external lighting are also outlined (6.3.1.1) and I support these. Vegetation clearance should be undertaken outside of the bird nesting season, and hedgehog passes should be created within or beneath any new fencing.

13. On the ecological information available to me, I have no reason to be believe that the site supports an ecological interest sufficient to reasonably represent a fundamental constraint on development. However, the site clearly provides a local ecological resource within the village and its effective loss should be compensated and net gain provided if the application is approved, consistent with existing Government expectations.

14. Whilst it is not yet a mandatory requirement, the provision of BNG is now an expectation of such development where there is a clear loss of biodiversity and I advise that DBC encourage this approach, informed by the NE Biodiversity Metric V2, as recommended. Without this, the LPA will not be able to assess whether the claims made by the applicant in providing BNG can be achieved, although the LPA is not in a position to refuse an application if this is not provided.

15. I also consider that the potential for reptiles (and amphibians which can use reptile refugia) should be assessed as a precautionary measure and secured as a Condition of approval.

16. The existing recommendations for biodiversity (detailed planting proposals etc bird and bat boxes etc.) should be incorporated within a Landscape and Ecology Management Plan secured by a Condition of approval. I advise that this should therefore also include a Biodiversity Metric and show how measures to achieve BNG can be provided on and or offsite.

17. On the basis of the above, I have no objections to the proposals and advise it can be determined accordingly. If this application is approved, I advise the following Conditions are attached:

17.1 A reptile survey is undertaken at an optimum time of year (optimum summer months following best practice) to assess whether reptiles are present and using the development site, and if so advice and measures taken to avoid harming the population;

17.2 A Landscape and Ecology Management Plan (LEMP) is produced to the satisfaction of the LPA. This will demonstrate the landscaping and ecological measures recommended to enhance biodiversity on-site. It is strongly recommended this also includes a Biodiversity Metric and measures needed sufficient to secure BNG, as outlined within the application and comments above.

18. The following Informatives should be attached to any permission:

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

To protect mammals: "To avoid killing or injuring of hedgehogs it is best

	<p>practice for any brush piles to be cleared by hand. Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes could fill with water."</p>
Trees & Woodlands	<p>The information submitted indicates there are trees within the development site which maybe detrimentally affected by the proposal. In order to ensure they are afforded appropriate protection I require the applicant to submit further information in the form of a Tree Survey, as described in BS 5837:2012 Trees in relation to design, demolition and construction. The survey should recommend suitable construction methods to minimise impact of the development to all adjacent trees where parts of the tree encroach into construction.</p>
Thames Water	<p>Waste Comments</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>.</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a></p> <p>We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We</p>

	<p>would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water Comments  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>The proposals are for the construction of 5 dwellinghouses including associated hard and soft landscaping at 38 Rambling Way, Potten End, Berkhamsted. The proposals include a new access road and associated parking. This response is for more information regarding a few concerns  HCC Highways has regarding the access and how refuse/emergency vehicles can enter and</p>



manoeuvre on site. The first concern is that of the access. Both the planning statement and design and access statement do not state whether the access is new or is utilising the existing second access from 38 Rambling Way. Therefore, HCC Highway would like this clarified as from drawing 20/43/01E it appears to use the existing access.

HCC Highways would like to see the following to fully assess the impact of the site on the surrounding highway network;

1. Location of drainage for the site

A plan of where drainage will be to ensure surface water drainage can be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

2. Drawings of Visibility Splays:

Drawing of visibility splay measuring 2.4 x 22 metres should be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway. These plans will help HCC Highways evaluate the impact the new or existing access will have on the Highway network.

3. Diagrams Illustrating swept path analysis for refuse and emergency vehicles:

HCC Highways would like to see scaled plans of swept paths to investigate that;

i) Refuse and emergency vehicles are able to enter the site, manoeuvre around the site, and leave the site in a forward gear. This is 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).

4. HCC Highways would like to see the bin collection location for each property to ensure on-site bin-refuse store is within 30m of each dwelling and within 25m of the kerbside/bin collection point.

5. Drawings illustrating the measurements of the access to ensure that

	<p>it is in line with guidance within Hertfordshire's Highway Design Guide. It is understood that some of these requests have been stated within the previous application for 14 dwellings on this site. However, this is a new site of different scale and therefore new drawings specific to this site are required.</p> <p>Once these drawings have been presented to HCC Highway, then we will be able to fully assess the impact of the site on the surrounding highway network.</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) 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 avoid the carriage of extraneous material or surface water onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2) No development shall commence until a Construction Management Plan (or Construction Method Statement) 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 / Statement shall include details of:</p> <ul style="list-style-type: none"> <li>a. Construction vehicle numbers, type, routing;</li> <li>b. Access arrangements to the site;</li> <li>c. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);</li> <li>d. Siting and details of wheel washing facilities;</li> <li>e. Cleaning of site entrances, site tracks and the adjacent public highway;</li> <li>f. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;</li> <li>g. Provision of sufficient on-site parking prior to commencement of</li> </ul>

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 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:

AN 1) 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.

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

AN 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.

AN 4) Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide". 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.

**Comment**

The proposal is for the construction of 5 dwellinghouses including associated hard and soft landscaping at 38 Rambling Way, Potten End, Berkhamsted. The proposals include a new access route and associated parking. Rambling Way is a 30 mph unclassified local access route that is maintained at public expense. HCC previously commented on this application requesting more information for HCC to be able to make an informed decision. I am happy after speaking to the LPA planning officer that relevant information requested has been provided and other information is set within conditions.

#### Access arrangements

From the newly proposed drawings it can clearly be seen that the 5 new dwellings will be accessed via the existing second dropped kerb that currently serves number 38. This will leave 38 with one dropped kerb. The second dropped kerb will be used to access a private route that accesses parking for the 5 dwellings. Drawing number 20/43/07 illustrates that a large fire appliance can manoeuvre on site in order to exit and enter the site in forward gear. The existing access is just above the 3.1 metres required to allow access for a fire appliance in case of an emergency. Drawing 20/43/06 illustrates that the access has good visibility either side in relation to the surrounding highway network which HCC deems as acceptable.

#### Drainage

The proposed new driveway and private route would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new route would need to be collected and disposed of on site. HCC requested this be illustrated but from discussions, condition 1 above has been included to ensure that the site has appropriate drainage.

#### Refuse & Waste Collection

Provision has been made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

#### Emergency Vehicle Access

The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the private route to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.

#### Conclusion

	I am happy that the queries requested from HCC has been addressed within the amended application. HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives and conditions.
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
27	20	0	20	0

### Neighbour Responses

Address	Comments
Lilydale Browns Spring Potten End Berkhamsted  Hertfordshire HP4 2SQ	The sewage / waste water from this proposed development will flow into the small pumping station at the bottom of Browns Spring. This pump station and the village sewer network in general already lack the capacity to deal with the current volume of flow during high rainfall and regularly results in raw sewage flooding into private gardens. Thames Water are aware of this but it currently remains unresolved. Adding further houses to the system will certainly exacerbate the problem and should be avoided until the Sewer Network has the capacity to satisfactorily service the villages existing houses
7 Homefield Potten End Berkhamsted Hertfordshire HP4 2QX	I don't believe any real thought has been given, by the applicant, to nearby residents. Of course a development of this size will impact them negatively. If allowed to go ahead I believe this development would have a negative impact on nearby residents and their everyday lives. Far too many dwellings squeezed in to a small area. Very little thought given to these residents by the applicant.
24 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP	I write to object to the proposed development of the land adjacent to 38 Rambling Way, Potten End for five dwellings (21/00138/FUL) on the following grounds. I provide further information under the appropriate headings below: 1. General 2. Up to Date Planning Policy 3. Green Belt 4. Residential / Visual Amenity 5. Trees  1. General It should be noted that while the application forms and plans suggest the application is for five dwellings, paragraph 1.2 of the supporting planning statement clearly states that the document supports an

application for six dwellings on the site. Paragraph 3.1 then reverts to five dwellings; while the forms and plans will take precedence, the discrepancy should be noted and amended.

The applicant references an Appeal Court Judgement, which in turn references other judgements, to which I respond below:

· Hook v SoSHCLG [2020] EWCA Civ 486 (paragraph 7)

o References confirming that the question of Green Belt openness and the degree of harm resulting from development are matters of planning judgement to be exercised by the decision maker is a well-established principle

o Provided that planning judgement is exercised in a reasonable and logical manner there is no recourse to the Courts if the applicant simply dislikes the balanced and reasoned planning judgement of the decision maker

o The fact that a site might support development in the Green Belt and remain open is not contested; however, it is a question of appropriateness, scale and the ratio of built form to site area. The proposal represents the backland development of five dwellings on an area of 0.48 hectares and not a 300sqm visitors centre in a 250-hectare woodland for example; therefore, the proposal would completely urbanise the site

o It should be noted that in his judgement of this case Lord Justice Lindblom upheld the decision of the Planning Inspector who dismissed the application for a single dwelling on grounds of inappropriateness in the Green Belt

## 2. Up to Date Planning Policy

In the previous appeal decision APP/A1910/W/20/3251407, the Inspector concluded that Policy CS6 was out of date and as such the decision to refuse permission gave significant weight to the protection afforded to the Green Belt in the National Planning Policy Framework (2019). In another recent appeal decision APP/A1910/W/19/3241643, see Appendix B, that challenged the Council's five-year housing land supply, the Inspector concluded that the proposed delivery of two dwellings did not constitute a significant boost to housing delivery and gave the argument only limited weight. The appeal was dismissed due to the harm to the Green Belt and the lack of very special circumstances necessary to justify the development.

In the event that the adopted Local Plan is considered to be out of date paragraph 11 of the National Planning Policy Framework (2019) (NPPF) comes in to force suggesting that permission should be granted provided the proposal is not in conflict with the NPPF. Footnote 6 to paragraph 11 of the NPPF specifically refers to the Green Belt being one area where the presumption in favour of sustainable development is unlikely to apply, even where councils are not able to demonstrate a five-year housing land supply, unless the benefits of a proposal significantly outweigh the harm. There is no evidence that the benefits of the proposal (the delivery of five dwellings) would significantly outweigh the harm in this instance and the protection afforded to the Green Belt by both the national and local planning policies should prevail. The recent appeal APP/A1910/W/19/3241643, see Appendix B, confirms this position, as does a further appeal

decision APP/M1595/W/19/3242356, see Appendix C, where the Inspector concluded that the delivery of 116 dwellings on the edge of an Essex village in the Metropolitan Green Belt, despite a recognised undersupply of housing in recent years, the provision of 5% more affordable housing than required by policy and the sustainability of the location, still warranted a refusal due to the harm to the Green Belt.

The applicant highlights that The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is at an early stage and can only be given very limited weight in the decision-making process. It is useful to note, however, that while the council is considering some Green Belt releases, the village of Potten End and the application site continue to be included in the Green Belt and covered by Emerging Policy DM39. While the emerging policy can be given only very limited weight it demonstrates that the council believes that the importance of the open spaces within Potten End continue to justify the protection offered by the Green Belt. The applicant acknowledges that the application site has not been allocated in the emerging Local Plan but still maintains that it may form part of the five-year housing land supply, without illustrating a mechanism for this assertion. The delivery of five additional dwellings would not represent a significant contribution sufficient to outweigh the harm to the Green Belt of inappropriate development or the impact on its openness. Indeed, the provision of greater numbers as evidenced by the previous appeal decision did not justify such harm so the reduced benefit must equally not outweigh the loss.

### 3. Green Belt

The application site is located within the Green Belt. The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."

The designation of the application site within the Green Belt serves to safeguard the countryside, preserving the setting and character of historic towns and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is located is already in the second most built up tier, identified in the 2013 Green Belt Review and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy.

The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village



continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances, which have not been demonstrated by the Applicant.

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not one considered appropriate in the Green Belt, as demonstrated below, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where the following development will be permitted; however, the proposal fails to meet any of the criteria listed:

- The replacement of existing buildings
- Limited infilling with affordable housing for local people
- Conversion of houses into flats
- House extensions
- Development for uses closely related to agriculture, forestry and open-air recreation, which cannot be reasonably accommodated elsewhere
- Local facilities to meet the needs of the village

The proposal fails to comply with Policy CS6 and the supporting text (paragraph 8.34 of the Core Strategy 2013), which defines 'infilling' as a form of development whereby dwellings are proposed or "...constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include backland development, either in the form of plot amalgamation or tandem development. "Infilling will only be permitted where it is limited in scale, the housing is affordable and it meets the needs of local people." The proposed development is not for 100% affordable housing and would be positioned to the rear of numerous dwellings, at odds with the existing built form and therefore considered to be 'backland' rather than 'infill' development and should be resisted in accordance with Policy CS6. The term 'limited' in Policy CS6 is also defined in the supporting text (paragraph 8.34 of the Core Strategy 2013) and "...refers to development which does not create more than two extra dwellings." The proposed development is for the construction of five dwellings and therefore not classed as 'limited' and should be refused.

In the previous appeal decision on this site APP/A1910/W/20/3251407, see Appendix B, the Inspector found that Policy CS6 was out of date and gave greater weight to the NPPF. The Inspector went on to

conclude that the proposal was inappropriate development as defined by the NPPF and this remains the case with the current application 21/00138/FUL. While accepting that the site might accommodate development deemed to be appropriate in the Green Belt the Inspector concluded that the residential development of the site for open market housing was inappropriate and therefore harmful. The reduction in numbers from 14 to five dwellings has not changed the fact that the proposal fails to meet with the criteria set in the NPPF for appropriate development in the Green Belt and as such should be refused.

Paragraph 133 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." The proposed development of five new dwellings would reduce the openness of the Green Belt, contrary to the fundamental aims and essential characteristics of the Green Belt and should be resisted.

Paragraphs 145 and 146 of the NPPF make provision for appropriate development in the Green Belt and the applicant contends that the proposed development would meet one or more of these criterion with regards limited infilling; however, this is not the case and for ease of reference, the criteria for appropriate development in the Green Belt are reviewed below along with commentary in bold text as to whether they apply to the current application:

#### Paragraph 145

- buildings for agriculture and forestry - The application is for market housing and not for agricultural or forestry workers
- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it - The application is for residential development and not to facilitate outdoor sport or recreation
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building - The proposal represents five new dwellings not the extension or alteration of an existing building
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces - The proposal is not proposing a replacement dwelling but five new dwellings
- limited infilling in villages - The previous Inspector concluded that the development of the site could be considered infill development; however, the planning judgement was whether it could be considered to be limited. The Inspector also made it clear that any decision must have regard to the overall aim of Green Belt policy, which is to preserve its openness. While there is no definition of 'limited infill' it is generally accepted that the term means the introduction of up to two dwellings in an otherwise built frontage rather than the provision of a cul-de-sac of five dwellings to the rear of existing properties, as is currently proposed. The supporting text to Policy CS6 in paragraph 8.34, although out of date, as outlined above, clearly states that limited infilling is defined as the provision of up to two affordable houses in an otherwise built up frontage. Backland development, plot amalgamation or tandem development, similar to that proposed, is explicitly excluded

from the definition. The proposal represents non-affordable backland development of five dwellings, which is explicitly excluded from the definition of limited infilling in paragraph 8.34 of the Core Strategy. The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is currently undergoing public consultation and while very early in the process and only afforded very limited weight, it illustrates the council's direction of travel in policy terms. The emerging Local Plan continues to designate Potten End as a 'Small Village within the Green Belt' and emerging Policy DM39 allows limited Infilling in the village but specifically seeks to exclude backland development of the nature currently proposed. Paragraphs 19.18 to 19.21 of the emerging Local Plan define limited infill sites as being within a settlement boundary, a clearly identifiable space between a built frontage, with a similar building line that would not result in the loss of a gap or open space considered important to the settlement's character; these points are reiterated in emerging Policy DM39. The reference to a limited infill site being a clearly identifiable space between a built frontage in the emerging plan continues to preclude the application site as it would constitute backland development

- limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) - The proposal is for a full market housing and therefore does not comply with the NPPF or the out of date requirement for 100% affordable required by Policy CS6 of the Core Strategy.

- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: The proposal does not represent previously developed land; indeed, the site has recently been cleared of woodland with a significant impact on bio-diversity that made a positive contribution to the Green Belt and character of the area. Further clearance work was undertaken on 4 February 2021, just as the area had started to regenerate itself, and again become a haven for wildlife.

- not have a greater impact on the openness of the Green Belt than the existing development; or - The development but its very nature will introduce five new dwellings in the Green Belt and will inevitably result in its reduced openness in conflict with paragraph 133 of the NPPF.

- 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 - The proposal represents substantial harm to the openness of the Green Belt, does not represent previously development land nor would it contribute to an identified need for affordable housing.

Paragraph 146

- mineral extraction - Not applicable
- engineering operations - Not applicable
- local transport infrastructure which can demonstrate a requirement for a Green Belt location - Not applicable

- the re-use of buildings provided that the buildings are of permanent and substantial construction - Not applicable
- material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) - Not applicable
- development brought forward under a Community Right to Build Order or Neighbourhood Development Order - Not applicable

The proposal has been shown to be inappropriate development as defined by paragraphs 145 and 146 of the NPPF. In accordance with paragraph 143 of the NPPF "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." No evidence has been put forward to demonstrate that there are very special circumstances in this instance that would justify the harm the development would cause to the Green Belt and as such it should be refused. References to the five-year housing land supply and increased in the annual requirement of new dwellings does not justify the release of this land from the Green Belt, as is evidenced by the previous appeal decisions and the Council's decision not to release it as part of the current emerging Local Plan and Green Belt and Rural Area Background Topic Paper (2020).

Quite apart from the scheme's impact on the Green Belt the proposed development has other fundamental flaws that warrant its refusal, which are outlined below:

#### 4. Residential and Visual Amenity

The residential amenity of existing and future residents would be poor as a result of the development proposed. Number 38 Rambling Way's amenity will be negatively affected by the introduction of the access road close to the boundary along with the associated noise and light disturbance created by traffic entering and exiting the site.

The proposal will also introduce vehicle noise and residential activity to the rear of the properties along The Laurels and Rambling Way, which has the potential to cause noise and light disturbance that would negatively affect the residents' amenity and enjoyment of their dwellinghouses.

Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath, emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the public highway network.

#### 5. Trees

The application site has previously been cleared of a number of trees, which provided valuable habitat and visual amenity contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area started to regenerate itself and again become a haven for wildlife, clearance work started again on 4 February 2021.

#### Conclusion

In summary the proposal represents inappropriate development that

	will harm the Green Belt, contrary to local and national policy, as well as failing to comply with adopted and emerging limited infilling in Green Belt Villages policies and as such should be refused.
Mistral 6 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE	<p>Rambling Way already suffers from increased volume of traffic, this will only add to the problem and increase danger. Grass verges are maintained by local residents and existing traffic, without any additional, is already damaging them.</p> <p>An electrical transformer which feeds numerous houses with overhead cables is situated right by the advertised entrance to the new estate, it is not mentioned on the planning both for existence and possible change.</p> <p>Both the proposed new road and houses clearly overlook existing properties at the relevant end of Rambling Way adding to loss of privacy and increased noise levels.</p> <p>It would also appear that natural vegetation which was destroyed in anticipation of the first application being granted has once again been hacked back destroying a natural sound barrier to existing properties.</p>
Autumn Tints 4 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE	<p>The application states that this new housing estate will result in little overlooking and have no impact on outlook, however this is absolutely not the case. The application also uses an old picture of my home before it was renovated and therefore the impact on outlook is inaccurately assessed.</p> <p>This proposal will completely change the outlook from our kitchen/diner and two of the upstairs bedrooms which were all designed with large windows in order to take maximum advantage of the beautiful outlook onto trees and hedgerow. If this proposal went ahead we would instead be looking out onto 5 double-storey houses. Our view in the morning will be of a housing estate. It is not correct to claim that this proposal has no impact on outlook as it will vastly change the outlook for us and we'll also have a road at the bottom of our garden which will undoubtedly create noise. Also, we currently have privacy in our front bedrooms but would instead be overlooked by windows facing us.</p>
The Paddocks Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE	<p>I wish to strongly object to this application for the construction of 5 houses on Green Belt land within Potten End. The following submission builds on my objection to the previous application, 9/02925/MFA, for this site which was refused and then dismissed at appeal APP/A1910/W/20/3251407.</p> <p>The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."</p>

The designation of the application site within the Green Belt serves to safeguard the countryside, preserving the setting and character of historic villages and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is located is already in the second most built up tier, identified in the 2013 Green Belt Review, and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy. The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances, which have not been demonstrated by the appellant.

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not appropriate in the Green Belt, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where development meeting only a small range of criteria will be permitted. However, this proposal fails to meet any of those criteria.

The proposal fails to comply with Policy CS6 and the supporting text (paragraph 8.34 of the Core Strategy 2013), which defines 'infilling' as a form of development whereby dwellings are proposed or "...constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include backland development, either in the form of plot amalgamation or tandem development. "Infilling will only be permitted where it is limited in scale; the housing is affordable and it meets the needs of local people." The proposed development is not for 100% affordable housing and would be positioned to the rear of numerous dwellings, at odds with the existing built form and therefore considered to be 'backland' rather than 'infill' development and should be resisted in accordance with Policy CS6. The term 'limited' in Policy CS6 is also defined in the supporting text (paragraph 8.34 of the Core Strategy 2013) and "...refers to development which does not create more than two extra dwellings." The proposed development is for the construction of five dwellings and therefore not classed as 'limited' and should be refused.

The residential amenity of existing and future residents would be poor

	<p>as a result of the development proposed. The amenity of properties in Rambling Way bordering the northern boundary will be negatively impacted by the introduction of the access road close to that boundary. There would be noise and light disturbance associated with traffic entering and exiting the site. There would also be a loss of privacy with the proposed new housing looking directly down on these homes.</p> <p>Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath; emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the public footpath network.</p> <p>The application site has previously been a haven for wildlife until a wholesale clearance of a number of trees preceded the previous application, contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area started to regenerate itself, and again become a haven for wildlife, clearance work started again on 4 February 2021.</p> <p>In summary the proposal represents inappropriate development that will harm the Green Belt, is contrary to local and national policy, harms the residential and visual amenity of the area as well as failing to comply with adopted and emerging limited infilling in Green Belt Villages policies and as such should be refused without delay.</p>
<p>Pantiles 2 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE</p>	<p>If the proposed development is allowed to proceed my home in Rambling Way will be overlooked by the windows of numerous houses resulting in a loss of privacy. These houses will look directly down onto my garden, patio and rear of my property.</p> <p>The proposed access road is directly behind the rear boundaries of mine and my neighbour's gardens which will inevitably result in increased pollution, noise and light pollution due to traffic movements.</p> <p>As part of the Green Belt the site has for many years been both a barrier to urban spread and a haven for wildlife. Providing both a habitat for a wide range of species to live and a corridor for others to pass through. Furthermore Potten End's status as a small village with the Dacorum Plan prohibits Green Belt development except in special circumstances and the proposed housing fits none of those circumstances. It is most certainly not limited infilling and must be refused to preserve this section of green belt. Members of the public</p>

	<p>using the footpath along the western boundary of the site can currently enjoy the openness provided by the site but development would permanently remove this amenity.</p> <p>I therefore request that this application is refused for these reasons.</p>
<p>St Gennys 1 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE</p>	<p>If the proposed development is allowed to proceed my home in Rambling Way will be overlooked by the front windows of house No 3 resulting in a loss of privacy. This house will look directly down onto my garden, patio and rear bedroom windows. Until the recent wholesale clearance of trees on this site there was a pleasant rural outlook from my property.</p> <p>The proposed access road is directly behind the rear boundaries of mine and my neighbour's gardens which will inevitably result in increased pollution, noise and light pollution due to traffic movements.</p> <p>As part of the Green Belt the site has for many years been both a barrier to urban spread and a haven for wildlife. Providing both a habitat for a wide range of species to live and a corridor for others to pass through. Furthermore Potten End's status as a small village with the Dacorum Plan prohibits Green Belt development except in special circumstances and the proposed housing fits none of those circumstances. It is most certainly not limited infilling and must be refused to preserve this section of green belt. Members of the public using the footpath along the western boundary of the site can currently enjoy the openness provided by the site but development would permanently remove this amenity.</p> <p>I therefore request that this application is refused for these reasons.</p>
<p>Hillcrest Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE</p>	<p>My wife and I would like to add our support to Mr Bullock's detailed objection to this proposed development.</p> <p>The proposed construction is immediately behind our house and, in our view, should be denied for the reasons set out in both Mr Bullock's objection and our previous submission in respect of the earlier development application in November 2019.</p> <p>The piece of land in question was once an orchard which offered sanctuary to various forms of wildlife, while enhancing Potten End as a village and the lives of the people in the local neighbourhood. As such, it added to the peace and tranquility of this quintessential Green Belt area and formed an integral part of the village.</p> <p>The proposed development is the latest in a series of proposals</p>



	<p>designed to exploit the perceived commercial value of the location without any concern for the interests of the neighbours or the village. If permitted, it would amount to the squeezing in of as many houses as the planning authorities would allow with little thought to the consequences in respect of access and damage to the local environment.</p>
<p>Orchard House Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SE</p>	<p>The proposed five large properties are entirely unsuitable for the location in question for a myriad of reasons.</p> <p>a) These five huge houses offer no privacy as they will ALL be North facing, looking directly into the back of all the rooms of our home. It is particularly offensive as this doesn't even offer them a view except that which is of our bedrooms bathrooms and sitting rooms. Because the height of the buildings is so high, there would be no privacy anywhere in the house, or in fact the garden. This is equally as true for each /all of the other ten chalet bungalows along Rambling way.</p> <p>b) The design of the houses is totally out of character with this part of the village in that they are large modern buildings with tiny gardens, over shadowing a whole row of low profile chalet bungalows. The density of the five homes is Incongruous with the surrounding housing.</p> <p>c) We feel the design of the buildings is not in keeping with the village. They are all so tall, with high roof lines , which one would question was appropriate in this narrow plot, for it would block the benefit of daylight into our South facing gardens, for most of the year except high summer. The sunshine which we, and all the bungalows along Rambling way, have benefitted from for more than 70years.</p> <p>d) The access appears to be down the side of the bungalow on Rambling way, which would mean access for everything from services, builders and most importantly emergency services would be difficult if not dangerous. It is hard to imagine a fire engine gaining access.</p> <p>e)Potten end is GREEN BELT, and is a quiet village. The subsequent noise level and disruption of so many new residents, ie., families would change this to something akin to a housing estate.</p> <p>f)The extra traffic that would automatically come with large houses would be intolerable. The roads at present are in a dire state, which the council are obviously struggling to maintain. The road outside our house for instance is appalling and has been for the 13 years we have lived here. (See photo below) No doubt, The extra traffic would be large four wheel drive vehicles and at least one if not more than two per household. ¿</p> <p>g) we have genuine concerns that there could be potential drainage issues, as currently all rain etc drains into the soil and water table, but once there is a road with tarmac and drives that are tarmac, this could all drain into our garden causing serious bog issues.</p> <p>f) currently there is a desperate need for social housing, this proposed</p>

	<p>development is the exact opposite, addressing non of the criteria for new homes the government's relaxation of the planning rules was designed to encourage.</p> <p>Conclusion  Finally, It was noted several years ago, when the applicant cleared the area before applying for planning permission the first time, that they took down many lovely trees, which may have, had the council been made aware of, had TPO's applied to them. These trees screened the backs of all our homes along Rambling way, and would take many decades to recreate the same level of maturity of screening . There doesn't seem to be provision for replanting the same height of trees or adequate screening on the plans, due to lack of space.</p> <p>It is difficult to see how the access to the said development without the demolition of the existing bungalow on Rambling way, could be a safe and reasonable proposal.</p> <p>If this application were realistic and sensitive, it would take into consideration the proportions of the proposed buildings. For instance if it were for two bungalows, including low roof lines, and very importantly facing each other, with no windows down the sides of the houses, it would be far more appropriate, and be less of an intrusion on other residents. They are in fact being build in the back garden of an existing single bungalow, and built behind an entire row of chalet bungalows. This suggestion would at least give the homes a decent garden in keeping with the village and area. Any future prospective purchasers would be buying into a known quantity.</p> <p>This is GREEN BELT, and the proposed development is that of an small housing estate being squeezed as infill into a back garden.</p> <p>Though apparently not relevant, It goes without saying that adversely affect our property prices .</p> <p>Regards  Anne &amp; John Day</p> <p>Sent from my iPad</p>
<p>Thimbles  Rambling Way  Potten End  Berkhamsted  Hertfordshire  HP4 2SE</p>	<p>Dear Mr Lecart,</p> <p>Letter of objection in respect of 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SF</p> <p>In relation to the above development, as a local resident and adjoining neighbour to the proposed development I wish to object to the proposals (21/00138/FUL) for the reasons stated within this letter. The grounds for objection are on the following points that are expanded upon further below:</p> <ul style="list-style-type: none"> <li>- Principle of development</li> <li>- Up to Date Planning Policy</li> <li>- Green Belt</li> </ul>

- Residential design, overlooking and visual amenity
- Trees, landscape and ecology

Principle of development

Previous applications have been refused permission both historically and most recently under reference 19/02925/MFA, which was further dismissed at appeal APP/A1910/W/20/3251407. The grounds for refusal given by Dacorum under the most recent planning application were that;

The proposed development fails to meet with the definition of acceptable 'limited infilling' within the designated Small Village, constitutes backland development and is unsympathetic to the surrounding area and incongruent with its prevailing character, which is contrary to Policies CS6, CS11 and CS12 of the Dacorum Borough Core Strategy (2013). Furthermore, no very special circumstances exist to justify a departure from Green Belt policy, which is contrary to the National Planning Policy Framework.

It should be noted that the local planning authority decided that development of this section of Green Belt land failed to be defined as 'limited infilling' and constituted backland development. This application does not alter either of the aspects, thereby these principle grounds for refusal have not altered and should apply equally to this application.

In the previous appeal decision APP/A1910/W/20/3251407 the inspector discusses the nature of the term 'limited' in the context of limited infilling, noting that the NPPF does not contain a definition and that this is a matter of planning judgement (discussed later). The inspector comments on application of the term limited in this context, stating that it;

'requires an assessment of both the size of the site and scale of development and must be determined with regard to the overall aim of Green Belt policy, which is to preserve its openness' (paragraph 6, appeal APP/A1910/W/20/3251407)

It worth noting that in response to this and the applicants suggestion that the inspector had construed and accepted that the principle of development on this site in this location constituted limited infilling, that the NPPF defines a major development for housing as;

'development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more' (Definition of Major Development, NPPF, p 68)

Therefore any site that is considered a major development under the NPPF, cannot at the same time be deemed to be limited infilling. The size of the site has been defined as 0.5ha as in the original planning statement for the same site under reference 19/02925/MFA, subsequent efforts to claim the size is 0.48ha in this latest application can only be disingenuous in an attempt to underplay the significance of site as defined by the NPPF. Altering the boundary between this site and No 38 Rambling Way to try and avoid this threshold, further supports the fact that this proposal constitutes backland development.

The inspector further references that the decision of whether

development comprises of 'limited infilling' is a matter of planning judgement. In R (Tate) v. Northumberland County Council [2018] EWCA Civ 1519 the Court of Appeal again confirmed [37] that "the question of whether a particular proposed development is to be regarded as 'limited infilling' in a village for the purposes of the policy in paragraph 89 of the NPPF will always be essentially a question of fact and planning judgment for the planning decision-maker. There is no definition of 'infilling' or 'limited infilling' in the NPPF, nor any guidance there, to assist that exercise of planning judgment. It is left to the decision-maker to form a view, in the light of the specific facts". This judgment also remains applicable under NPPF2 [145]. This further supports that the decision maker should form a view in this respect and Dacorum, by their decision in the previous refusal for planning on this site stated that [development] 'fails to meet with the definition of acceptable 'limited infilling' within the designated Small Village, constitutes backland development'

#### Up to Date Planning Policy

In the previous appeal decision APP/A1910/W/20/3251407, the Inspector concluded that Policy CS6 could only be afforded limited weight, giving significant weight to the protection afforded to the Green Belt in the National Planning Policy Framework (2019). In another recent appeal decision APP/A1910/W/19/3241643, that challenged the Council's five-year housing land supply, the Inspector concluded that the proposed delivery of two dwellings did not constitute a significant boost to housing delivery, giving this argument only limited weight. The appeal was dismissed due to the harm to the Green Belt and the lack of very special circumstances necessary to justify the development.

In the event that the adopted Local Plan is considered to be out of date paragraph 11 of the National Planning Policy Framework (2019) (NPPF) comes in to force suggesting that permission should be granted provided the proposal is not in conflict with the NPPF. Footnote 6 to paragraph 11 of the NPPF specifically refers to the Green Belt being one area where the presumption in favour of sustainable development is unlikely to apply, even where councils are not able to demonstrate a five-year housing land supply, unless the benefits of a proposal significantly outweigh the harm.

There is no evidence that the benefits of the proposal (the delivery of five dwellings) would significantly outweigh the harm in this instance and the protection afforded to the Green Belt by both the national and local planning policies should prevail. The recent appeal APP/A1910/W/19/3241643 confirms this position, as does a further appeal decision APP/M1595/W/19/3242356, where the Inspector concluded that the delivery of 116 dwellings on the edge of an Essex village in the Metropolitan Green Belt, despite an acknowledged undersupply of housing in recent years, the provision of 5% more affordable housing than required by policy and the sustainability of the location, still warranted a refusal due to the harm to the Green Belt.

The applicant highlights that The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) whilst at an early stage can be given very limited weight in the decision-making process. It is useful to note 2 specific points of reference within this emerging plan.

1. That while the council is considering some Green Belt releases the village of Potten End and the application site continue to be included in the Green Belt and covered by Emerging Policy DM39. While the emerging policy can be given only very limited weight it demonstrates that the council believes that the importance of the open spaces within Potten End continue to justify the protection offered by the Green Belt

2. In respect of the definition of limited infilling, Policy DM39 Limited Infilling in Selected Small Villages in the Green Belt, clarifies the decision makers approach to and how they interpret these terms within the NPPF. Here the term limited requires that the site must be located in a clearly identifiable space between a built frontage. Furthermore, the proposed dwelling(s) should be constructed on a similar building line (formed by the front main walls of existing dwellings) and be of a similar scale, form and proportion to those adjacent.

Whilst the status of this emerging plan is of limited weight, both the existing Policy CS6 and the emerging Policy DM39, both define what the local planning authorities interpretation of limited infilling constitutes in the context of the NPPF use. The applicants' proposals do not meet either of these definitions.

#### Green Belt

The application site is located within the Green Belt. The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."

The designation of the application site within the Green Belt serves to safeguard the countryside, preserving the setting and character of historic towns and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is located is already in the second most built up tier, identified in the 2013 Green Belt Review, and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy.

The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances,

which have not been demonstrated by the appellant.

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not one considered appropriate in the Green Belt, as demonstrated below, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where the following development will be permitted; however, the proposal fails to meet any of the criteria listed:

- The replacement of existing buildings
- Limited infilling with affordable housing for local people
- Conversion of houses into flats
- House extensions
- Development for uses closely related to agriculture, forestry and open-air recreation, which cannot be reasonably accommodated elsewhere
- Local facilities to meet the needs of the village

In the previous appeal decision on this site APP/A1910/W/20/3251407, the Inspector found that Policy CS6 was out of date and gave greater weight to the NPPF. The Inspector went on to conclude that the proposal was inappropriate development as defined by the NPPF and this remains the case with the current application 21/00138/FUL.

Paragraph 133 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." The proposed development of five new dwellings would reduce the openness of the Green Belt, contrary to the fundamental aims and essential characteristics of the Green Belt and should be resisted.

The proposal has been shown to be inappropriate development as defined by paragraphs 145 and 146 of the NPPF and in accordance with paragraph 143 of the NPPF "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." No evidence has been put forward to demonstrate that there are very special circumstances in this instance that would justify the harm the development would cause to the Green Belt and as such it should be refused. References to the five-year housing land supply and increased in the annual requirement of new dwellings does not justify the release of this land from the Green Belt, as is evidenced by the previous appeal decisions and the Council's

decision not to release it as part of the current emerging Local Plan and Green Belt and Rural Area Background Topic Paper (2020).

Quite apart from the scheme's impact on the Green Belt the proposed development has flaws as discussed below.

#### Residential design, overlooking and visual amenity

The proposed site sits on higher ground above the properties on Rambling Way, elevating its position and influence over these. It is at this point on the brow of the hill where the current design orientates the fifth home 90 degrees from the others and places it within very close proximity to the sites northern boundary. Here windows are placed in the northern gable end, at both ground and first floor levels. It is unclear as to which rooms this are from as the plans and elevations do not coordinate. However the fact remains that the positioning of this unit in particular and the lack of any discernable boundary treatment or landscape buffer would render the impact and encroachment on my property to the north unacceptable.

The residential amenity of existing and future residents would be poor and negatively impacted as a result of the development proposed. Access is proposed through the main driveway approach to Number 38 Rambling Way, reinforcing the case that this constitutes backland development, and its amenity will be negatively impacted by the introduction of an access road so close to the boundary along with the associated noise and light disturbance created by traffic entering and exiting the site.

The proposal will also introduce vehicle noise and residential activity to the rear of the properties along The Laurels and Rambling Way, which has the potential to cause noise and light disturbance that would negatively impact the residents' amenity and enjoyment of their dwellings.

Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath; emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the public highway network.

#### Trees, landscape and ecology

The application site has previously been cleared of a number of trees, which provided valuable habitat and visual amenity contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area started to regenerate itself, and again become a haven for wildlife, clearance work started again on 4 February 2021.

There has been no detailed assessment of the local habitats, flora and fauna. Given the semi-rural nature of the village and the proximity to protected woodland there are many species of wildlife that are present within the vicinity. Evidence of Muntjac deer and Gliss Gliss amongst

	<p>others can regularly been seen. A recent bat emergence survey required at an adjoining property identified that bats were using paths to the woodland around the western edge of the site for roosting and feeding.</p> <p>The impact of the proposals and by the accompanying reports own admission (despite it being prepared for the previous application), identifies that 'the proposed development will result in the removal of the majority of onsite vegetation and result in a loss of overall biodiversity'. Biodiversity net gain is referenced strongly in terms of national planning policy and development decision taking according to the NPPF 2018. The environmental test of sustainable development requires planning policy and planning decisions to help to 'improve biodiversity' (paragraph 8c). References to biodiversity net gain elsewhere in the NPPF (such as paragraph 175d) suggest that the delivery of biodiversity net gain should facilitate sustainable development and should be given considerable weight to this proposals given its location and position within the green belt.</p> <p>Conclusion</p> <p>The applicant's proposals do not provide sufficient evidence or justification for appropriate development in this location and would result in harm to the Green Belt, contrary to both local and national policy. The proposals do not comply with adopted and emerging definitions for limited infilling in Green Belt Villages policies and as such should be refused.</p> <p>Should you have any queries regarding this letter, please do not hesitate to contact me.</p> <p>Yours sincerely,</p> <p>Glyn Mutton Potten End Resident</p>
<p>3 Kiln Close Potten End Berkhamsted Hertfordshire HP4 2PX</p>	<p>3 Kiln Close</p> <p>Potten End</p> <p>Berkhamsted</p> <p>Herts</p> <p>HP4 2PX</p> <p>9th February 2021</p> <p>FAO: Colin Lecart</p> <p>Reference: 21/00138/FUL</p>



Dear Mr. Lecart,

I am responding to the planning application for 5 dwellings on the land adjacent to 38 Rambling way, reference above, like the previous application in 2019, I am objecting to this second application too.

I would firstly point out that on the front page of the document titled,

Design and Access Statement, it states: Construction of 6 dwellings, it is 5 dwellings!

as it states In para. 1.1, construction of 5 dwellings comprised of 4 and 5 bed detached units

Also, in 1.4 of this document, it makes reference to-

Proposed site plan.

Proposed 3 Bed home. This is not consistent

Proposed 4/5 Bed home.

This new proposal does not take into account the comments from the 2019 application, in spite of the fact this second application defends it has. In the first place the building density still exceeds the Potten End existing build density, which is low per acre. The 5 dwellings are most certainly not in keeping with the current buildings in Potten End and most certainly will not be in keeping with either the existing detached houses, in Hempstead Lane that will be to the rear of this development or with the single storey bungalows that this new development will be overlooking.

This is because, the 4 bed and 5 bed units will be two storeys which will

appear large overpowering and certainly not in keeping with the bungalows in front of the development. Furthermore, both the houses in Hempstead lane and the bungalows will have their privacy and view compromised.

By the time this development is completed this entire strip of land together with the houses to the rear and bungalows to the front, will, by any standards have the look of being cramped and overdeveloped.

The number of vehicles, that will be residential on the development, has to be a minimum of two per household, (minimum ten residential vehicles), quite possibly three in the two five bedroom houses, this will be a total of 6 vehicles in the five beds and six in the four beds. (totalling twelve) The site Plan shows provision for a total of 17 car parking spaces, seven of those allotted spaces, are indicated as in the garages.

Some one has taken leave of their senses if they think for one moment seven of the allotted spaces of the residents cars are always going to be in their respective garages, In particular, the four beds with single garages will no doubt be filled with bikes etc. and so too will be at least half of the double garages in the two five beds. Therefore at least five possibly seven, of the allocated spaces in garages will not be available. Therefore, realistically there will only be twelve spaces, possibly only ten for vehicle parking, for the residence and visitors.

Therefore, any visitor will then be forced into parking in the access road, clearly blocking any other vehicle access in and out. Not to mention any requirement for emergency vehicles, or recycling vehicles and deliveries. These vehicles requiring parking that cannot use the residents driveway, will then find themselves parking in Rambling way, or along the front of the bungalows access road. This situation worsens at week ends and at bank holidays.

More parking facilities must be provided to prevent over spill parking in the access road and/or Rambling way and surrounding areas.

With at least ten more vehicles requiring access to Water End Road, has consideration been given to even more vehicles exiting from Rambling way which has very poor visibility to see oncoming traffic. Consideration too, must be given to pedestrians, as there is only one narrow pavement on this road. This is used by mothers and children alike particularly at school times.

As I live at 3 Kiln Close, the five bedroom house at plot 5, will be overlooking my property and my neighbours at number 4 Kiln Close, I/we have purchased these properties as they offered privacy by not being overlooked. This situation will now be compromised considerably with the addition of plot five as it will be looking directly at and into the two houses in Kiln Close.

This privacy and not being overlooked that I have referred to, is certainly something the residence in the bungalows currently enjoy, this facility will certainly be removed from them too, if this development goes ahead.

I would urge the council to refuse this application on the grounds of over developing the area,

within Potten End, by exceeding the build density, also not in keeping with the current properties in Potten End, in particular the houses that will be to the rear of the development or the bungalows that will be in front of the new builds, grossly insufficient parking facilities/provision. Increased traffic onto Water End Road, that could affect pedestrians.

	<p>My final comment would be if this development takes place in this form or another, where would construction personnel and their vehicles be parked during construction and will there be adequate control of heavy lorries delivering material. Also can construction times be limited so as not to disturb local residence, I.e. no working after 6pm week days and not after 12am Saturdays and no working Sundays.</p> <p>Yours sincerely</p> <p>Richard Tassell</p>
<p>4 Kiln Close Potten End Berkhamsted Hertfordshire HP4 2PX</p>	<p>A full copy of this letter has also been sent via email.</p> <p>We are writing to express our OBJECTION to the above planning application for 5 dwellings on the Potten End Dell, adjacent to 38 Rambling Way, Potten End.</p> <p>Within the new proposal, the applicant refers again and again to their rejected proposal from 2019 in what seems an attempt to demonstrate that they have listened to the objections and altered their plans accordingly. In fact, it does no such thing and is still completely out of keeping and, as with their previous application, they are trying to cram too high a density of properties into a relatively small enclosed, woodland area.</p> <p>We strongly object to this application based on the following reasons:</p> <p>* Over-crowding of the proposed site The proposed development would be over-bearing and out-of-scale for this plot of land. Within the Council's 'Adopted Core Strategy' document, Potten End is identified as a 'fourth tier' small village in a Green Belt and Rural area of Dacorum and Section 1.16 of that Strategy details that 'significant environmental constraints' apply to Potten End and that development should be limited to help to sustain the village. Cramming 5 large, two-storey dwellings into this relatively small wooded area would be in direct contravention to this Council Strategy.</p> <p>Potten End has a low density of dwellings per acre. This proposed development is cramped and contrived in its layout and the design of the proposed properties are distinctly at odds with the context of the surrounding area.</p> <p>As detailed in the applicant's 'Planning Statement' the proposed development would create a density of 11 dwellings per hectare and the applicant is trying to compare this with the average for the village.</p>

However, this is not a true comparison as the average considers properties such as the terraced ones on The Front or The Back and ones closer to the village centre. The houses directly surrounding this site and in the surrounding areas of Water End Road have much lower dwellings per hectare figures. Cramming 5 large detached houses on to a relatively small area, with their subsequent small gardens and small property footprints compared to house size, demonstrates it is out of character with the surrounding area and an inappropriate development.

\* Policy CS6 - Selected Small Villages in the Green Belt

As detailed in DBC's Policy CS6, infilling will only be permitted where it is limited in scale. As 'limited' refers to no more than two extra dwellings, we believe the proposed development is in direct contravention to your Policy CS6.

This proposed development does not fit any of the criteria of what is potentially permitted in a Fourth Tier village according to the CS6 Policy, as it is not:

a) the replacement of existing buildings; (b) limited infilling with affordable housing for local people; (c) conversion of houses into flats; (d) house extensions; (e) development for uses closely related to agriculture, forestry and open air recreation, which cannot reasonably be accommodated elsewhere; and (f) local facilities to meet the needs of the village

Also within the same policy, any developments within Fourth Tier villages such as Potten End must 'i. be sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and ii. retain and protect features essential to the character and appearance of the village'. The proposed dwellings do not meet these conditions as they would significantly alter the fabric of the area and amount to serious 'cramming' in what is a low density surrounding area. The proposed development does not respect local context and the applicant is simply trying to cram as many houses as possible on to a relatively small site.

The Council's design philosophy (Policies CS9, CS10, CS11 and CS12) state developments should be of a good design and what 'fits' within the surrounding area. Whilst the applicant has attempted to make the proposed dwellings fit in with the surrounding dwellings by making them larger in size than the previous application, there is not the sufficient area in the proposed development to fit 5 large two-storey detached houses with access and adequate garden areas. There is little or no gapping between the dwellings and all will be built on small plots compared with the large plots typically enjoyed by the surrounding properties in Laurel Close, Rambling Way and Kiln Close. The properties that this development will overlook in Rambling Way are mainly bungalows and so the proposed 2-storey homes are not in keeping with surrounding properties.

The proposed development would be built on Green Belt land which will result in the loss of a valued area of wooded space which is in keeping with our leafy village. It is acknowledged that development on Green

Belt is on occasions required but that there should not be 'inappropriate development'. We see no valid reasons in this new application that should negate one of the main reasons the previous application was rejected: 'no very special circumstances exist to justify a departure from the Green Belt policy, which is contrary to the National Planning Policy Framework'. The current land is free of development and thus any development on the site would have a detrimental effect on the openness of the Green Belt.

\* Overlooking & loss of privacy

The proposed 5-bedroom, two-storey house in Plot 5 will directly overlook our house and garden resulting in a loss of privacy. When we purchased our house, a key feature was the privacy and that we were not overlooked, this would be taken away from us if the development is permitted to go ahead which is not fair or acceptable to us.

The applicant has failed to show in any drawings the proximity of that final 5 bedroom, two-storey house to any of the surrounding properties, including ours.

This proposal will completely change our privacy from our kitchen/diner, our garden and our two main bedrooms. Like many modern homes, our kitchen has glass bi-fold doors and our master bedroom has patio doors and a Juliet balcony; these were fitted due to the privacy we enjoy and to take advantage of the wonderful woodland view. This proposed housing development would result in the 5 bedroom, two-storey, house on Plot 5 having direct sight into our kitchen, bedroom(s) and garden.

There is not only our property to consider with this loss of privacy but also properties along both Rambling Way (next to Water End Road) and Laurel Close as this development will overlook their properties and gardens also.

I believe the applicant must understand the impact of loss of privacy as we note that in the proposed layout of the site, there are no proposals to build any of the properties facing or close to the applicants address at 38 Rambling Way.

I believe that should some amount of development be permitted on this site, all properties should be one-storey bungalows to prevent the over-looking & loss of privacy and also to fit in with other properties in Rambling Way.

\* Planning Statement Inconsistencies

In 1.2 of the Planning Statement it states to be in support of a 'planning application for the construction of 6 dwellinghouses'. However, is the application not for 5 dwellings?

In 3.2 of the Planning Statement it states 'Plots 1 to 3 will be 4-bedroom properties. All will be two storeys, with garages except plots 1 and 2'. However, the 'Proposed Site Plan' in the same document goes on to show all 4 bedroom properties with garages, making these very large overall buildings for the property footprints.

\* Landscaping

Although plans for landscaping to try to hide this over-development have been submitted, there are no regulations in place to ensure that this would be carried out and that the future owners of the proposed dwellings do not alter / remove the landscaping. This could leave all surrounding properties over-looked with a further loss of privacy.

The proposal allows very little space for landscaping and we believe that it would lead to gross overdevelopment of the site. The proposed development would not result in a benefit in environmental and landscape terms, to the contrary it would lead to the loss of valuable wooded space.

Guidance within the Councils Strategy shows that as a minimum 1 tree should be planted per dwelling, however the Landscaping Plans show no plans for planting new trees. This again demonstrates that the reason for this is that there is very little space for landscaping due to the overdevelopment of the site.

**\* Access & Highway Safety**

Access into the proposed development appears to be insufficient for the potential number of vehicles that will require access to the proposed development. When you also take into consideration refuse trucks, emergency services vehicles and delivery vans, we do not see how the access road, which is nothing more than an existing alleyway, can handle that volume of traffic. We also have serious concerns that the plot size and orientation will not easily accommodate cars in the layout proposed.

**\* Previous Application**

Throughout the Planning Statement, the applicant is trying to portray this new application as some wonderful improvement on their previous application. We feel this is a tactic as initially submitting a vastly over-developed application of 14 dwellings does not mean that simply reducing the number is an improvement. All the applicant has done is reduce the number of dwellings and vastly increase the size of those dwellings instead. Replacing one 'bad' application with another does not give the village or us surrounding residents relief or comfort.

The previous application was rejected based on the following reasons and we do not believe the new application has negated these reasons in any way:

- The proposed development fails to meet with the definition of acceptable 'limited infilling' within the designated Small Village, constitutes backland development and is unsympathetic to the surrounding area and incongruent with its prevailing character, which is contrary to Policies CS6, CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

- II. The Inspector found that the proposal was inappropriate development in the Green Belt as it was deemed to "result in a cramped form of development that would be out of keeping with the comparatively spacious character of the surrounding area. The appeal proposal does not, therefore, amount to limited infilling as identified in paragraph 145 e) of the NPPF".

- III. Furthermore, no very special circumstances exist to justify a

	<p>departure from the Green Belt policy, which is contrary to the National Planning Policy Framework" Campaign Group I also feel I should inform you that several residents within Potten End, including our household, have expressed their intention to create a Campaign group and petition against this development in its current form should the current application not be rejected.</p> <p>We believe the proposed development contravenes the Council's Adopted Core Strategy for Potten End as it is to the detriment of the quality, character and amenity value of the area, as outlined in the points above.</p> <p>In conclusion we would also like to request that, should the application be approved, the council consider using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable. The proposed site of development is very small and contained, with no road frontage, so we would ask that consideration be made about how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours.</p> <p>We would be grateful if the council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with a representative of the planning department at our home to illustrate our objections at first hand.</p>
<p>22 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP</p>	<p>22 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP Mr Colin Lecart Dacorum Borough Council The Forum Marlowes Hemel Hempstead Hertfordshire HP1 1DN</p> <p>6th February 2021</p> <p>Dear Mr Lecart,</p> <p>RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SF - Objection</p> <p>I write to object to the proposed development of the land adjacent 38 Rambling Way Potten End for five dwellings (21/00138/FUL) on the following grounds. I provide further information under the appropriate headings below:</p> <p>General</p>



Up to Date Planning Policy  
Green Belt  
Residential / Visual Amenity  
Trees

The following builds on my objection letter, dated 10th December 2019 and appeal statement, in respect of the previous application 9/02925/MFA, which was refused and dismissed at appeal APP/A1910/W/20/3251407, Appendix A.

General

It should be noted that while the application forms and plans suggest the application is for five dwellings, paragraph 1.2 of the supporting planning statement clearly states that the document supports an application for six dwellings on the site. Paragraph 3.1 then reverts to five dwellings; while the forms and plans will take precedence, the discrepancy should be noted and amended.

The applicant references an Appeal Court Judgement, which in turn references other judgements; to which I respond below:

Hook v SoSHCLG [2020] EWCA Civ 486 (paragraph 7)

References confirming that the question of Green Belt openness and the degree of harm resulting from development are matters of planning judgement to be exercised by the decision maker is a well-established principle

Provided that planning judgement is exercised in a reasonable and logical manner there is no recourse to the Courts if the applicant simply dislikes the balanced and reasoned planning judgement of the decision maker

The fact that a site might support development in the Green Belt and remain open is not contested; however, it is a question of appropriateness, scale and the ratio of built form to site area. The proposal represents the backland development of five dwellings on an area of 0.48 hectares and not a 300sqm visitors centre in a 250-hectare woodland for example; therefore, the proposal would completely urbanise the site

It should be noted that in his judgement of this case Lord Justice Lindblom upheld the decision of the Planning Inspector who dismissed the application for a single dwelling on grounds of inappropriateness in the Green Belt

Up to Date Planning Policy

In the previous appeal decision APP/A1910/W/20/3251407, the Inspector concluded that Policy CS6 was out of date and as such the decision to refuse permission gave significant weight to the protection afforded to the Green Belt in the National Planning Policy Framework (2019) In another recent appeal decision APP/A1910/W/19/3241643, see Appendix B, that challenged the Council's five-year housing land supply, the Inspector concluded that the proposed delivery of two dwellings did not constitute a significant boost to housing delivery and gave the argument only limited weight. The appeal was dismissed due to the harm to the Green Belt and the lack of very special circumstances necessary to justify the development.

In the event that the adopted Local Plan is considered to be out of date paragraph 11 of the National Planning Policy Framework (2019) (NPPF) comes in to force suggesting that permission should be granted provided the proposal is not in conflict with the NPPF. Footnote 6 to paragraph 11 of the NPPF specifically refers to the Green Belt being one area where the presumption in favour of sustainable development is unlikely to apply, even where councils are not able to demonstrate a five-year housing land supply, unless the benefits of a proposal significantly outweigh the harm. There is no evidence that the benefits of the proposal (the delivery of five dwellings) would significantly outweigh the harm in this instance and the protection afforded to the Green Belt by both the national and local planning policies should prevail. The recent appeal APP/A1910/W/19/3241643, see Appendix B, confirms this position, as does a further appeal decision APP/M1595/W/19/3242356, see Appendix C, where the Inspector concluded that the delivery of 116 dwellings on the edge of an Essex village in the Metropolitan Green Belt, despite a recognised undersupply of housing in recent years, the provision of 5% more affordable housing than required by policy and the sustainability of the location, still warranted a refusal due to the harm to the Green Belt.

The applicant highlights that The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is at an early stage and can only be given very limited weight in the decision-making process. It is useful to note; however, that while the council is considering some Green Belt releases the village of Potten End and the application site continue to be included in the Green Belt and covered by Emerging Policy DM39. While the emerging policy can be given only very limited weight it demonstrates that the council believes that the importance of the open spaces within Potten End continue to justify the protection offered by the Green Belt. The applicant acknowledges that the application site has not been allocated in the emerging Local Plan but still maintains that it may form part of the five-year housing land supply, without illustrating a mechanism for this assertion. The delivery of five additional dwellings would not represent a significant contribution sufficient to outweigh the harm to the Green Belt of inappropriate development or the impact on its openness. Indeed, the provision of greater numbers as evidenced by the previous appeal decision did not justify such harm so the reduced benefit must equally not outweigh the loss.

#### Green Belt

The application site is located within the Green Belt. The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."

The designation of the application site within the Green Belt serves to

safeguard the countryside, preserving the setting and character of historic towns and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is located is already in the second most built up tier, identified in the 2013 Green Belt Review, and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy.

The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances, which have not been demonstrated by the appellant.

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not one considered appropriate in the Green Belt, as demonstrated below, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where the following development will be permitted; however, the proposal fails to meet any of the criteria listed:

The replacement of existing buildings

Limited infilling with affordable housing for local people

Conversion of houses into flats

House extensions

Development for uses closely related to agriculture, forestry and open-air recreation, which cannot be reasonably accommodated elsewhere

Local facilities to meet the needs of the village

The proposal fails to comply with Policy CS6 and the supporting text (paragraph 8.34 of the Core Strategy 2013), which defines 'infilling' as a form of development whereby dwellings are proposed or "...constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include backland development, either in the form of plot amalgamation or tandem development. "Infilling will only be permitted where it is limited in scale; the housing is affordable and it meets the needs of local people." The proposed development is not for 100% affordable housing and would be positioned to the rear of numerous dwellings, at odds with the existing built form and therefore considered to be 'backland' rather than 'infill' development and should be resisted in accordance with Policy CS6. The term 'limited' in Policy CS6 is also defined in the supporting text (paragraph 8.34 of the Core Strategy 2013) and "...refers to

development which does not create more than two extra dwellings." The proposed development is for the construction of five dwellings and therefore not classed as 'limited' and should be refused.

In the previous appeal decision on this site APP/A1910/W/20/3251407, see Appendix B, the Inspector found that Policy CS6 was out of date and gave greater weight to the NPPF. The Inspector went on to conclude that the proposal was inappropriate development as defined by the NPPF and this remains the case with the current application 21/00138/FUL. While accepting that the site might accommodate development deemed to be appropriate in the Green Belt the Inspector concluded that the residential development of the site for open market housing was inappropriate and therefore harmful. The reduction in numbers from 14 to five dwellings has not changed the fact that the proposal fails to meet with the criteria set in the NPPF for appropriate development in the Green Belt and as such should be refused.

Paragraph 133 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." The proposed development of five new dwellings would reduce the openness of the Green Belt, contrary to the fundamental aims and essential characteristics of the Green Belt and should be resisted.

Paragraphs 145 and 146 of the NPPF make provision for appropriate development in the Green Belt and the applicant contends that the proposed development would meet one or more of these criterion with regards limited infilling; however, this is not the case and for ease of reference, the criteria for appropriate development in the Green Belt are reviewed below along with commentary in bold text as to whether they apply to the current application:

Paragraph 145

buildings for agriculture and forestry - The application is for market housing and not for agricultural or forestry workers

the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it - The application is for residential development and not to facilitate outdoor sport or recreation

the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building - The proposal represents five new dwellings not the extension or alteration of an existing building

the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces - The proposal is not proposing a replacement dwelling but five new dwellings

limited infilling in villages - The previous Inspector concluded that the development of the site could be considered infill development; however, the planning judgement was whether it could be considered to be limited. The Inspector also made it clear that any decision must have regard to the overall aim of Green Belt policy, which is to preserve its openness. While there is no definition of 'limited infill' it is generally accepted that the term means the introduction of up to two dwellings in an otherwise built frontage rather than the provision of a cul-de-sac of five dwellings to the rear of existing properties, as is currently proposed. The supporting text to Policy CS6 in paragraph 8.34,

although out of date, as outlined above, clearly states that limited infilling is defined as the provision of up to two affordable houses in an otherwise built up frontage. Backland development, plot amalgamation or tandem development, similar to that proposed, is explicitly excluded from the definition. The proposal represents non-affordable backland development of five dwellings, which is explicitly excluded from the definition of limited infilling in paragraph 8.34 of the Core Strategy. The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is currently undergoing public consultation and while very early in the process and only afforded very limited weight, it illustrates the council's direction of travel in policy terms. The emerging Local Plan continues to designate Potten End as a 'Small Village within the Green Belt' and emerging Policy DM39 allows limited Infilling in the village but specifically seeks to exclude backland development of the nature currently proposed. Paragraphs 19.18 to 19.21 of the emerging Local Plan define limited infill sites as being within a settlement boundary, a clearly identifiable space between a built frontage, with a similar building line that would not result in the loss of a gap or open space considered important to the settlement's character; these points are reiterated in emerging Policy DM39. The reference to a limited infill site being a clearly identifiable space between a built frontage in the emerging plan continues to preclude the application site as it would constitute backland development

limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) - The proposal is for a full market housing and therefore does not comply with the NPPF or the out of date requirement for 100% affordable required by Policy CS6 of the Core Strategy.

limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: The proposal does not represent previously developed land; indeed, the site has recently been cleared of woodland with a significant impact on bio-diversity that made a positive contribution to the Green Belt and character of the area. Further clearance work was undertaken on 4 February 2021, just as the area had started to regenerate itself, and again become a haven for wildlife

not have a greater impact on the openness of the Green Belt than the existing development; or - The development but its very nature will introduce five new dwellings in the Green Belt and will inevitably result in its reduced openness in conflict with paragraph 133 of the NPPF

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 - The proposal represents substantial harm to the openness of the Green Belt, does not represent previously development land nor would it contribute to an identified need for affordable housing.

Paragraph 146

mineral extraction - Not applicable

engineering operations - Not applicable

local transport infrastructure which can demonstrate a requirement for a Green Belt location - Not applicable

the re-use of buildings provided that the buildings are of permanent and substantial construction - Not applicable

material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) - Not applicable

development brought forward under a Community Right to Build Order or Neighbourhood Development Order - Not applicable

The proposal has been shown to be inappropriate development as defined by paragraphs 145 and 146 of the NPPF and in accordance with paragraph 143 of the NPPF "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." No evidence has been put forward to demonstrate that there are very special circumstances in this instance that would justify the harm the development would cause to the Green Belt and as such it should be refused. References to the five-year housing land supply and increased in the annual requirement of new dwellings does not justify the release of this land from the Green Belt, as is evidenced by the previous appeal decisions and the Council's decision not to release it as part of the current emerging Local Plan and Green Belt and Rural Area Background Topic Paper (2020).

Quite apart from the scheme's impact on the Green Belt the proposed development has other fundamental flaws that warrant its refusal, which are outlined below:

**Residential and Visual Amenity**

The residential amenity of existing and future residents would be poor as a result of the development proposed. Number 38 Rambling Way's amenity will be negatively impacted by the introduction of the access road close to the boundary along with the associated noise and light disturbance created by traffic entering and exiting the site.

The proposal will also introduce vehicle noise and residential activity to the rear of the properties along The Laurels and Rambling Way, which has the potential to cause noise and light disturbance that would negatively impact the residents' amenity and enjoyment of their dwellinghouses.

Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath; emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the public highway network.

**Trees**

The application site has previously been cleared of a number of trees, which provided valuable habitat and visual amenity contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area started to regenerate itself, and again become a haven for wildlife, clearance work started again on 4 February 2021.

In summary the proposal represents inappropriate development that will harm the Green Belt, contrary to local and national policy, as well as failing to comply with adopted and emerging limited infilling in Green Belt Villages policies and as such should be refused without delay.

I trust the above is clear and respectfully request that the application be refused for the reasons outlined above. If you have any queries

	<p>regarding this letter, please do not hesitate to contact me. Yours sincerely,</p> <p>Gordon Bullock</p>
<p>20 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP</p>	<p>20 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP Mr Colin Lecart Dacorum Borough Council The Forum Marlowes Hemel Hempstead Hertfordshire HP1 1DN 8 February 8, 2021</p> <p>Dear Mr Lecart,</p> <p>RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End Berkhamsted Hertfordshire HP4 2SF - Objection</p> <p>I write to object to the proposed development of the land adjacent 38 Rambling Way Potten End for five dwellings (21/00138/FUL) on the following grounds. I provide further information under the appropriate headings below:</p> <ul style="list-style-type: none"> <li>· General</li> <li>· Up to Date Planning Policy</li> <li>· Green Belt</li> <li>· Residential / Visual Amenity</li> <li>· Trees</li> </ul> <p>The following builds on my objection letter, dated 10 December 2019 and appeal statement, in respect of the previous application 9/02925/MFA, which was refused and dismissed at appeal APP/A1910/W/20/3251407, Appendix A.</p> <p>General</p> <p>It should be noted that while the application forms and plans suggest the application is for five dwellings, paragraph 1.2 of the supporting planning statement clearly states that the document supports an application for six dwellings on the site. Paragraph 3.1 then reverts to five dwellings; while the forms and plans will take precedence, the discrepancy should be noted and amended.</p> <p>The applicant references an Appeal Court Judgement, which in turn references other judgements; to which I respond below:</p>

- Hook v SoSHCLG [2020] EWCA Civ 486 (paragraph 7)
  - o References confirming that the question of Green Belt openness and the degree of harm resulting from development are matters of planning judgement to be exercised by the decision maker is a well-established principle
  - o Provided that planning judgement is exercised in a reasonable and logical manner there is no recourse to the Courts if the applicant simply dislikes the balanced and reasoned planning judgement of the decision maker
  - o The fact that a site might support development in the Green Belt and remain open is not contested; however, it is a question of appropriateness, scale and the ratio of built form to site area. The proposal represents the backland development of five dwellings on an area of 0.48 hectares and not a 300sqm visitors centre in a 250-hectare woodland for example; therefore, the proposal would completely urbanise the site
  - o It should be noted that in his judgement of this case Lord Justice Lindblom upheld the decision of the Planning Inspector who dismissed the application for a single dwelling on grounds of inappropriateness in the Green Belt

#### Up to Date Planning Policy

In the previous appeal decision APP/A1910/W/20/3251407, the Inspector concluded that Policy CS6 was out of date and as such the decision to refuse permission gave significant weight to the protection afforded to the Green Belt in the National Planning Policy Framework (2019) In another recent appeal decision APP/A1910/W/19/3241643, see Appendix B, that challenged the Council's five-year housing land supply, the Inspector concluded that the proposed delivery of two dwellings did not constitute a significant boost to housing delivery and gave the argument only limited weight. The appeal was dismissed due to the harm to the Green Belt and the lack of very special circumstances necessary to justify the development.

In the event that the adopted Local Plan is considered to be out of date paragraph 11 of the National Planning Policy Framework (2019) (NPPF) comes in to force suggesting that permission should be granted provided the proposal is not in conflict with the NPPF. Footnote 6 to paragraph 11 of the NPPF specifically refers to the Green Belt being one area where the presumption in favour of sustainable development is unlikely to apply, even where councils are not able to demonstrate a five-year housing land supply, unless the benefits of a proposal significantly outweigh the harm. There is no evidence that the benefits of the proposal (the delivery of five dwellings) would significantly outweigh the harm in this instance and the protection afforded to the Green Belt by both the national and local planning policies should prevail. The recent appeal APP/A1910/W/19/3241643, see Appendix B, confirms this position, as does a further appeal decision APP/M1595/W/19/3242356, see Appendix C, where the Inspector concluded that the delivery of 116 dwellings on the edge of an Essex village in the Metropolitan Green Belt, despite a recognised undersupply of housing in recent years, the provision of 5% more affordable housing than required by policy and the sustainability of the location, still warranted a refusal due to the harm to the Green Belt.



The applicant highlights that The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is at an early stage and can only be given very limited weight in the decision-making process. It is useful to note; however, that while the council is considering some Green Belt releases the village of Potten End and the application site continue to be included in the Green Belt and covered by Emerging Policy DM39. While the emerging policy can be given only very limited weight it demonstrates that the council believes that the importance of the open spaces within Potten End continue to justify the protection offered by the Green Belt. The applicant acknowledges that the application site has not been allocated in the emerging Local Plan but still maintains that it may form part of the five-year housing land supply, without illustrating a mechanism for this assertion. The delivery of five additional dwellings would not represent a significant contribution sufficient to outweigh the harm to the Green Belt of inappropriate development or the impact on its openness. Indeed, the provision of greater numbers as evidenced by the previous appeal decision did not justify such harm so the reduced benefit must equally not outweigh the loss.

#### Green Belt

The application site is located within the Green Belt. The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."

The designation of the application site within the Green Belt serves to safeguard the countryside, preserving the setting and character of historic towns and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is located is already in the second most built up tier, identified in the 2013 Green Belt Review, and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy.

The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances, which have not been demonstrated by the appellant.

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not one considered appropriate in the Green Belt, as demonstrated below, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where the following development will be permitted; however, the proposal fails to meet any of the criteria listed:

- The replacement of existing buildings
- Limited infilling with affordable housing for local people
- Conversion of houses into flats
- House extensions
- Development for uses closely related to agriculture, forestry and open-air recreation, which cannot be reasonably accommodated elsewhere
- Local facilities to meet the needs of the village

The proposal fails to comply with Policy CS6 and the supporting text (paragraph 8.34 of the Core Strategy 2013), which defines 'infilling' as a form of development whereby dwellings are proposed or "...constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include backland development, either in the form of plot amalgamation or tandem development. "Infilling will only be permitted where it is limited in scale; the housing is affordable and it meets the needs of local people." The proposed development is not for 100% affordable housing and would be positioned to the rear of numerous dwellings, at odds with the existing built form and therefore considered to be 'backland' rather than 'infill' development and should be resisted in accordance with Policy CS6. The term 'limited' in Policy CS6 is also defined in the supporting text (paragraph 8.34 of the Core Strategy 2013) and "...refers to development which does not create more than two extra dwellings." The proposed development is for the construction of five dwellings and therefore not classed as 'limited' and should be refused.

In the previous appeal decision on this site APP/A1910/W/20/3251407, see Appendix B, the Inspector found that Policy CS6 was out of date and gave greater weight to the NPPF. The Inspector went on to conclude that the proposal was inappropriate development as defined by the NPPF and this remains the case with the current application 21/00138/FUL. While accepting that the site might accommodate development deemed to be appropriate in the Green Belt the Inspector concluded that the residential development of the site for open market

housing was inappropriate and therefore harmful. The reduction in numbers from 14 to five dwellings has not changed the fact that the proposal fails to meet with the criteria set in the NPPF for appropriate development in the Green Belt and as such should be refused.

Paragraph 133 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." The proposed development of five new dwellings would reduce the openness of the Green Belt, contrary to the fundamental aims and essential characteristics of the Green Belt and should be resisted.

Paragraphs 145 and 146 of the NPPF make provision for appropriate development in the Green Belt and the applicant contends that the proposed development would meet one or more of these criterion with regards limited infilling; however, this is not the case and for ease of reference, the criteria for appropriate development in the Green Belt are reviewed below along with commentary in bold text as to whether they apply to the current application:

#### Paragraph 145

- buildings for agriculture and forestry - The application is for market housing and not for agricultural or forestry workers
- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it - The application is for residential development and not to facilitate outdoor sport or recreation
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building - The proposal represents five new dwellings not the extension or alteration of an existing building
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces - The proposal is not proposing a replacement dwelling but five new dwellings
- limited infilling in villages - The previous Inspector concluded that the development of the site could be considered infill development; however, the planning judgement was whether it could be considered to be limited. The Inspector also made it clear that any decision must have regard to the overall aim of Green Belt policy, which is to preserve its openness. While there is no definition of 'limited infill' it is generally accepted that the term means the introduction of up to two dwellings in an otherwise built frontage rather than the provision of a cul-de-sac of five dwellings to the rear of existing properties, as is currently proposed. The supporting text to Policy CS6 in paragraph 8.34, although out of date, as outlined above, clearly states that limited infilling is defined as the provision of up to two affordable houses in an otherwise built up frontage. Backland development, plot amalgamation

or tandem development, similar to that proposed, is explicitly excluded from the definition. The proposal represents non-affordable backland development of five dwellings, which is explicitly excluded from the definition of limited infilling in paragraph 8.34 of the Core Strategy. The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is currently undergoing public consultation and while very early in the process and only afforded very limited weight, it illustrates the council's direction of travel in policy terms. The emerging Local Plan continues to designate Potten End as a 'Small Village within the Green Belt' and emerging Policy DM39 allows limited Infilling in the village but specifically seeks to exclude backland development of the nature currently proposed. Paragraphs 19.18 to 19.21 of the emerging Local Plan define limited infill sites as being within a settlement boundary, a clearly identifiable space between a built frontage, with a similar building line that would not result in the loss of a gap or open space considered important to the settlement's character; these points are reiterated in emerging Policy DM39. The reference to a limited infill site being a clearly identifiable space between a built frontage in the emerging plan continues to preclude the application site as it would constitute backland development

- limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) - The proposal is for a full market housing and therefore does not comply with the NPPF or the out of date requirement for 100% affordable required by Policy CS6 of the Core Strategy.

- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: The proposal does not represent previously developed land; indeed, the site has recently been cleared of woodland with a significant impact on bio-diversity that made a positive contribution to the Green Belt and character of the area. Further clearance work was undertaken on 4 February 2021, just as the area had started to regenerate itself, and again become a haven for wildlife

- not have a greater impact on the openness of the Green Belt than the existing development; or - The development by its very nature will introduce five new dwellings in the Green Belt and will inevitably result in its reduced openness in conflict with paragraph 133 of the NPPF

- 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 - The proposal represents substantial harm to the openness of the Green Belt, does not represent previously development land nor would it contribute to an identified need for affordable housing.

Paragraph 146

- mineral extraction - Not applicable

- engineering operations - Not applicable
- local transport infrastructure which can demonstrate a requirement for a Green Belt location - Not applicable
- the re-use of buildings provided that the buildings are of permanent and substantial construction - Not applicable
- material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) - Not applicable
- development brought forward under a Community Right to Build Order or Neighbourhood Development Order - Not applicable

The proposal has been shown to be inappropriate development as defined by paragraphs 145 and 146 of the NPPF and in accordance with paragraph 143 of the NPPF "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." No evidence has been put forward to demonstrate that there are very special circumstances in this instance that would justify the harm the development would cause to the Green Belt and as such it should be refused. References to the five-year housing land supply and increased in the annual requirement of new dwellings does not justify the release of this land from the Green Belt, as is evidenced by the previous appeal decisions and the Council's decision not to release it as part of the current emerging Local Plan and Green Belt and Rural Area Background Topic Paper (2020).

Quite apart from the scheme's impact on the Green Belt the proposed development has other fundamental flaws that warrant its refusal, which are outlined below:

#### Residential and Visual Amenity

The residential amenity of existing and future residents would be poor as a result of the development proposed. Number 38 Rambling Way's amenity will be negatively impacted by the introduction of the access road close to the boundary along with the associated noise and light disturbance created by traffic entering and exiting the site.

The proposal will also introduce vehicle noise and residential activity to the rear of the properties along The Laurels and Rambling Way, which has the potential to cause noise and light disturbance that would negatively impact the residents' amenity and enjoyment of their dwellinghouses.

Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath; emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the public highway network.

#### Trees

The application site has previously been cleared of a number of trees, which provided valuable habitat and visual amenity contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area

	<p>started to regenerate itself, and again become a haven for wildlife, clearance work started again on 4 February 2021.</p> <p>In summary the proposal represents inappropriate development that will harm the Green Belt, contrary to local and national policy, as well as failing to comply with adopted and emerging limited infilling in Green Belt Villages policies and as such should be refused without delay.</p> <p>I trust the above is clear and respectfully request that the application be refused for the reasons outlined above. If you have any queries regarding this letter, please do not hesitate to contact me.</p> <p>Yours sincerely,</p> <p>Mrs Julie Griffiths</p>
<p>18 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP</p>	<p>We have sent more detailed objection via email.</p> <p>I write to object to the proposed development of the land adjacent 38 Rambling Way Potten End for five dwellings (21/00138/FUL) on the following grounds. I provide further information under the appropriate headings below:</p> <ul style="list-style-type: none"> <li>o General</li> <li>o Up to Date Planning Policy</li> <li>o Green Belt</li> <li>o Residential / Visual Amenity</li> <li>o Trees</li> </ul> <p>The following builds on my objection letter, from December 2019 and appeal statement, in respect of the previous application 9/02925/MFA, which was refused and dismissed at appeal APP/A1910/W/20/3251407, Appendix A.</p> <p>RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End</p> <p>Berkhamsted Hertfordshire HP4 2SF - Objection General</p> <p>It should be noted that while the application forms and plans suggest the application is for five dwellings, paragraph 1.2 of the supporting planning statement clearly states that the document supports an application for six dwellings on the site. Paragraph 3.1 then reverts to five dwellings; while the forms and plans will take precedence, the discrepancy should be noted and amended. The applicant references an Appeal Court Judgement, which in turn references other judgements; to which I respond below:</p> <ul style="list-style-type: none"> <li>o Hook v SoSHCLG [2020] EWCA Civ 486 (paragraph 7)</li> <li>o References confirming that the question of Green Belt openness and the degree of harm resulting from development are matters of planning judgement to be exercised by the</li> </ul>

decision maker is a well-established principle

- o Provided that planning judgement is exercised in a reasonable and logical manner there is no recourse to the Courts if the applicant simply dislikes the balanced and reasoned planning judgement of the decision maker
- o The fact that a site might support development in the Green Belt and remain open is not contested; however, it is a question of appropriateness, scale and the ratio of built form to site area. The proposal represents the backland development of five dwellings on an area of 0.48 hectares and not a 300sqm visitors centre in a 250-hectare woodland for example; therefore, the proposal would completely urbanise the site
- o It should be noted that in his judgement of this case Lord Justice Lindblom upheld the decision of the Planning Inspector who dismissed the application for a single dwelling on grounds of inappropriateness in the Green Belt

Up to Date Planning Policy

In the previous appeal decision APP/A1910/W/20/3251407, the Inspector concluded that Policy CS6 was out of date and as such the decision to refuse permission gave significant weight to the protection afforded to the Green Belt in the National Planning Policy Framework (2019) In another recent appeal decision APP/A1910/W/19/3241643, see Appendix B, that challenged the Council's five-year housing land supply, the Inspector concluded that the proposed delivery of two dwellings did not constitute a significant boost to housing delivery and gave the argument only limited weight. The appeal was dismissed due to the harm to the Green Belt and the lack of very special circumstances necessary to justify the development.

In the event that the adopted Local Plan is considered to be out of date paragraph 11 of the National Planning Policy Framework (2019) (NPPF) comes in to force suggesting that permission should be granted provided the proposal is not in conflict with the NPPF. Footnote 6 to paragraph 11 of the NPPF specifically refers to the Green Belt being one area where the presumption in favour of sustainable development is unlikely to apply, even where councils are not able to demonstrate a five-year housing land supply, unless the benefits of a

RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End

Berkhamsted Hertfordshire HP4 2SF - Objection

proposal significantly outweigh the harm. There is no evidence that the benefits of the proposal (the delivery of five dwellings) would significantly outweigh the harm in this instance and the protection afforded to the Green Belt by both the national and local planning policies should prevail. The recent appeal APP/A1910/W/

19/3241643, see Appendix B, confirms this position, as does a further appeal decision APP/M1595/W/19/3242356, see Appendix C, where the Inspector concluded that the delivery of 116 dwellings on the edge of an Essex village in the Metropolitan Green Belt, despite a recognised undersupply of housing in recent years, the provision of 5% more affordable housing than required by policy and the sustainability of the location, still warranted a refusal due to the harm to the Green Belt.

The applicant highlights that The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is at an early stage and can only be given very limited weight in the decision-making process. It is useful to note; however, that while the council is considering some Green Belt releases the village of Potten End and the application site continue to be included in the Green Belt and covered by Emerging Policy DM39. While the emerging policy can be given only very limited weight it demonstrates that the council believes that the importance of the open spaces within Potten End continue to justify the protection offered by the Green Belt.

The applicant acknowledges that the application site has not been allocated in the emerging Local Plan but still maintains that it may form part of the five-year housing land supply, without illustrating a mechanism for this assertion. The delivery of five additional dwellings would not represent a significant contribution sufficient to outweigh the harm to the Green Belt of inappropriate development or the impact on its openness. Indeed, the provision of greater numbers as evidenced by the previous appeal decision did not justify such harm so the reduced benefit must equally not outweigh the loss.

Green Belt

The application site is located within the Green Belt. The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."

The designation of the application site within the Green Belt serves to safeguard the countryside, preserving the setting and character of historic towns and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is



located is already in the second most built up tier, identified in the 2013 Green Belt Review, and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy. The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances, which have not been demonstrated by the appellant. RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End

#### Berkhamsted Hertfordshire HP4 2SF - Objection

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not one considered appropriate in the Green Belt, as demonstrated below, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where the following development will be permitted; however, the proposal fails to meet any of the criteria listed:

- o The replacement of existing buildings
- o Limited infilling with affordable housing for local people
- o Conversion of houses into flats
- o House extensions
- o Development for uses closely related to agriculture, forestry and open-air recreation, which cannot be reasonably accommodated elsewhere
- o Local facilities to meet the needs of the village

The proposal fails to comply with Policy CS6 and the supporting text (paragraph 8.34 of the Core Strategy 2013), which defines 'infilling' as a form of development whereby dwellings are proposed or "...constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include backland development, either in the form of plot amalgamation or tandem development. "Infilling will

only be permitted where it is limited in scale; the housing is affordable and it meets the needs of local people."

The proposed development is not for 100% affordable housing and would be positioned to the rear of numerous dwellings, at odds with the existing built form and therefore considered to be 'backland' rather than 'infill' development and should be resisted in accordance with Policy CS6. The term 'limited' in Policy CS6 is also defined in the supporting text (paragraph 8.34 of the Core Strategy 2013) and "...refers to development which does not create more than two extra dwellings." The proposed development is for the construction of five dwellings and therefore not classed as 'limited' and should be refused.

In the previous appeal decision on this site APP/A1910/W/20/3251407, see Appendix B, the Inspector found that Policy CS6 was out of date and gave greater weight to the NPPF. The Inspector went on to conclude that the proposal was inappropriate development as defined by the NPPF and this remains the case with the current application 21/00138/FUL. While accepting that the site might accommodate development deemed to be appropriate in the Green Belt the Inspector concluded that the residential development of the site for open market housing was inappropriate and therefore harmful. The reduction in numbers from 14 to five dwellings has not changed the fact that the proposal fails to meet with the criteria set in the NPPF for appropriate development in the Green Belt and as such should be refused.

RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End

Berkhamsted Hertfordshire HP4 2SF - Objection

Paragraph 133 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." The proposed development of five new dwellings would reduce the openness of the Green Belt, contrary to the fundamental aims and essential characteristics of the Green Belt and should be resisted.

Paragraphs 145 and 146 of the NPPF make provision for appropriate development in the Green Belt and the applicant contends that the proposed development would meet one or more of these criterion with regards limited infilling; however, this is not the case and for ease of reference, the criteria for appropriate development in the Green Belt are reviewed below along with commentary in bold text as to whether they apply to the current application:

Paragraph 145

- o buildings for agriculture and forestry - The application is for market housing and not for agricultural or forestry workers
- o the provision of appropriate facilities (in connection with the existing

use of land or a change of use)  
for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it - The application is for residential development and not to facilitate outdoor sport or recreation  
o the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building - The proposal represents five new dwellings not the extension or alteration of an existing building  
o the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces - The proposal is not proposing a replacement dwelling but five new dwellings  
o limited infilling in villages - The previous Inspector concluded that the development of the site could be considered infill development; however, the planning judgement was whether it could be considered to be limited. The Inspector also made it clear that any decision must have regard to the overall aim of Green Belt policy, which is to preserve its openness. While there is no definition of 'limited infill' it is generally accepted that the term means the introduction of up to two dwellings in an otherwise built frontage rather than the provision of a cul-de-sac of five dwellings to the rear of existing properties, as is currently proposed. The supporting text to Policy CS6 in paragraph 8.34, although out of date, as outlined above, clearly states that limited infilling is defined as the provision of up to two affordable houses in an otherwise built up frontage. Backland development, plot amalgamation or tandem development, similar to that proposed, is explicitly excluded from the definition. The proposal represents nonaffordable backland development of five dwellings, which is explicitly excluded from the

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definition of limited infilling in paragraph 8.34 of the Core Strategy. The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is currently undergoing public consultation and while very early in the process and only afforded very limited weight, it illustrates the council's direction of travel in policy terms. The emerging Local Plan continues to designate Potten End as a 'Small Village within the Green Belt' and emerging Policy

	<p>DM39 allows limited Infilling in the village but specifically seeks to exclude backland development of the nature currently proposed. Paragraphs 19.18 to 19.21 of the emerging Local Plan define limited infill sites as being within a settlement boundary, a clearly identifiable space between a built frontage, with a similar building line that would not result in the loss of a gap or open space considered important to the settlement's character; these points are reiterated in emerging Policy DM39.</p> <p>The reference to a limited infill site being a clearly identifiable space between a built frontage in the emerging plan continues to preclude the application site as it would constitute backland development</p> <ul style="list-style-type: none"> <li>o limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) - The proposal is for a full market housing and therefore does not comply with the NPPF or the out of date requirement for 100% affordable required by Policy CS6 of the Core Strategy.</li> <li>o limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: The proposal does not represent previously developed land; indeed, the site has recently been cleared of woodland with a significant impact on bio-diversity that made a positive contribution to the Green Belt and character of the area. Further clearance work was undertaken on 4 February 2021, just as the area had started to regenerate itself, and again become a haven for wildlife</li> <li>o not have a greater impact on the openness of the Green Belt than the existing development; or - The development but its very nature will introduce five new dwellings in the Green Belt and will inevitably result in its reduced openness in conflict with paragraph 133 of the NPPF</li> <li>o 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 - The proposal represents substantial harm to the openness of the Green Belt, does not represent previously development land nor would it contribute to an identified need for affordable housing.</li> </ul> <p>Paragraph 146</p> <ul style="list-style-type: none"> <li>o mineral extraction - Not applicable</li> <li>o engineering operations - Not applicable</li> <li>o local transport infrastructure which can demonstrate a requirement for a Green Belt location - Not</li> </ul>
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	<p>applicable</p> <p>RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End</p> <p>Berkhamsted Hertfordshire HP4 2SF - Objection</p> <ul style="list-style-type: none"> <li>o the re-use of buildings provided that the buildings are of permanent and substantial construction -</li> <li>Not applicable</li> <li>o material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) - Not applicable</li> <li>o development brought forward under a Community Right to Build Order or Neighbourhood Development Order - Not applicable</li> </ul> <p>The proposal has been shown to be inappropriate development as defined by paragraphs 145 and 146 of the NPPF and in accordance with paragraph 143 of the NPPF "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." No evidence has been put forward to demonstrate that there are very special circumstances in this instance that would justify the harm the development would cause to the Green Belt and as such it should be refused.</p> <p>References to the five-year housing land supply and increased in the annual requirement of new dwellings does not justify the release of this land from the Green Belt, as is evidenced by the previous appeal decisions and the Council's decision not to release it as part of the current emerging Local Plan and Green Belt and Rural Area Background Topic Paper (2020).</p> <p>Quite apart from the scheme's impact on the Green Belt the proposed development has other fundamental flaws that warrant its refusal, which are outlined below:</p> <p>Residential and Visual Amenity</p> <p>The residential amenity of existing and future residents would be poor as a result of the development proposed. Number 38 Rambling Way's amenity will be negatively impacted by the introduction of the access road close to the boundary along with the associated noise and light disturbance created by traffic entering and exiting the site.</p> <p>For us at number 18 The Laurels, (the red brick house seen clearly in Photo 5 page 19 of the Ecology report ) we will be overlooked and also will overlook the development. The new proposal suggests point 2.4 that there is a site boundary of thick and mature hedge and tree foliage, This is not the case as is evidenced by the photograph.</p> <p>The proposal will also introduce vehicle noise and residential activity to the rear of the properties along The Laurels and Rambling Way, which has the potential to cause noise and light disturbance that would negatively impact the residents' amenity and enjoyment of their dwellinghouses.</p>
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	<p>Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath; emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the footpath.</p> <p>Trees RE: 21/00138/FUL - Construction of five dwellinghouses including associated hard and soft landscaping at 38 Rambling Way Potten End</p> <p>Berkhamsted Hertfordshire HP4 2SF - Objection The application site has previously been cleared of a number of trees, which provided valuable habitat and visual amenity contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area started to regenerate itself, and again become a haven for wildlife, clearance work started again on 4 February 2021.</p> <p>In summary the proposal represents inappropriate development that will harm the Green Belt, contrary to local and national policy, as well as failing to comply with adopted and emerging limited infilling in Green Belt Villages policies. I trust the above is clear and respectfully request that the application be refused for the reasons outlined. If you have any queries regarding this letter, please do not hesitate to contact me.</p>
<p>16 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP</p>	<p>A letter has been received in objection of the proposed development. The letter replicates comments made by many of the other objections recieved and focuses on the below issues:</p> <ul style="list-style-type: none"> <li>- Up to date planning policy</li> <li>- Green Belt</li> <li>- Residential/Visual Amenity</li> <li>- Trees</li> </ul>
<p>14 The Laurels Potten End Berkhamsted Hertfordshire HP4 2SP</p>	<p>We write to object to the proposed development of the land adjacent 38 Rambling Way Potten End for five dwellings (21/00138/FUL) on the following grounds. We provide further information under the appropriate headings below:</p> <ul style="list-style-type: none"> <li>- General</li> <li>- Up to Date Planning Policy</li> <li>- Green Belt</li> <li>- Residential / Visual Amenity</li> <li>- Trees</li> </ul> <p>The following builds on our objection letters, of December 2019 and appeal statements, in respect of the previous application 9/02925/MFA, which was refused and dismissed at appeal APP/A1910/W/20/3251407, Appendix A.</p> <p>It should be noted that while the application forms and plans suggest the application is for five dwellings, paragraph 1.2 of the supporting planning statement clearly states that the document supports an application for six dwellings on the site. Paragraph 3.1 then reverts to</p>

five dwellings; while the forms and plans will take precedence, the discrepancy should be noted and amended.

The applicant references an Appeal Court Judgement, which in turn references other judgements; to which I respond below:

- Hook v SoSHCLG [2020] EWCA Civ 486 (paragraph 7)

o References confirming that the question of Green Belt openness and the degree of harm resulting from development are matters of planning judgement to be exercised by the decision maker is a well-established principle

o Provided that planning judgement is exercised in a reasonable and logical manner there is no recourse to the Courts if the applicant simply dislikes the balanced and reasoned planning judgement of the decision maker

o The fact that a site might support development in the Green Belt and remain open is not contested; however, it is a question of appropriateness, scale and the ratio of built form to site area. The proposal represents the backland development of five dwellings on an area of 0.48 hectares and not a 300sqm visitors centre in a 250-hectare woodland for example; therefore, the proposal would completely urbanise the site

o It should be noted that in his judgement of this case Lord Justice Lindblom upheld the decision of the Planning Inspector who dismissed the application for a single dwelling on grounds of inappropriateness in the Green Belt

Up to Date Planning Policy

In the previous appeal decision APP/A1910/W/20/3251407, the Inspector concluded that Policy CS6 was out of date and as such the decision to refuse permission gave significant weight to the protection afforded to the Green Belt in the National Planning Policy Framework (2019) In another recent appeal decision APP/A1910/W/19/3241643, see Appendix B, that challenged the Council's five-year housing land supply, the Inspector concluded that the proposed delivery of two dwellings did not constitute a significant boost to housing delivery and gave the argument only limited weight. The appeal was dismissed due to the harm to the Green Belt and the lack of very special circumstances necessary to justify the development.

In the event that the adopted Local Plan is considered to be out of date paragraph 11 of the National Planning Policy Framework (2019) (NPPF) comes in to force suggesting that permission should be granted provided the proposal is not in conflict with the NPPF. Footnote 6 to paragraph 11 of the NPPF specifically refers to the Green Belt being one area where the presumption in favour of sustainable development is unlikely to apply, even where councils are not able to demonstrate a five-year housing land supply, unless the benefits of a proposal significantly outweigh the harm. There is no evidence that the benefits of the proposal (the delivery of five dwellings) would significantly outweigh the harm in this instance and the protection afforded to the Green Belt by both the national and local planning policies should prevail. The recent appeal APP/A1910/W/19/3241643, see Appendix B, confirms this position, as does a further appeal decision APP/M1595/W/19/3242356, see Appendix C, where the Inspector concluded that the delivery of 116 dwellings on the edge of an Essex village in the Metropolitan Green Belt, despite a recognised undersupply of housing in recent years, the provision of 5% more affordable housing than required by policy and the sustainability of the

location, still warranted a refusal due to the harm to the Green Belt.

The applicant highlights that The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is at an early stage and can only be given very limited weight in the decision-making process. It is useful to note; however, that while the council is considering some Green Belt releases the village of Potten End and the application site continue to be included in the Green Belt and covered by Emerging Policy DM39. While the emerging policy can be given only very limited weight it demonstrates that the council believes that the importance of the open spaces within Potten End continue to justify the protection offered by the Green Belt. The applicant acknowledges that the application site has not been allocated in the emerging Local Plan but still maintains that it may form part of the five-year housing land supply, without illustrating a mechanism for this assertion. The delivery of five additional dwellings would not represent a significant contribution sufficient to outweigh the harm to the Green Belt of inappropriate development or the impact on its openness. Indeed, the provision of greater numbers as evidenced by the previous appeal decision did not justify such harm so the reduced benefit must equally not outweigh the loss.

#### Green Belt

The application site is located within the Green Belt. The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."

The designation of the application site within the Green Belt serves to safeguard the countryside, preserving the setting and character of historic towns and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is located is already in the second most built up tier, identified in the 2013 Green Belt Review, and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy.

The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances, which have not been demonstrated by the appellant.

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The



aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not one considered appropriate in the Green Belt, as demonstrated below, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where the following development will be permitted; however, the proposal fails to meet any of the criteria listed:

- The replacement of existing buildings
- Limited infilling with affordable housing for local people
- Conversion of houses into flats
- House extensions
- Development for uses closely related to agriculture, forestry and open-air recreation, which cannot be reasonably accommodated elsewhere
- Local facilities to meet the needs of the village

The proposal fails to comply with Policy CS6 and the supporting text (paragraph 8.34 of the Core Strategy 2013), which defines 'infilling' as a form of development whereby dwellings are proposed or "...constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include backland development, either in the form of plot amalgamation or tandem development. "Infilling will only be permitted where it is limited in scale; the housing is affordable and it meets the needs of local people." The proposed development is not for 100% affordable housing and would be positioned to the rear of numerous dwellings, at odds with the existing built form and therefore considered to be 'backland' rather than 'infill' development and should be resisted in accordance with Policy CS6. The term 'limited' in Policy CS6 is also defined in the supporting text (paragraph 8.34 of the Core Strategy 2013) and "...refers to development which does not create more than two extra dwellings." The proposed development is for the construction of five dwellings and therefore not classed as 'limited' and should be refused.

In the previous appeal decision on this site APP/A1910/W/20/3251407, see Appendix B, the Inspector found that Policy CS6 was out of date and gave greater weight to the NPPF. The Inspector went on to conclude that the proposal was inappropriate development as defined by the NPPF and this remains the case with the current application 21/00138/FUL. While accepting that the site might accommodate development deemed to be appropriate in the Green Belt the Inspector concluded that the residential development of the site for open market housing was inappropriate and therefore harmful. The reduction in numbers from 14 to five dwellings has not changed the fact that the proposal fails to meet with the criteria set in the NPPF for appropriate development in the Green Belt and as such should be refused.

Paragraph 133 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." The proposed development of five new dwellings would reduce the openness of the Green Belt, contrary to the

fundamental aims and essential characteristics of the Green Belt and should be resisted.

Paragraphs 145 and 146 of the NPPF make provision for appropriate development in the Green Belt and the applicant contends that the proposed development would meet one or more of these criterion with regards limited infilling; however, this is not the case and for ease of reference, the criteria for appropriate development in the Green Belt are reviewed below along with commentary in bold text as to whether they apply to the current application:

Paragraph 145

- buildings for agriculture and forestry - The application is for market housing and not for agricultural or forestry workers

- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it - The application is for residential development and not to facilitate outdoor sport or recreation

- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building - The proposal represents five new dwellings not the extension or alteration of an existing building

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces - The proposal is not proposing a replacement dwelling but five new dwellings

- limited infilling in villages - The previous Inspector concluded that the development of the site could be considered infill development; however, the planning judgement was whether it could be considered to be limited. The Inspector also made it clear that any decision must have regard to the overall aim of Green Belt policy, which is to preserve its openness. While there is no definition of 'limited infill' it is generally accepted that the term means the introduction of up to two dwellings in an otherwise built frontage rather than the provision of a cul-de-sac of five dwellings to the rear of existing properties, as is currently proposed. The supporting text to Policy CS6 in paragraph 8.34, although out of date, as outlined above, clearly states that limited infilling is defined as the provision of up to two affordable houses in an otherwise built up frontage. Backland development, plot amalgamation or tandem development, similar to that proposed, is explicitly excluded from the definition. The proposal represents non-affordable backland development of five dwellings, which is explicitly excluded from the definition of limited infilling in paragraph 8.34 of the Core Strategy. The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is currently undergoing public consultation and while very early in the process and only afforded very limited weight, it illustrates the council's direction of travel in policy terms. The emerging Local Plan continues to designate Potten End as a 'Small Village within the Green Belt' and emerging Policy DM39 allows limited Infilling in the village but specifically seeks to exclude backland development of the nature currently proposed. Paragraphs 19.18 to 19.21 of the emerging Local Plan define limited infill sites as being within a settlement boundary, a clearly identifiable space between a built frontage, with a similar building line that would not result in the loss of a gap or open space considered important to the settlement's character; these points are reiterated in emerging Policy DM39. The reference to a limited infill site

being a clearly identifiable space between a built frontage in the emerging plan continues to preclude the application site as it would constitute backland development

- limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) - The proposal is for a full market housing and therefore does not comply with the NPPF or the out of date requirement for 100% affordable required by Policy CS6 of the Core Strategy.
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: The proposal does not represent previously developed land; indeed, the site has recently been cleared of woodland with a significant impact on bio-diversity that made a positive contribution to the Green Belt and character of the area. Further clearance work was undertaken on 4 February 2021, just as the area had started to regenerate itself, and again become a haven for wildlife
- not have a greater impact on the openness of the Green Belt than the existing development; or - The development but its very nature will introduce five new dwellings in the Green Belt and will inevitably result in its reduced openness in conflict with paragraph 133 of the NPPF

- 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 - The proposal represents substantial harm to the openness of the Green Belt, does not represent previously development land nor would it contribute to an identified need for affordable housing.

Paragraph 146

- mineral extraction - Not applicable
- engineering operations - Not applicable
- local transport infrastructure which can demonstrate a requirement for a Green Belt location - Not applicable
- the re-use of buildings provided that the buildings are of permanent and substantial construction - Not applicable
- material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) - Not applicable
- development brought forward under a Community Right to Build Order or Neighbourhood Development Order - Not applicable

The proposal has been shown to be inappropriate development as defined by paragraphs 145 and 146 of the NPPF and in accordance with paragraph 143 of the NPPF "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." No evidence has been put forward to demonstrate that there are very special circumstances in this instance that would justify the harm the development would cause to the Green Belt and as such it should be refused. References to the five-year housing land supply and increased in the annual requirement of new dwellings does not justify the release of this land from the Green Belt, as is evidenced by the previous appeal decisions and the Council's decision not to release it as part of the current emerging Local Plan and Green Belt and Rural Area Background Topic Paper (2020). Quite apart from the scheme's impact on the Green Belt the proposed development

	<p>has other fundamental flaws that warrant its refusal, which are outlined below:</p> <p><b>Residential and Visual Amenity</b>  The residential amenity of existing and future residents would be poor as a result of the development proposed. Number 38 Rambling Way's amenity will be negatively impacted by the introduction of the access road close to the boundary along with the associated noise and light disturbance created by traffic entering and exiting the site.  The proposal will also introduce vehicle noise and residential activity to the rear of the properties along The Laurels and Rambling Way, which has the potential to cause noise and light disturbance that would negatively impact the residents' amenity and enjoyment of their dwellings.</p> <p>Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath; emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the public highway network.</p> <p><b>Trees</b>  The application site has previously been cleared of a number of trees, which provided valuable habitat and visual amenity contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area started to regenerate itself, and again become a haven for wildlife, clearance work started again on 4 February 2021.  In summary the proposal represents inappropriate development that will harm the Green Belt, contrary to local and national policy, as well as failing to comply with adopted and emerging limited infilling in Green Belt Villages policies and as such should be refused without delay.  Mr and Mrs D Jenkins  Mr and Mrs A Hynes</p>
<p>12 The Laurels  Potten End  Berkhamsted  Hertfordshire  HP4 2SP</p>	<p>I write to object to the proposed development of the land adjacent 38 Rambling Way Potten End for five dwellings (21/00138/FUL) on the following grounds. I provide further information under the appropriate headings below:</p> <ul style="list-style-type: none"> <li>o General</li> <li>o Up to Date Planning Policy</li> <li>o Green Belt</li> <li>o Residential / Visual Amenity</li> <li>o Trees</li> </ul> <p>The following builds on my objection letter, dated 5th December 2019 and appeal statement, in respect of the previous application 9/02925/MFA, which was refused and dismissed at appeal APP/A1910/W/20/3251407, Appendix A.</p> <p><b>General</b>  It should be noted that while the application forms and plans suggest the application is for five dwellings, paragraph 1.2 of the supporting planning statement clearly states that the document supports an</p>

application for six dwellings on the site. Paragraph 3.1 then reverts to five dwellings; while the forms and plans will take precedence, the discrepancy should be noted and amended.

The applicant references an Appeal Court Judgement, which in turn references other judgements; to which I respond below:

- o Hook v SoSHCLG [2020] EWCA Civ 486 (paragraph 7)
- o References confirming that the question of Green Belt openness and the degree of harm resulting from development are matters of planning judgement to be exercised by the decision maker is a well-established principle
- o Provided that planning judgement is exercised in a reasonable and logical manner there is no recourse to the Courts if the applicant simply dislikes the balanced and reasoned planning judgement of the decision maker
- o The fact that a site might support development in the Green Belt and remain open is not contested; however, it is a question of appropriateness, scale and the ratio of built form to site area. The proposal represents the backland development of five dwellings on an area of 0.48 hectares and not a 300sqm visitors centre in a 250-hectare woodland for example; therefore, the proposal would completely urbanise the site
- o It should be noted that in his judgement of this case Lord Justice Lindblom upheld the decision of the Planning Inspector who dismissed the application for a single dwelling on grounds of inappropriateness in the Green Belt

#### Up to Date Planning Policy

In the previous appeal decision APP/A1910/W/20/3251407, the Inspector concluded that Policy CS6 was out of date and as such the decision to refuse permission gave significant weight to the protection afforded to the Green Belt in the National Planning Policy Framework (2019) In another recent appeal decision APP/A1910/W/19/3241643, see Appendix B, that challenged the Council's five-year housing land supply, the Inspector concluded that the proposed delivery of two dwellings did not constitute a significant boost to housing delivery and gave the argument only limited weight. The appeal was dismissed due to the harm to the Green Belt and the lack of very special circumstances necessary to justify the development.

In the event that the adopted Local Plan is considered to be out of date paragraph 11 of the National Planning Policy Framework (2019) (NPPF) comes in to force suggesting that permission should be granted provided the proposal is not in conflict with the NPPF. Footnote 6 to

paragraph 11 of the NPPF specifically refers to the Green Belt being one area where the presumption in favour of sustainable development is unlikely to apply, even where councils are not able to demonstrate a five-year housing land supply, unless the benefits of a proposal significantly outweigh the harm. There is no evidence that the benefits of the proposal (the delivery of five dwellings) would significantly outweigh the harm in this instance and the protection afforded to the Green Belt by both the national and local planning policies should prevail. The recent appeal APP/A1910/W/19/3241643, see Appendix B, confirms this position, as does a further appeal decision APP/M1595/W/19/3242356, see Appendix C, where the Inspector concluded that the delivery of 116 dwellings on the edge of an Essex village in the Metropolitan Green Belt, despite a recognised undersupply of housing in recent years, the provision of 5% more affordable housing than required by policy and the sustainability of the location, still warranted a refusal due to the harm to the Green Belt.

The applicant highlights that The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is at an early stage and can only be given very limited weight in the decision-making process. It is useful to note; however, that while the council is considering some Green Belt releases the village of Potten End and the application site continue to be included in the Green Belt and covered by Emerging Policy DM39. While the emerging policy can be given only very limited weight it demonstrates that the council believes that the importance of the open spaces within Potten End continue to justify the protection offered by the Green Belt. The applicant acknowledges that the application site has not been allocated in the emerging Local Plan but still maintains that it may form part of the five-year housing land supply, without illustrating a mechanism for this assertion. The delivery of five additional dwellings would not represent a significant contribution sufficient to outweigh the harm to the Green Belt of inappropriate development or the impact on its openness. Indeed, the provision of greater numbers as evidenced by the previous appeal decision did not justify such harm so the reduced benefit must equally not outweigh the loss.

#### Green Belt

The application site is located within the Green Belt. The 2020 Green Belt and Rural Area Background Topic Paper, which supports the emerging Local Plan, acknowledges that successive Local Plans applied a level of restraint on sites within Potten End and other villages in the Green Belt. The topic paper determines that it remains unsuitable to deliver growth in such locations and indicates that larger scale more

appropriate sites have been identified around the main urban areas of Dacorum to address the need for additional housing land. The Green Belt and Rural Area Background Topic Paper (2020, paragraph 8.27) also emphasises the fact that it is "... not uncommon to find extensive gaps between built-up frontages or within a group of buildings. These features all help contribute to the general openness of the Green Belt..."

The designation of the application site within the Green Belt serves to safeguard the countryside, preserving the setting and character of historic towns and maintaining settlement patterns as well as making a partial contribution to preventing the merging of existing settlements. The Green Belt parcel in which the site is located is already in the second most built up tier, identified in the 2013 Green Belt Review, and as such can ill afford to allow inappropriate development of the nature proposed that would further reduce its openness, contrary to national policy.

The purpose of the Green Belt designation is not simply to fix the outer limits of settlement but to ensure that the openness of the village continues to contribute to the wider openness of the Green Belt. The development of the application site would reduce the openness of the Green Belt through inappropriate development, which by definition is harmful and should be resisted except in very special circumstances, which have not been demonstrated by the appellant.

Local Plan (2004) Policy 1 sets out the overall sustainability aims of the plan, which includes a commitment "to conserve and enhance the countryside, in particular by maintaining the Green Belt and the landscape of the Chilterns Area of Outstanding Natural Beauty..." The aim of Policy 1 of maintaining the Green Belt is wholly in accordance with the NPPF and should be given full weight when determining the application.

Core Strategy (2013) Policy CS5 states that within the Green Belt small-scale development will be permitted in accordance with national policy; 'building for uses defined as appropriate.' The proposed development is not one considered appropriate in the Green Belt, as demonstrated below, and by definition will cause harm, contrary to the aims of the NPPF and Policy CS5, and should be refused.

The village of Potten End is identified under Core Strategy (2013) Policy CS6 as a Selected Small Village in the Green Belt, where the following development will be permitted; however, the proposal fails to meet any of the criteria listed:

- o The replacement of existing buildings
- o Limited infilling with affordable housing for local people

- o Conversion of houses into flats
- o House extensions
- o Development for uses closely related to agriculture, forestry and open-air recreation, which cannot be reasonably accommodated elsewhere
- o Local facilities to meet the needs of the village

The proposal fails to comply with Policy CS6 and the supporting text (paragraph 8.34 of the Core Strategy 2013), which defines 'infilling' as a form of development whereby dwellings are proposed or "...constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include backland development, either in the form of plot amalgamation or tandem development. "Infilling will only be permitted where it is limited in scale; the housing is affordable and it meets the needs of local people." The proposed development is not for 100% affordable housing and would be positioned to the rear of numerous dwellings, at odds with the existing built form and therefore considered to be 'backland' rather than 'infill' development and should be resisted in accordance with Policy CS6. The term 'limited' in Policy CS6 is also defined in the supporting text (paragraph 8.34 of the Core Strategy 2013) and "...refers to development which does not create more than two extra dwellings." The proposed development is for the construction of five dwellings and therefore not classed as 'limited' and should be refused.

In the previous appeal decision on this site APP/A1910/W/20/3251407, see Appendix B, the Inspector found that Policy CS6 was out of date and gave greater weight to the NPPF. The Inspector went on to conclude that the proposal was inappropriate development as defined by the NPPF and this remains the case with the current application 21/00138/FUL. While accepting that the site might accommodate development deemed to be appropriate in the Green Belt the Inspector concluded that the residential development of the site for open market housing was inappropriate and therefore harmful. The reduction in numbers from 14 to five dwellings has not changed the fact that the proposal fails to meet with the criteria set in the NPPF for appropriate development in the Green Belt and as such should be refused.

Paragraph 133 of the NPPF states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." The proposed development of five new dwellings would reduce the openness of the Green Belt, contrary to the fundamental aims and essential characteristics of the Green Belt and should be resisted.



Paragraphs 145 and 146 of the NPPF make provision for appropriate development in the Green Belt and the applicant contends that the proposed development would meet one or more of these criterion with regards limited infilling; however, this is not the case and for ease of reference, the criteria for appropriate development in the Green Belt are reviewed below along with commentary in bold text as to whether they apply to the current application:

Paragraph 145

o buildings for agriculture and forestry - The application is for market housing and not for agricultural or forestry workers

o the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it - The application is for residential development and not to facilitate outdoor sport or recreation

o the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building - The proposal represents five new dwellings not the extension or alteration of an existing building

o the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces - The proposal is not proposing a replacement dwelling but five new dwellings

o limited infilling in villages - The previous Inspector concluded that the development of the site could be considered infill development; however, the planning judgement was whether it could be considered to be limited. The Inspector also made it clear that any decision must have regard to the overall aim of Green Belt policy, which is to preserve its openness. While there is no definition of 'limited infill' it is generally accepted that the term means the introduction of up to two dwellings in an otherwise built frontage rather than the provision of a cul-de-sac of five dwellings to the rear of existing properties, as is currently proposed. The supporting text to Policy CS6 in paragraph 8.34, although out of date, as outlined above, clearly states that limited infilling is defined as the provision of up to two affordable houses in an otherwise built up frontage. Backland development, plot amalgamation or tandem development, similar to that proposed, is explicitly excluded from the definition. The

proposal represents non-affordable backland development of five dwellings, which is explicitly excluded from the definition of limited infilling in paragraph 8.34 of the Core Strategy. The Dacorum Local Plan Emerging Strategy for Growth (2020-2038) is currently undergoing public consultation and while very early in the process and only afforded very limited weight, it illustrates the council's direction of travel in policy terms. The emerging Local Plan continues to designate Potten End as a 'Small Village within the Green Belt' and emerging Policy DM39 allows limited Infilling in the village but specifically seeks to exclude backland development of the nature currently proposed. Paragraphs 19.18 to 19.21 of the emerging Local Plan define limited infill sites as being within a settlement boundary, a clearly identifiable space between a built frontage, with a similar building line that would not result in the loss of a gap or open space considered important to the settlement's character; these points are reiterated in emerging Policy DM39. The reference to a limited infill site being a clearly identifiable space between a built frontage in the emerging plan continues to preclude the application site as it would constitute backland development o limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites) - The proposal is for a full market housing and therefore does not comply with the NPPF or the out of date requirement for 100% affordable required by Policy CS6 of the Core Strategy.

- o limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: The proposal does not represent previously developed land; indeed, the site has recently been cleared of woodland with a significant impact on bio-diversity that made a positive contribution to the Green Belt and character of the area. Further clearance work was undertaken on 4 February 2021, just as the area had started to regenerate itself, and again become a haven for wildlife
- o not have a greater impact on the openness of the Green Belt than the existing development; or -

The development but its very nature will introduce five new dwellings in the Green Belt and will inevitably result in its reduced openness in conflict with paragraph 133 of the NPPF

- o 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 - The proposal represents substantial harm to the openness of the Green Belt, does not represent previously development land nor would it contribute to an identified need for affordable housing.

Paragraph 146

- o mineral extraction - Not applicable
- o engineering operations - Not applicable
- o local transport infrastructure which can demonstrate a requirement for a Green Belt location - Not applicable
- o the re-use of buildings provided that the buildings are of permanent and substantial construction - Not applicable
- o material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) - Not applicable
- o development brought forward under a Community Right to Build Order or Neighbourhood

Development Order - Not applicable

The proposal has been shown to be inappropriate development as defined by paragraphs 145 and 146 of the NPPF and in accordance with paragraph 143 of the NPPF "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." No evidence has been put forward to demonstrate that there are very special circumstances in this instance that would justify the harm the development would cause to the Green Belt and as such it should be refused.

References to the five-year housing land supply and increased in the annual requirement of new dwellings does not justify the release of this land from the Green Belt, as is evidenced by the previous appeal decisions and the Council's decision not to release it as part of the current emerging Local Plan and Green Belt and Rural Area Background Topic Paper (2020).

Quite apart from the scheme's impact on the Green Belt the proposed development has other fundamental flaws that warrant its refusal, which are outlined below:

Residential and Visual Amenity

The residential amenity of existing and future residents would be poor as a result of the development proposed. Number 38 Rambling Way's amenity will be negatively impacted by the introduction of the access road close to the boundary along with the associated noise and light disturbance created by traffic entering and exiting the site.

The proposal will also introduce vehicle noise and residential activity to

	<p>the rear of the properties along The Laurels and Rambling Way, which has the potential to cause noise and light disturbance that would negatively impact the residents' amenity and enjoyment of their dwellinghouses.</p> <p>Footpath Nettleden with Potten End 002 runs to the west of the application site meaning that the site forms an important part of the feeling of openness when traversing the footpath; emphasising the importance of the open space to the character of the village and the enjoyment of those utilising the public highway network.</p> <p><b>Trees</b> The application site has previously been cleared of a number of trees, which provided valuable habitat and visual amenity contrary to the desire expressed in Schedule 14 of the Environment Bill for development to produce a net increase in biodiversity. Just as the area started to regenerate itself, and again become a haven for wildlife, clearance work started again on 4 February 2021.</p> <p>In summary the proposal represents inappropriate development that will harm the Green Belt, contrary to local and national policy, as well as failing to comply with adopted and emerging limited infilling in Green Belt Villages policies and as such should be refused without delay.</p> <p>I trust the above is clear and respectfully request that the application be refused for the reasons outlined above. If you have any queries regarding this letter, please do not hesitate to contact me.</p>
<p>The Coppice Browns Spring Potten End Berkhamsted</p> <p>Hertfordshire HP4 2SQ</p>	<p>The sewage system in Potten End consists of a pumping station which is already failing. Any more flow on this already stretched resource is unwelcome.</p> <p>If these new houses are to be added onto the existing system then Thames water need to upgrade the pumping station, which will never happen.</p> <p>I would prefer if any new properties were serviced by septic tank. Some of us are currently dealing with overflowing sewage and Thames water are aware of the problem.</p>

**ITEM NUMBER: 5**

<b>21/00441/OUT</b>	<b>Outline planning application with all matters reserved except access for the development of 4 dwellings on land north of Pickford Road, Markyate.</b>	
<b>Site Address:</b>	<b>Land SW Of Frindles Cheverells Green Markyate Hertfordshire AL3 8AB</b>	
<b>Applicant/Agent:</b>	<b>Land and Partners South East Ltd</b>	
<b>Case Officer:</b>	<b>Colin Lecart</b>	
<b>Parish/Ward:</b>	<b>Markyate Parish Council</b>	<b>Watling</b>
<b>Referral to Committee:</b>	<b>Contrary view of Parish Council</b>	

**1. RECOMMENDATION**

1.1 That planning permission be GRANTED.

**2. SUMMARY**

2.1 The site is located within the rural area outside the village of Markyate. The council cannot demonstrate a five year housing supply and thus the presumption in favour of sustainable development contained within paragraph 11 of the NPPF (2019) is engaged. When assessed against the policies contained within the Framework as a whole, as well as any relevant policies contained within the council's development plan, it is considered the principle of the development is considered acceptable.

2.2 The site is not located within the Chiltern Hills of Outstanding Natural Beauty (AONB), the Green Belt, or a Conservation Area. Therefore there are no clear policies within the Framework that protect areas such as these that provide a clear reason for refusal of the development.

2.3 The application is for outline planning permission with all matters reserved other than the means of access. The proposed access is considered acceptable by Hertfordshire County Highway Authority. Issues relating to appearance, layout, scale and landscaping are reserved matters. Based on the indicative plans provided, as well as supporting information, it is considered the development would not have a detrimental impact on the character of the surrounding area nor the residential amenity of the surrounding area.

**3. SITE DESCRIPTION**

3.1 The site comprises an open field used for the grazing of livestock on the north eastern side of Pickford Road. The site is bounded on three sides by mature hedgerows. The larger field of which the site is a part of is also enclosed by a hedgerow on the north eastern boundary.

3.2 The site is located along a stretch of road defined by existing ribbon development which leads into the village of Markyate. Varied development of a mixed age and scale are located either side of the road. Stretches of modern detached generic dwellings are interspersed with older buildings.

3.3 The site is located within a designated rural area but outside the Chiltern Hills of Outstanding Natural Beauty and the Green Belt. Listed Buildings are located on the opposite side of the road at Little Cheverells and The Granary. Cheverells Green to the front of the site is designated as a Local Wildlife Site and a Rights of Way runs adjacent to the site.

**4. PROPOSAL**

4.1 The application seeks outline planning permission with all matters reserved except access for the development of 4 dwellings on land north of Pickford Road, Markyate.

## 5. PLANNING HISTORY

Planning Applications:

20/01538/OUT - Outline planning (all matters reserved) for 6 dwellings with new access point from Pickford Road  
*WDN - 18th November 2020*

## 6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Contr  
CIL Zone: CIL2  
CIL Zone: CIL3  
Large Village: Markyate  
Parish: Markyate CP  
RAF Halton and Chenies Zone: Red (10.7m)  
Residential Area (Town/Village): Residential Area in Town Village (Markyate)  
Rural Area: Policy: CS7  
Parking Standards: New Zone 3  
EA Source Protection Zone: 3  
Wildlife Sites: Cheverell's Green

## 7. REPRESENTATIONS

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## 8. PLANNING POLICIES

Main Documents:

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

Relevant Policies:

Core Strategy:

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS7 - Rural Area  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design

CS17 – New Housing  
CS24 – The Chiltern Hills of Outstanding Natural Beauty  
CS26 – Green Infrastructure  
CS27 – Quality of the Historic Environment  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality

Local Plan:

Policy 18 – The Size of New Dwellings  
Policy 21 – Density of Residential Development  
Policy 54 – Highway Design  
Policy 79 – Footpath Networks  
Policy 97 – Chiltern Hills of Outstanding Natural Beauty  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Saved Policy 199 -  
Saved Appendix 3 – Design and Layout of Residential Areas

Supplementary Planning Guidance/Documents:

Parking Standards Supplementary Planning Document (2020)  
Affordable Housing Clarification Note (2019)  
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 Impact on the Surrounding Area  
The impact on residential amenity; and  
The impact on highway safety and car parking.

### Principle of Development

9.2 The application site is located just outside the formal village boundary of Markyate. The adjacent property of Frindles to the north east is formally located within the village boundary as well as development on the opposite side of the road. The site is therefore located in a designated rural area outside the village where Policy CS7 would apply with respects to the Rural Area. This policy states the small-scale development for housing within the rural area will only be permitted at Aldbury, Long Marston and Wilstone. The site is not located within these areas.

9.3 However, It is generally accepted that Dacorum Borough Council cannot currently demonstrate a five year supply of housing land to meet the requirements under paragraph 73 of the NPPF (2019). This has been confirmed in appeal decision APP/A1910/W/19/3237997 and in the committee report for LA3, Land West of Hemel Hempstead (4/03266/18/MFA). Thus, the tilted balance in favour of sustainable development contained within the NPPF would be engaged. The strategic elements of Policy CS7 would be considered out of date with regards to Paragraph 11 of the NPPF.

9.4 Paragraph 11 of the NPPF states that where it can be demonstrated that there are no relevant development plan policies, or the policies which are most important for determining the application are out of date planning permission should be granted unless

- i) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the framework taken as a whole.*

9.5 It is noted that the site is located outside of the Green Belt and Area of Outstanding Natural Beauty, does not comprise ancient woodland and is not at risk of flooding. It is not within a conservation area and does not significantly affect the setting of any heritage assets.

9.6 Paragraph 79 of the NPPF states that planning decisions should avoid the development of isolated homes in the countryside. The ruling within *Braintree v SSHCLG [2018]* set out that the decision maker must consider whether the development would be physically isolated, in the sense of being isolated from a settlement. The issue of what is a settlement or whether the development would be isolated is a matter of planning judgement. It is clear Markyate would comprise a settlement, as it is allocated as a large village within the development plan. While the site sits just outside the formal village boundary, the adjacent property as well as properties on the opposite side of the road are all included within the village boundary. It is considered that the site is no more isolated from the village than the existing ribbon development along the road. The site is not physically isolated from the village and future residents would have adequate access to local services and amenities found within the settlement.

9.7 Paragraph 77 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It is also recognised that opportunities for villages to grow and thrive should be identified, especially where this would support local services.

9.8 Allowing new housing in suitable and sustainable locations will contribute to the vitality and viability of the local community through increasing the number of people in the village who are likely to use the local shops and services helping them to stay open.

9.9 The applicant has referenced The Taylor Review (2008) and 'Strong Foundations'. Meeting Rural Housing Needs – making rural communities fit for the future' (2018) by The Country and Business Association (CLA) which place an emphasis on taking a better balance of social, economic and environmental factors together to form a long-term vision for all scales of communities. In this sense, a broader view of what sustainable development is should be considered.

9.10 With regards to the above, the site would be a 9 minute walk from the centre of Markyate. Walking into the village is feasible but it is noted that it is equally likely future residents of the properties are likely to rely on travel by car. However, it should be noted that Section 9 of the NPPF which focuses on sustainable transport states that **significant** 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. The proposal is not considered to be significant in nature and represents a limited form of development which would promote the vitality of the village through increased social and economic participation by future residents. Biodiversity net gain can also be achieved on site which would form an environmental benefit associated with the proposal. Section 9 also states "opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making". In this sense, it is considered the lack of public transport options available within the immediate vicinity would not represent a reason to refuse this form of limited development in this location.



Notwithstanding the above, it would still be feasible for residents to walk into the village if required, and appropriate cycle storage would make cycling a feasible option as well.

9.11 It is noted that a number of potential land allocations in and around Markyate feature within Dacorum's Emerging Strategy for Growth (2020-2038) with respect to housing supply. However, the plan is not at an advanced stage and so only limited weight can be given to this.

9.12 When taking into account all the above, it is considered the principle of development in this location is acceptable. The council's strategic housing policies are considered to be out of date and the site is not within the AONB or the Green Belt. The application is for outline permission with issues relating to appearance, landscaping, layout and scale being reserved matters (to be assessed at a later stage). The below will assess the scheme on the indicative site plans submitted, as well as additional supporting documentation.

### Impact on Surrounding Area and Listed Buildings

9.13 Policies CS11 and CS12 of the Core Strategy (2013) state that development should not have a detrimental impact on the character and appearance of the surrounding area. Policy CS27 states that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected.

9.14 This stretch of Pickford Road consists primarily of low density ribbon development in the form of detached dwellings. A sense of openness is maintained on the street scene before the density of development rises to the north west. The site is flanked by mature hedgerow on three sides, with the wider field of which it is a part being bounded by another hedgerow to the north.

9.15 A previous six unit scheme which indicated two terraced blocks of housing under application 20/01538/OUT was withdrawn. This proposal has reduced the scheme to what has been indicated as four detached properties. The detached nature of the scheme is considered more sympathetic to the surrounding development and profile of the street. Its indicated linear layout also integrates with the surrounding developments. The spacing between the properties appears to be close to the spacing seen north east and south east of the site, as well as the general density of the existing development which leads into the centre of Markyate.

9.16 Furthermore, the existing hedgerow along the front boundary of the site would screen the proposed dwellings to a large extent. Any views from the road of the ridgelines of the properties, or slot views through to their front elevations would be seen in context with development on the opposite side of the road as well as the to the north west. The properties would also be positioned approximately 27-29m away from the front boundary which would further reduce their prominence from the road and thereby maintaining a sense of openness to the street scene.

9.17 The site is not located within a conservation area but there are two Listed Buildings located on the opposite site of the road, Litter Cheverells and The Granary.

9.18 A heritage statement was submitted with the application. While parts of Little Cheverells are glimpsed in views from Pickford Road the proposal was considered to cause no harm to the setting of the heritage asset due to the natural screening that exists between the application site and Little Cheverells. With respects to the Granary, it was considered that there would be no visual harm to the setting of this heritage asset.

9.19 The conservation officer was consulted and raised no in principle objection to the development. The officer noted the full design details would be awaited within any follow up reserved matter applications and a full assessment could then take place. Overall, the proposal would comply with

policies CS11, CS12 and CS27 at this stage. Further design and landscaping details would be assessed on follow up reserved matters applications.

#### Impact on Residential Amenity

9.20 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.

9.21 It is considered the proposed development would not have an adverse impact on the residential amenity of the surrounding properties in terms of loss of light, outlook or privacy due to the siting of the proposal and the screening that exists along the boundaries.

9.22 The garden depths of the properties would exceed the requirements of Saved Appendix 3 of the Local Plan (2004). Future residents would also have good access to the open countryside due to the rights of way adjacent to the site.

#### Impact on Highway Safety and Parking

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

9.24 Furthermore, Saved Policy 51 of the Local Plan (2004) states that the acceptability of all development proposals will always 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.

9.25 The council's Parking Standards Supplementary Planning Document (2020) contains the car parking provision requirements for different types of developments.

9.26 Issues relating to access are to be fully considered through this outline application , as the only matter not reserved for later approval.

9.27 Hertfordshire County Council Highway Authority were consulted on the application and had no objections to the proposal subject to conditions. A transport assessment was submitted in support of the proposal and It was noted by the highway officer that "*the applicant has clearly illustrated that the required visibility splay of 2.4 x 43 metres can be achieved in drawing C85856-JNP-66-XX-DR-C-2001 which HCC is pleased with. The applicant has proven that large vehicles such as fire appliances and refuge vehicles can manoeuvre on site in order to exit and the enter the site in forward gear, this can be seen in drawings C85856-JNP-66-XX-DR-C-2001, C85856-JNP-66-XX-DR-C-2002 and C85856-JNP-66-XX-DR-C-2003. HCC is satisfied that these drawings are accurate and illustrate that the dwellings can be accessed via the appropriate services*".

9.28 Overall, the proposal would not have a significant impact on the safety or operation of the adjacent highway. A number of conditions will be placed on any permission given in relation to the access.

9.29 Layout, which would include the parking layout and provision is a reserved matter. However, the application has indicated that the proposal would provide two three bed room units and two four bedroom units. Under the standards set out within the Parking Standards SPD (2020), 10.5 parking spaces would be required. The proposed site plan indicatively shows that 12 spaces would be provided, including the four garages. The proposed garage dimensions and parking spaces

indicated on the plans would comply with the requirements of the SPD. Details of electric vehicle charging provision will be secured by condition.

### Other Material Planning Considerations

#### *Affordable Housing*

9.30 No affordable housing provision would be required on this development with regards to the Affordable Housing Clarification Note (2019).

#### *Chiltern Hills of Outstanding Natural Beauty and Rights of Way*

9.31 Policy CS24 of the Core Strategy (2013) requires the special qualities of the AONB to be conserved. The site lies outside of the Chiltern Hills of Outstanding Natural Beauty, though is located in close proximity to it.

9.32 A Landscape Visual Impact Assessment has been submitted in support of the proposal. This document considered that the site in its current form does not contribute to the localised or wider landscape or townscape setting. The character assessment that forms part of the LVIA concludes that the site is more closely influenced by its proximity to the existing urban features such as the adjacent existing development, road and power lines, which provide an edge of settlement feel to the site.

9.33 No objection is raised to the above findings as it is considered that the site would not be widely visible in long range views from the AONB due to the low lying topography of the land and existing hedgerows along the boundaries. Upon entering the field at either the northern or southern ends of the site along the Rights of Way, one would view the proposal within the context of Pickford Road and the surrounding development, including associated infrastructure such as the existing power lines and poles.

9.34 The existing rights of way that runs adjacent to the site will be retained and as such diversion is not required. A 2m wide footway will tie with the existing footway on the northern side of Pickford Road and the public right of way running along the eastern boundary of the site. It will ensure a safe and continuous pedestrian route exists between the site and the village of Markyate whilst also maintaining the integrity of the right of way.

#### *Trees and Landscaping*

9.35 An Arboricultural Impact Assessment has been submitted in support of the application. The tree officer has no objection to the proposed development. The tree protection details contained within the submission will be conditioned should planning permission be granted. Landscaping is a reserved matter to be assessed at a later stage.

#### *Ecology*

9.36 Cheverells Green to the front of the site is a local wildlife site. The proposed access would be positioned over some of this site. Hertfordshire Ecology have not commented on this application. However, they were involved in discussions with the applicant's ecologists on application 20/01538/OUT. Discussions took place regarding the principle of 10% biodiversity net gain being achievable on the site. On the 23<sup>rd</sup> September 2020, Hertfordshire Ecology confirmed that agreement had been reached and that "all ecological constraints would be removed from this outline application and it can be determined accordingly". This from the officer's understanding, is because agreement had been reached that 10% biodiversity net gain could be reached on site.

9.37 Conditions relating to the submission of a Landscape and Ecological Management Plan (LEMP) and Lighting Plan will be attached to any permission given with regards to Hertfordshire Ecology's comments on the previous proposal.

#### *Drainage*

9.38 The Lead Local Flood Authority were consulted on the application and had some concerns over the deep bore infiltration results contained within the applicant's drainage strategy. Some clarification over the modelling and calculations in terms of whether the site can accommodate the 1 in 100 year plus climate change event and achieve half drain down times within 24 hours.

9.39 It was noted that the LLFA are not statutory consultees on this application, due to it being for less than 10 units. Thus, the LFFA advised a pre-commencement condition in relation to the further information sought should the development be granted outline consent. This condition will be attached to any permission given.

#### *Contamination*

9.40 The scientific officer was consulted on the application and recommended conditions relating to the submission of an environmental risk assessment and any other follow up risk assessments and remediation strategies that may be required following this.

#### *Archaeology*

9.41 A Desk Based Archaeological Assessment has been submitted with the proposal. Hertfordshire Archaeology have not been consulted on this application, but it is noted that the desk based study is the same as that which was submitted on the previously withdrawn proposal.

9.42 In response to the previous proposal, the archaeology officer requested conditions relating to the submission of a Written Scheme of Investigation. These conditions will be attached should planning permission be granted.

#### *Community Infrastructure Levy (CIL)*

9.43 The application is CIL liable if it were to be approved and implemented. 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 1 July 2015. No CIL form has been submitted as the application is for outline consent. CIL liability would be calculated at reserved matters stage once detailed plans are submitted.

## **10. CONCLUSION**

10.1 The council cannot demonstrate a five year housing supply and thus the presumption in favour of sustainable development contained within paragraph 11 of the NPPF (2019) is engaged. When assessed against the policies contained within the Framework as a whole, as well as any relevant policies contained within the council's development plan, it is considered the principle of the development is considered acceptable.

10.2 The site is not located within the Chiltern Hills of Outstanding Natural Beauty (AONB), the Green Belt, or a Conservation Area. Therefore there are no clear policies within the Framework that protect areas such as these that provide a clear reason for refusal of the development.

10.3 The application is in outline form only with access to be determined. The proposed access is considered acceptable by Hertfordshire County Highway Authority. Issues relating to appearance,

layout, scale and landscaping are reserved matters. Based on the indicative plans provided, as well as supporting information, it is considered the development would not have a detrimental impact on the character of the surrounding area or the residential amenity of the surrounding area.

## **11. RECOMMENDATION**

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

### **Condition(s) and Reason(s):**

- 1. Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 2. The development hereby permitted shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

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

**3631.201 Rev F**

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

- 4. Tree protection fencing shall be installed prior to and during the construction phases of the development hereby permitted in accordance with plan 422-03 contained within the submitted Arboricultural Impact Assessment (Arborterra Ltd). Further protection measures shall be carried out in accordance with Section 3 (Method Statement) of the submitted Arboricultural Impact Assessment.**

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).

- 5. Details to be submitted for the approval of the local planning authority in accordance with Condition (1) above 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.); and**
- **retained historic landscape features and proposals for restoration, where relevant.**

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

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

- 6. No development (excluding ground investigations or archaeological investigations) shall take place until there has been submitted to and approved by the Local Planning Authority a wildlife management plan, to include as appropriate detailed proposals for the protection of bats, birds, reptiles, great crested newts and badgers, and measures for the mitigation of any harm to them likely to be caused by the development. The works and other measures forming part of that plan shall be carried out in accordance with it.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).

- 7. No development (excluding ground investigations or archaeological investigations) shall take place until there has been submitted to and approved by the Local Planning Authority a Landscape and Ecological Management Plan (LEMP).**

**The LEMP should provide suitable detail to provide confidence that measures for Biodiversity Net Gain will be successful and secure management for the foreseeable future. The LEMP should also specifically include measures to maintain and enhance the existing hedgerows alongside the creation of the new hedge proposed. Elsewhere, and if appropriate, measures to prevent erosion of the access point encroaching further into the Local Wildlife Site (LWS) should be adopted as well as measures to prevent informal car parking on the verge. In contrast, the measures to enhance/manage the grassland immediately to the north of the roadside hedge will support the LWS are welcomed but require expression in greater detail;**

Reason: To provide in detail how biodiversity net gain will be achieved on site and maintained, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).

- 8. No development (excluding ground investigations or archaeological investigations) shall take place until there has been submitted to and approved by the Local Planning Authority a Lighting Strategy which maintains dark corridors. This should compare levels of illumination prior to and post-construction and be accompanied by a statement from the ecologist explaining how it meets its goals.**

Reason: To maintain dark corridors within, and adjacent to the local wildlife site, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).

9. **Prior to the use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number C85856-JNP-66-XX-DR-C-2001 (contained within the submitted transport statement (JNP Group)) in accordance with Hertfordshire's Design Guidance. 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), Policy CS12 of the Dacorum Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004)

10. **Prior to the first occupation / use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan number C85856-JNP-66-XX-DR-C-2001 (contained within the submitted transport statement (JNP Group)). The splay 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), Policy CS12 of the Dacorum Core Strategy (2013) and Saved Policy 54 of the Local Plan (2004)

11. **Details to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include:**

- **details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure and secure cycle storage fully in accordance with Dacorum adopted Parking Standards (Nov 2020);**
- **the refuse facilities fully in accordance with Dacorum Borough Refuse Storage Guidance Note ( 2015);**

**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 ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

12. **No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include:**

1. **Detailed Falling Head Tests carried out at the exact location and depth of proposed infiltrating features (deepbore soakaways). Supported by ground investigation and a contamination report.**
2. **Groundwater monitoring over the autumn/winter for a period of ideally 6 months.**

3. If infiltration is not feasible, an alternative drainage strategy should be provided with all appropriate permissions.
4. Detailed drainage layout and detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. Including half drain down times within 24 hours.
5. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the access road and driveways; reducing the requirement for any underground storage.
6. Silt traps for protection for any residual tanked elements.
7. Final detailed management plan including any arrangements for adoption to secure the operation of the scheme throughout its lifetime

The approved scheme shall be implemented in full for the life of the development.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Core Strategy (2013).

13. (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.



14. **Any contamination, other than that reported by virtue of Condition 13 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.

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

Reason: To record and advance understanding of the significance of any underground heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible in accordance with paragraph 199 of the NPPF (2019) and Policy CS27 of the Core Strategy (2013)

16. **i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 15.  
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.**

Reason: To record and advance understanding of the significance of any underground heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible in accordance with paragraph 199 of the NPPF (2019) and Policy CS27 of the Core Strategy (2013)

**Informatives:**

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. The site is located within Groundwater Source Protection Zone 3; therefore, the applicant should contact the Environment Agency (EA) regarding any requirements they may have on the use of infiltration within a source protection zone.
3. 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.
4. 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.
5. 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.

#### **APPENDIX A: CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
Environmental And Community Protection (DBC)	<p>I have reviewed the details and information provided. I have no in principle objections to the application and do not recommend any environmental protection consent conditions.</p> <p>26/02/2021:</p> <p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application is for a proposed use that would be particularly vulnerable to the presence of contamination, and as such the possibility of ground contamination cannot be ruled out at this stage. Therefore, the following planning conditions should be included if permission is granted.</p>

Contaminated Land Conditions:

Condition 1:

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

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

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

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

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

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

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

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

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the

	<p>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) &amp; (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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Thames Water	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from</p>

	<p>Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a></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 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.</p> <p>1) Prior to the use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number C85856-JNP-66-XX-DR-C-2001 in accordance with Hertfordshires Design Guidance. Prior to the first use of the development hereby permitted arrangement shall be made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid the carriage of extraneous material or surface water onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2) Prior to the first occupation / use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan number C85856-JNP-66-XX-DR-C-2001. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent</p>

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).

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:

AN 1) Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide". 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.

AN 2) 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.

AN 3) Obstruction of public highway land: It is an offence under section 137 of the Highways Act

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

AN 4) 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.

#### Comments

This proposal is an outline planning application with all matters reserved except access for the development of 4 dwellings on land north of Pickford Road, Markyate. Pickford Road is 30 mph, classified C local access route which is maintained at public expense. The land is currently vacant fields adjacent existing housing.

#### Vehicle Access

I would start by saying that for an outline application, this is very detailed. The site currently has no suitable vehicle access. The proposal is stating that there will be a 6 metre wide private route leading to the 4 dwellings. This private route will access Pickford Road via a large junction. The applicant has clearly illustrated that the required visibility splay of 2.4 x 43 metres can be achieved in drawing

C85856-JNP-66-XX-DR-C-2001 which HCC is pleased with. The applicant has proven that large vehicles such as fire appliances and refuge vehicles can manoeuvre on site in order to exit and the enter the site in forward gear, this can be seen in drawings C85856-JNP-66-XX-DR-C-2001, C85856-JNP-66-XX-DR-C-2002 and C85856-JNP-66-XX-DR-C-2003. HCC is satisfied that these drawing are accurate and illustrate that the dwellings can be accessed via the appropriate services. The 4 dwellings are unlikely to create a large change in movements to the surrounding highway network and these would likely be within peak am and pm times, not constantly.

#### Drainage

The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new hardstanding would need be collected and disposed of on site.

#### Sustainability

It is noted that the site would mainly be accessed via a private car. Although, the site lies adjacent a footpath that leads to the nearby village of Markyate which is connected via bus to larger towns and has amenities such as food stores, a PH and a village school.

#### Refuse / Waste Collection

Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

#### Emergency Vehicle Access

The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the private route to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.

#### Conclusion

HCC has no objections or further comments on highway grounds to the



	<p>proposed development, subject to the inclusion of the above highway informatives and condition at this current outline stage.</p> <p>If the development is to change greatly at the full planning stage then HCC Highways would like to be informormed.</p>
Trees & Woodlands	<p>According to the AIA the development has minimal impact to the surrounding trees and protection measures are appropriate for all retained trees. Consequently I have no objections and recommend approval.</p>
Conservation & Design (DBC)	<p>This is a sensitive open site on the edge of town and the AONB. It is located on the opposite side of the road/Green to Little Cheverells, a listed building with associated, separately listed granary. As no designs for the houses have been provided at this stage, it is not possible to comment on their impact on the setting of the listed buildings, although it should be noted that Little Cheverells was built to face onto Friendless Lane and the Granary's significance has been compromised somewhat by conversion in recent years of the former farm buildings to the rear of the house.</p> <p>A full assessment would need to await submission of plans and elevations of the proposed 4 houses.</p>
Parish/Town Council	<p>Objection. More and more housing being proposed for the village of Markyate. We will have less and less green land as a consequence of all these building applications. The existing footpath would have to remain. Extending the boundary of the village. Last application allowed for affordable housing - this does not.</p>
Lead Local Flood Authority (HCC)	<p>Thank you for consulting us on the above application for the Outline planning application with all matters reserved except access for the development of 4 dwellings on land north of Pickford Road, Markyate at Land SW Of Frindles Cheverells Green, Markyate, Hertfordshire, AL3 8AB.</p> <p>As this is a minor application, we are not statutory consultee, however we are happy to provide advice to the LPA.</p> <p>We previously provided comments on application reference: 20/01538/OUT - Land North Of Pickford Road, Markyate, Hertfordshire at this site, which was for the Outline planning (all matters reserved) for 6 dwellings with new access point from Pickford Road. Our latest comments on application 20/01538/OUT were made in our letter dated 10 November 2020.</p> <p>The applicant has provided the following information in support of the application:</p> <ul style="list-style-type: none"> <li>o Flood Risk Assessment, Reference: C85856-R001B, dated</li> </ul>

19.01.2021, Rev. D, prepared by JNP Group.

- o Drainage Investigation, Project: C85856 - Pickford Road, Markyate, Ref. R002 RevC, Rev. C, dated 03 Dec 2020, prepared by JNP Group.
- o Letter from JNP Group, Ref. C85856/JC/MV-008, dated 11th February 2021
- o Pre-planning enquiry from Thames Water, Ref. DS6080619, dated 29 January 2021

We have reviewed the Drainage Strategy drawing, Drawing No. C85856 JNP 52 XX DR C 2004, Revision P3, dated 19/01/2021, prepared by JNP Group. The proposed drainage strategy is a piped system for the collection of roof drainage, there is also permeable paving with sub-base, a geocellular storage tank, with discharge via deepbore soakaway. There is also a landscaped area which is a 300mm depression which the applicant states is to be used for "emergency storage in the case of soakaway failure".

The applicant has stated how "Surface water runoff from the buildings is to be collected by rainwater pipes and conveyed by a pipe network before out-falling to Borehole Soakaway 1. Attenuation for these areas is provided in the form of a geo-cellular storage tank." Regarding the access road and car parking, the applicant has stated how: "Surface water runoff from the access road and car park areas is to be collected by the permeable paving and outfall to Deep Borehole Soakaways 2 and 3. Attenuation for these areas is provided within the permeable paving sub-base."

From a review of the drainage strategy, the proposed method of surface water discharge is via deepbore soakaway; the applicant has provided information on the infiltration testing, which has been undertaken on site in the Drainage Investigation report.

The applicant has undertaken shallow infiltration testing in accordance with BRE Digest 365. This was carried out in three trial pits. No observable infiltration occurred within these pits, confirming that shallow infiltration is not feasible for this site.

The applicant then undertook borehole infiltration testing. Unfortunately, we hold a number of concerns regarding the borehole infiltration testing results.

Borehole infiltration looks to be variable at the site, though no plan showing the trial pits and borehole locations has been provided. Regardless, variability can be seen within the boreholes themselves; in borehole 1 (BH1) infiltration appears to work at 10m depth, recording a rate of  $4.1 \times 10^{-5}$ . However, the same borehole (BH1) at 20m depth did not achieve a calculated soil infiltration rate after 165 minutes. This is an odd result; we would expect infiltration to have worked at a greater depth if it is indeed into the chalk. From a review of the borehole logs, for BH1 at 10m depth and 20m depth, the material is "Soft to firm white silty CLAY. LEWES NODULAR CHALK FORMATION AND SEAFORD CHALK FORMATION". The materials appear to be in conflict; with clay

a broadly impermeable material and chalk a broadly permeable material.

Similar oddities can be seen in borehole 2 (BH2), borehole 2 was tested at 20m depth, with a calculated soil infiltration rate of  $6.4 \times 10^{-6}$ . As LLFA we would regard this as a very low rate for what is stated to be into chalk. From a review of the borehole logs for BH2, this also shows "Soft to firm white silty CLAY. LEWES NODULAR CHALK FORMATION AND SEAFORD CHALK FORMATION" at 20m depth.

No detailed modelling has been provided to support the proposed strategy. Given the low rates of infiltration, we would be concerned if the half drain down times could be achieved within 24 hours.

The three currently proposed deep borehole soakaways may not be able to effectively drain the site. The applicant will likely need to provide multiple deepbore soakaways at the site in order for infiltration via deepbore to be feasible and appropriate. The applicant could also consider providing deeper soakaways, it is likely that additional deepbore soakaways are needed, more attenuation is needed, or a different strategy is needed.

Given the variability shown, if multiple and additional deepbore soakaways are proposed, we would recommend the need to test each soakaway before it can be determined as effective surface water discharge.

In terms of modelling the drainage system, the applicant should provide all modelling results, we need to ensure that there is no flooding on site up until and including the 1 in 30 year and no flooding of any building up until and including the 1 in 100 year plus climate change event, including no flooding off site. Modelling is needed to demonstrate the volumes can be managed on site.

Given the depth of deepbore soakaways proposed, and if deeper soakaways are proposed, we would recommend groundwater monitoring is undertaken over the autumn and winter months.

Given the information provided to date, it is likely that deepbore won't be an effective method of surface water discharge for the site. As advised previously, if feasible rates of infiltration are unable to be achieved, the applicant will have to find an alternative means of surface water discharge. It is acknowledged that there are no watercourses or surface water sewers within the vicinity of the site, there is a foul sewer running parallel to the south eastern boundary of the site. Discharge to foul sewer sits at the bottom of the surface water discharge hierarchy, we would therefore expect any surface water discharge to be minimised as much as possible. It would need to be at or below the greenfield runoff rate from the site, with the rate agreed with the operating Water and Sewerage Company for the area.

In the additional information provided by the applicant, a pre-planning

enquiry has been included from Thames Water. The applicant had requested: "Proposed foul and storm flows to discharge via gravity into foul water manhole ref. 5801. Surface water runoff restricted to 5.0l/s. Total site area: 0.45Ha". However, Thames Water stated how they would only agree: "Notwithstanding the above, we will accept a peak discharge rate of 1.8litres/second for all storm events up to and including 1in100year+40%CC for this site. Discharge rates can be readily restricted using suitably protected orifice plates or proprietary products such as vortex control devices.". Within the letter from JNP Group provided by the applicant in support of the application, this discharge rate is acknowledged at 1.8l/s and stated how additional attenuation would be required, to be provided in the open space if needed. No supporting calculations or alternative drainage layout plan have been provided. As in accordance with the surface water discharge hierarchy and Thames Water's pre-planning enquiry response, the applicant would need to demonstrate the discharge hierarchy has been followed. As such, additional infiltration testing for deepbore soakaway will need to be undertaken, before the final drainage strategy is confirmed.

It should be noted that with any attenuation system, half drain down times should be provided.

As this is a greenfield site, we are concerned at the use of underground tanks. We would expect above ground storage to be prioritised. The applicant is proposing an exceedance area, we would recommend that this area could be more formally managed as a SuDS attenuation basin, particularly considering the flood volume needing to be managed. However, we would highlight that deep borehole soakaways should not be placed at the base of attenuation basins. The applicant should therefore detail the frequency of use of this exceedance area to determine if the deep borehole soakaways could be compromised. The applicant has said how the storage within the exceedance area and below ground storage in the form of permeable paving and a cellular tank are needed. Currently we would recommend that the whole system is modelled, as from the current calculations it shows a lot of flooded volume. If this volume is provided for within the system, more details should be provided. However, given the above comments it is acknowledged that the system may change as a result.

As highlighted previously, the site is also within Groundwater Source Protection Zone 3; therefore, the applicant should contact the Environment Agency (EA) regarding any requirements they may have on the use of infiltration within a source protection zone. The LPA may wish to consider consulting the EA on this application.

From a review of the national Risk of Flooding from Surface Water mapping, the site itself is at a very low risk of surface water flooding. Along the access road, there is a predicted low risk of surface water

flooding. The applicant has highlighted how there is a ditch which runs along this access road. They have also noted regarding the potential overtopping of this ditch onto the site. The applicant has shown the height of any potential overtopping, and this is within a landscaped buffer. The applicant is proposing a 300mm depression for excess surface water; though this does not appear to be part of the formalised drainage scheme for the site. Additional information should be provided regarding this.

#### Further comments

As the same drainage strategy has been proposed as that of 20/01538/OUT, we do still hold the same concerns regarding the unusual deepbore infiltration results. We would like to see the applicant clarify the above, including why borehole 1 (BH1) infiltration appears to work at 10m depth, recording a rate of  $4.1 \times 10^{-5}$ . However, at 20m depth did not achieve a calculated soil infiltration rate after 165 minutes. We would expect the rate to potentially be better at a deeper level. There are also some other odd deepbore infiltration results as detailed above. There are also some other aspects which need clarification, such as the modelling and calculations which are needed to show the site can accommodate the 1 in 100 year plus climate change event and achieve half drain down times within 24 hours. We would recommend that the above information is sought prior to approval.

However, considering that this is a minor application, if the LPA is minded to approve the application, we suggest the following pre-commencement condition should planning permission be granted.

#### Condition 1

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include:

1. Detailed Falling Head Tests carried out at the exact location and depth of proposed infiltrating features (deepbore soakaways). Supported by ground investigation and a contamination report.
2. Groundwater monitoring over the autumn/winter for a period of ideally 6 months.
3. If infiltration is not feasible, an alternative drainage strategy should be provided with all appropriate permissions.
4. Detailed drainage layout and detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. Including half drain down times within

	<p>24 hours.</p> <p>5. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the access road and driveways; reducing the requirement for any underground storage.</p> <p>6. Silt traps for protection for any residual tanked elements.</p> <p>7. Final detailed management plan including any arrangements for adoption to secure the operation of the scheme throughout its lifetime</p> <p>The approved scheme shall be implemented in full for the life of the development.</p> <p>Reason To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site</p> <p>Informative to the LPA We would be happy to offer further advice and comments with any additional information submitted by the applicant. We would recommend the LPA obtains a management and maintenance plan, to ensure the SuDS features can be maintained throughout the development's lifetime. This should follow the manufacturers' recommendation for maintenance and/or guidance in the SuDS Manual by Ciria. Please note if the LPA decides to grant planning permission, we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.</p>
<p>Campaign To Protect Rural England</p>	<p>I write with regard to the above application for residential development. CPRE Hertfordshire objects to this proposal for the following reasons.</p> <p>1. The site lies in the Rural Area beyond the Green Belt designated as an Area of Development Restraint in Part 3 Purpose of Development Strategy of the adopted Dacorum Borough Local Plan, as amended by the Core Strategy 2014 and Site Allocations DPD. It is located adjacent to the Green Belt and outside the built-up area of Markyate and immediately adjacent to the Chilterns Area of Outstanding Natural Beauty.</p>

	<p>2. The DBLP in Part 3 states that, in the Rural Area "development should be controlled... to prevent damage to the ... quality and purpose of the countryside" In accepting that the Rural Area has a different role to the Green Belt, development which may be permitted is related mainly to the encouragement of rural enterprise and landscape and other environmental protections.</p> <p>3. Further, the Dacorum Core Strategy 2014 Policies CS1 and CS7 provide for protection of the existing character of the settlement, in this case, Markyate, and the adjoining countryside. In our view, the proposed development marks a noticeable increase to the built-up area of the village of Markyate and will have a significant impact on the countryside in this sensitive location.</p> <p>4. The form of development, with four large dwellings, is inappropriately dense on the edge of the village and would adversely affect the amenity and existing character of the surrounding area which comprises mainly single houses in large gardens.</p> <p>5. The location of the proposed development sited beyond common land, and forming a Local Wildlife site fronting Pickford Road, also provides an incongruous extension of the village built-up area and is likely to affect the environmental character of the common land.</p>
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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
5	12	0	12	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>

<p>116 Pickford Road Markyate St Albans Hertfordshire AL3 8RL</p>	<p>I would like to object to the proposed application to build 4 houses on a near by field close to a public footpath for the following reasons:</p> <ol style="list-style-type: none"> <li>1) The developer / owner is not being open with their intend for the remaining half of the field. Therefore, I assume the real application is for 8 houses not 4 which is not appropriate for the immediate surroundings and is a deliberate omission.</li> <li>2) The application doesn't include any designs of what the developer / owner plans to build, how do we know if the proposal will be suitable to the area.</li> <li>3) Access to the remaining half of the would be on top of the public footpath</li> <li>4) The area is currently full of wildlife and provides a corridor for the wildlife on both sides of Pickford Road.</li> <li>5) The density of 4/8 houses is out of keeping with the other houses on Cheverells Green</li> <li>6) The field itself is bounded on two sides by Area of outstanding Natural Beauty (AONB) land and this sort of application would affect the environment adversely.</li> <li>7) Common land should not be a piece of fenced land inside a field as compensation for the loss of common land, how will the public use it?</li> <li>8) The real development of 8 houses would result in another 16 vehicles which would put to much strain on the junction with the High Street and Hicks Road</li> <li>9) There are still too many brown field sites in Dacorum Borough to warrant the use of green land</li> <li>10) The developer has clearly not walk up or down Pickford Road. Therefore, their statement on sustainability is completely unrealistic, specially with the limited bus service in the village meaning the use of cars is the only option.</li> </ol> <p>I therefore object to this planning application.</p>
<p>120 Pickford Road Markyate St Albans Hertfordshire AL3 8RL</p>	<p>I would like to object to the planning application, as this is completely unsuitable for the local area.</p> <ol style="list-style-type: none"> <li>1) the provision of 4 detached houses in a small estate outside the village boundary and fronting onto Cheverells Green is at odds with all the other houses on the Green.</li> <li>2) the area is currently a haven for wildlife and provides a key corridor for the passage of wildlife on both sides of Pickford Road.</li> <li>3) by only applying for a development of half of the field, it is clear that further development will be sought.</li> <li>4) the last application in July last year was withdrawn as it was entirely unsuitable. This application makes no material changes other than slightly reducing the housing density.</li> <li>5) the Local Plan has identified this site as being unsuitable for housing development and so has been excluded from the Plan.</li> </ol>
<p>Markyate Village Hall Cavendish Road Markyate St Albans</p>	<p>Objection. More and more housing being proposed for the village of Markyate. We will have less and less green land as a consequence of all these building applications. The existing footpath would have to</p>



<p>Hertfordshire AL3 8PS</p>	<p>remain. Extending the boundary of the village. Last application allowed for affordable housing - this does not.</p>
<p>Little Cheverells Cheverells Green Markyate St Albans Hertfordshire AL3 8AA</p>	<p>We object to the above planning application for the following reasons:</p> <p>We own and live in Little Cheverells, a grade II listed house diagonally across Pickford Road from the development site. We have reviewed the application and supplementary documents carefully and are also aware of the history of planning applications in respect of this site, my having grown up in Little Cheverells prior to our purchase in 2016.</p> <p>Our objections are as follows:</p> <ul style="list-style-type: none"> <li>o The upper floor of Little Cheverells looks directly onto the site and is not screened by the adjacent cottage or trees as described. The development of 4 houses on the application site, and the development of the access road and footpath will cause visual harm to the listed property, a harm that has been protected for 200 years.</li> <li>o The 'scale' of the development, whilst currently 4 houses, is known not to be the final extent of the intended development of this site - as was acknowledged in writing by the marketing material about the site that was distributed to local homeowners and the council itself and mentions the capacity for 10-12 houses in relation to this owners prior, rejected, application.</li> <li>o The development site will unquestionably extend the boundary of the built village further up Pickford Road, and detrimentally develop for the first time open, rural land that is part of Cheverells Green. The development of this site has been consistently rejected and objected to over numerous applications in relation to this and other nearby sites over decades for good reason.</li> <li>o It is adjacent to an AONB and its development will affect the visual and natural amenity for the many users of the AONB and the adjacent public footpath running along two sides of the site. The footpath does not need upgrading or improving, and no one using it would say so.</li> <li>o The proposed new access road is not in keeping with other access roads, it would have an obvious and detrimental affect to the appearance of the Green.</li> <li>o The proposal for 4 houses is clearly not a significant address of local housing needs and the argument for development does not outweigh the negatives of beginning to allow development of this area of Markyate. There are other sites in Markyate which have been considered to have greater benefit and less detriment, such as MY-H1, and the development of brownfield sites in the village such as those on Hicks Road should be prioritised before green field developments are permitted.</li> <li>o The traffic generated by any development on this road cannot be</li> </ul>

	<p>supported by the existing roads in Markyate which are already congested and lacking parking. It is unrealistic that walking and cycling will be the primary connection to the village high street, in view of the steep hill.</p> <p>Consequently we object to this application and hope that the Council protect this land as many of their predecessors have.</p>
<p>Cheverells Cottage Cheverells Green Markyate St Albans Hertfordshire AL3 8AA</p>	<p>I am writing to object to the outline planning application to build 4 houses on greenfield land outside the boundary of the village of Markyate, off Pickford Rd. I live opposite the proposed development in Cheverells Cottage. The properties that stand opposite the proposed development, are all either Grade 2 listed or adjacent to Grade 2 listed buildings, and have been in this rural location for over 2 centuries. The site itself is bounded on two sides by Area of Outstanding Natural Beauty (AONB) and on a third side by Cheverells Green, a designated Wildlife Site and this application would affect the green environment tremendously.</p> <p>The following notes are my objections to the development :</p> <p>This is a rural greenfield site -the field itself is surrounded on 2 sides by designated Area of Outstanding Natural Beauty, of which it looks very much a part. There is also a very much used public footpath running the entire length of the field.</p> <p>It is outside the village boundary, with no existing buildings or metalled access. As such the proposed development of 4 houses is inappropriate both in scale and type and in the impact that it would have on the area. The proposed metalled road access across the Green, Common Land and wildlife site, would add to the urbanising effect of the Green.</p> <p>Visual impact - The Planning Statement and the Heritage Statement, both emphasise the screening of the houses from view of Pickford Road and listed properties opposite by the existing hedgerow, and promises of hedge planting; but currently in the winter months the whole site is very visible from Pickford Rd as the field hedging is deciduous, apparently, this has not been accounted for! At present we can actually look out from our living room and see right across to the farmers fields. Four houses in a rural field are not appropriate for a rural area surrounded by AONB.</p>

	<p>Access road - The proposed two-way access road would have significant impact on Cheverells Green which is open Common land and a semi-wilded part of the landscape that stretches between the hedgerow and the road. Cheverells Green is designated a Wildlife Site. The proposed access road and the row of houses would have an urbanising impact.</p> <p>Light and noise pollution - The area is rural and there are no street lights, so there would be increased light pollution after dark which is detrimental to wildlife. Although the ecological report states that there is no notable wildlife, as a local resident I am aware of owls, foxes, muntjac, Red Kites, Buzzards, Woodpeckers indeed I spotted some Siskin on this land earlier in the year, along with many other species of birds.</p> <p>Sustainability and Transport - The developers say this development is sustainable and the impact of cars and parking is denied; but the idea that people will not get their cars out to go down the steep hill to the village (a 15-20-minute walk) is unrealistic. Few people in Markyate can live in the village without a car, as the bus services are negligible. Markyate's location is only sustainable if you have a car. The village centre is already parked up to the hilt and lies in at the bottom of a steep hill, while the proposed houses stand at the top of the hill, with no bus stop, and cycling needs stamina or an electric boost. The current traffic between 7.00am-9.00am and 15.00pm-18.00pm is already extremely busy and the junction at the bottom of Pickford Rd is an absolute `accident waiting to happen`, the increase in traffic if this development is given approval will only enhance the chances of this occurring, both during the construction phase and afterwards.</p> <p>I believe that there have been three previous planning applications on this land in 1992, 1996, and 2020 by the same owner, Mr J Armstrong; all were either turned down or withdrawn for reasons of the protection of greenfield land outside the village boundary. What has changed for this development to now be considered ?</p> <p>The water-pressure at present is greatly affected during peak hours, Affinity Water have been notified several times and they do not seem to be able to increase it at all, surely any further dwellings can only be detrimental to the pressure of the water and therefore having an impact on already established properties.</p> <p>Once this land is developed, then I truly believe that this will then give other land-owners in the area belief that they will then be able to develop their own land and sadly this could well be the end of the hamlet that is Cheverells Green.</p> <p>Given all of the above I therefore reject to planning approval being given for the above development.</p>
The Granary Cheverells Green	Ref: Outline Planning Application 21/ 00441/OUT

<p>Markyate St Albans Hertfordshire AL3 8AA</p>	<p>I am writing to object to the outline planning application to build 4 houses on greenfield land outside the boundary of the village of Markyate, off Pickford Rd. I live opposite the proposed development in a Grade 2 listed property, 'The Granary'. The three properties that stand opposite the proposed development, are all either Grade 2 listed or adjacent to Grade 2 listed buildings, and have been in this rural location for over 200 years. The site itself is bounded on two sides by Area of Outstanding Natural Beauty (AONB) land and on a third side by Cheverells Green, a designated Wildlife Site and this application would affect the green environment adversely. Cheverells Green was envisaged as a 'Green Entrance' to the Village of Markyate, more development will degrade this vision.</p> <p>My objections are as follows:</p> <p>This is a rural greenfield site - it accommodates a much-used rural footpath on one side and is surrounded on 2 sides by designated Area of Outstanding Natural Beauty, of which it looks very much a part. It is a strange anomaly that it is not actually part of the designated land. It is outside the village boundary, with no existing buildings or metalled access. As such the proposed development of 4 houses is inappropriate both in scale and type in the impact that it would have on the area. The proposed metalled road access across the Green, Common Land and wildlife site, would add to the urbanising effect on the Green.</p> <p>Visual impact - The Planning Statement and the Heritage Statement, both emphasise the screening of the houses from view of Pickford Road and listed properties opposite by the existing hedgerow, and promises of hedge planting. However, in the winter months the whole site is very visible from Pickford Rd as the field hedging is deciduous, apparently, this has not been accounted for! Four houses in a rural field are not appropriate for a rural area surrounded by AONB.</p> <p>Access road - The proposed two-way access road would have significant impact on Cheverells Green which is open Common land and a semi-wilded part of the landscape that stretches between the hedgerow and the road. Cheverells Green is designated a Wildlife Site. The proposed access road would have an urbanising impact.</p> <p>Light and noise pollution - The area is rural and there are no street lights, so there would be increased light pollution after dark which is detrimental to wildlife. Although the ecological report states that there is no notable wildlife, as a local resident I am aware of owls, foxes, muntjac, and small mammals in the area, as well as many other species of birds.</p> <p>Sustainability and Transport - The developers say this development is sustainable and the impact of cars and parking is denied; but the idea that people will not get their cars out to go down the steep hill to the village (a 15-20-minute walk) is unrealistic. Few people in Markyate can live in the village without a car, as the bus services are negligible. Markyate's location is only sustainable if you have a car. The village centre is already parked up to the hilt and lies at the bottom of a steep hill, while the proposed houses stand at the top of the hill, with no bus</p>
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	<p>stop, and cycling needs stamina or an electric boost.</p> <p>Previous applications - There have been three previous planning applications on this land in 1992, 1996, and 2020 by the same owner, Mr J Armstrong; all were either turned down or withdrawn for reasons of the protection of greenfield land outside the village boundary.</p> <p>General Dacorum Borough Council's (DBC) planning approach - In the Draft Report of responses to Dacorum Borough Council's New Local Plan Consultation, Officer comments include the following: "The Urban Capacity Study will review the potential for new development to be accommodated in existing settlements, and look to minimise greenfield development in accordance with the NPPF." DBC has emphasised that they would look to develop in brownfield sites in preference to greenfield sites. There are other available brownfield sites in Markyate, however, following a couple of large developments of new housing completed over the past 16 years, it is debateable that the village can accommodate any more houses (and cars), when parking is at breaking point and the one and only village car-park is full.</p> <p>The Draft New Local Plan Consultation - in DBC's New Local Plan which has just been consulted on, there is an excessive number of houses planned for development over the next 18 years, and the land where they currently intend to build these houses has been identified. That is an excessive number compared to the Office for National Statistics' figures of need in the Borough. So, there is no need for more houses to be built on green field land which is not in the draft Plan.</p> <p>Replacement Common Land - the developers are offering a piece of fenced-off common land inside the field to compensate for the loss of Common land taken out of Cheverells Green. They say that it will be accessible. Really?! This is purely an empty offer, as it is totally impracticable to go around the corner to walk around a small piece of fenced 'garden' as part of public access to common land, while a large piece of the existing Common land is removed from a wildlife site.</p> <p>Domino effect - once this land is developed, then there is a short step to other land owners of green fields along Cheverells Green applying to do the same.</p> <p>I therefore object to this planning application.</p>
<p>Frindles Cheverells Green Markyate St Albans Hertfordshire AL3 8AB</p>	<p>Dear Mr Le -Cart,</p> <p>Ref the above planning application to build four houses on greenfield land adjacent to my property. I have lived here with my family since 1989. During this time several applications for development on this site have been submitted and either withdrawn or rejected by the planning authority.</p> <p>The proposed site is outside Markyate Village boundary and adjacent to an Area of Outstanding Natural Beauty on two sides . To the front of the site is Cheverells Green , which is both common land and a wildlife site and which the planned two way access road would ruin . The</p>

	<p>suggested area of fenced garden inside the field to compensate is off track and serves no purpose .</p> <p>I understood that existing brown sites in Markyate should be considered for development in preference to greenfield sites . If this plan should be allowed , what would stop further development behind the proposed four houses ?</p> <p>I strongly object to this plan .</p> <p>Yours sincerely</p> <p>Lesley Smith .</p>
<p>110 Pickford Road Markyate St Albans Hertfordshire AL3 8RH</p>	<p>I wish to once again to strongly object to the proposed application to build 4 houses on a beautiful field and public footpath in the village where I live. The plot is in stunning peaceful open countryside, regularly used to walk dogs and enjoyed by many. Pickford Road is a popular route out of the village and direct link to Beechwood Park school , Hemel Hempstead and beyond. Traffic speeds past the proposed site on a road that narrows in many places and is very dangerous. I believe the site would cause horrendous safety issues on this road. I live quite close to the proposed site and experience loss of water pressure on a regular basis because we are on the very edge of the village. I believe this problem would worsen if more houses were built. Markyate cannot provide amenities to support a swelling village and I think the doctors, school and other services will stretched to busting point APPLICATIONS HAVE BEEN DENIED IN THE PAST SO PLEASE STOP THIS ONE.</p>
<p>High Oaks Cheverells Green Markyate St Albans Hertfordshire AL3 8RN</p>	<p>Firstly, we note that Dacorum has failed to notify us of this planning application, despite our house and drive being diagonally opposite the proposed new access road, which must infringe the notification requirements (as also occurred on the prior application) and have separately raised this with our local councillor.</p> <p>We set out here objections relating to proposed development Ref 20/01538/OUT, particularly on the grounds of:</p> <ul style="list-style-type: none"> <li>- Design, appearance &amp; materials</li> <li>- Visual intrusion</li> <li>- Noise and disturbance of use</li> </ul> <p>This application is a very close modification of a prior application, in essence for four rather than six dwellings but with respect to our objections, not altered.</p> <p>Design, Appearance and Materials Despite the numerous documents provided, none show appearance or materials but provide broad assertions on quality. Given the surrounding fields and properties several Grade II listed, we have considerable concerns around design, appearance and materials, which can only detract from the Cheverells Green area.</p> <p>Visual Intrusion Again, without adequate plans show elevations or commitment (as</p>

	<p>opposed to general description) to retain the hedging and trees, visual impact cannot be assessed. Sadly, we were massively disappointed at the last significant development in Markyate on Hicks Road where the developer went bankrupt before adding key elements so we are inevitably sceptical around developers' general statement of benefits and impact. We doubt the practical utility of a new pond proposed with constrained public access.</p> <p>The land is not technically part of the Area of Outstanding Natural Beauty that surround it, only because it was part of the substantial property to the right of the field (the old and attractive doctor's surgery) on designation of AONB status. Cheverells Green does have protected wildlife status and this will clearly negatively impact that. The public footpath running alongside the proposed development is widely used by the village and this will have a negative visual impact, eroding the current ambiance around the AONB.</p> <p>Recognising that at present the proposal is for four houses it is reasonable to assume that the developer intends to subsequently add further houses on the significant amount of land not part of this proposal. This would lead to additional negative visual impact relative to the surrounding area.</p> <p><b>Noise and Disturbance</b></p> <ul style="list-style-type: none"> <li>- The proposed access is via a new road which is diagonally opposite our drive. Inevitably, without close proximity to public transport, multiple vehicles will be adding to the already overloaded traffic, especially during peak school run time (noting Beachwood school location further down the road) and inevitably adding to the terrible bottlenecks in Markyate village. It will directly affect our entrance and exit to our property which is already difficult during peak times.</li> <li>- The proposal is for four houses and if approval is given, we expect the developer will then seeking further as there is an obvious tract of land behind this, adding to the traffic onto a road where few seem to take account of the speed limit.</li> <li>- We note the report on sewage and water but this does not accord with our or our neighbours experience of very low water pressure, at time inadequate to drive our shower and periodic need to rod down the Pickford Road hill by Thames Water, notably due to egress of tree roots.</li> </ul> <p>The field is outside the longstanding village boundary.</p> <p>In summary we therefore submit that this development should not be approved.</p>
<p>Adam Cottage Cheverells Green Markyate St Albans Hertfordshire AL3 8AD</p>	<p>I object to the above planning application on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The proposed development is on a virgin greenfield site.</li> <li>2. The site is outside the Markyate village boundary and built area.</li> <li>3. The site is bordered on two sides by an area of outstanding natural beauty, and by two well used public footpaths.</li> </ol>

	<p>4. Furthermore the site is fronted by common land which is part of Cheverells Green, which is an ecological site, and used as an amenity for walkers, dog walkers and horse riders.</p> <p>5. The proposed development would join the built village of Markyate to the rural hamlet of Cheverells Green.</p> <p>6. The proposed development includes provision for a two way access over the common land, which means it is a road and both excessive and totally out of keeping with all other driveways and access to the other properties on Cheverells Green. This accessway is situated at the opening onto the public footpath, and would be a risk to users thereof.</p> <p>7. As there is no on street parking, and with the proposed development only having limited parking, it is inevitable that overspill and visitor parking will occur on the common land. This will be an eyesore, environmentally damaging, and a potential hazard for pedestrians.</p> <p>8. The ecological report states that there is 'no notable wildlife' on the site. This misses the point of the existing site being a conduit for wildlife to travel from the adjoining AONB onto the common land and onwards to the farmland and woodland bordering Friendless Lane across to Flamstead.</p> <p>9. I am informed that the site was excluded from the Dacorum Local Plan as not suitable for development.</p> <p>10. At least three previous planning applications for the site have been rejected, the most recent last year.</p> <p>11. The proposed development only occupies the front of the site, and could lead to subsequent follow on planning applications down the line if this application was approved.</p> <p>12. The development would add to further traffic congestion in the centre of the village, particularly at the gridlocked bottom of the hill where Pickford Road joins the High Street. The village is at bursting point with both local traffic, access to Beechwood Park School, and increasing through traffic using the lanes to cut through to Hemel and the M25. The village has local shops but nowhere to park to utilise them.</p> <p>13. There is no adequate public transport alternatives to car use.</p> <p>14. If there is still a need for more housing, then there are still unutilised brownfield sites within Markyate that should be prioritised.</p>
<p>2 Cheverells House Cheverells Green Markyate St Albans Hertfordshire AL3 8BH</p>	<p>I object strongly to the plans . The surrounding green space environment of Cheverells green should be protected for environmental and historical reasons . This development is out of keeping with the look of the area . It will also increase light and noise pollution in a peaceful area where the eco system allows barn owls , tawny owls and bats to flourish . Once green space is gone , it's gone forever , we need to protect Cheverells green for future generations . I am concerned our area of outstanding beauty will become a brown brick monstrosity which will effect the local vista.</p>
<p>Old Sebight School Cheverells Green Markyate St Albans Herts AL3 8AB</p>	<p>I respectfully express an objection to this planning application because the proposed development for housing would be detrimental at this rural location. I understand from another neighbour who lives opposite the site that no consultation notice has been displayed. Furthermore, Markyate Parish Council is meeting to consider the application tonight. Accordingly, I ask that you consider the matters below even though the usual period of 21 days has apparently passed since Dacorum</p>



Borough Council received the application.

There are very many reasons for objection, but the main points are as follows.

1. This application supersedes an earlier application 20/01538/OUT in relation to which Markyate Parish Council resolved to OBJECT at its meeting on 7 July 2020. That application was subsequently withdrawn.

a. The present application is very similar to the earlier application. The main difference is that now the proposal is for 4 detached houses (of a mix of 3 and 4-bed sizes) instead of 2 terraces containing 6 houses (3 and 4-beds).

b. The buildings in the current proposal would span most of the width of the field, as was the case with the earlier proposal.

2. The adverse impacts outweigh the benefits of the proposed development, for the various cumulative reasons below.

3. The field is bounded on two sides by the Chilterns Area of Outstanding Natural Beauty ("AONB") and on a third side by the open common land on Cheverells Green

4. In practical terms, the field is accordingly part of the valuable surrounding rural and open landscape, even though it is - anomalously - not formally within the adjoining AONB or nearby Green Belt.

5. The field is outside the long-standing village boundary. This development would therefore extend the village into the valuable landscape.

6. The landscape has further value and significance for a number of reasons:

a. There is a public footpath running along two sides of the field and into the AONB, which is much-used.

b. Cheverells Green is a local feature with historical and ecological significance.

c. Many people enjoy the amenity benefits of the footpath and the Green, including residents, walkers and cyclists.

7. Any building on that landscape will be detrimental to it and the surrounding areas.

8. The proposal fails to give any real weight to the fact that the entire field has deliberately been omitted from the proposals for housing development in Dacorum BC's emerging new Local Plan to 2036.

a. The Local Plan is now at an advanced stage of preparation and therefore should be given weight accordingly.

b. The field was put forward in the call for sites as "My-h2" and its merits considered in detail in the preparation of the Local Plan.

c. Dacorum BC commissioned an appraisal by TRL of the field and other sites identified in the Local Plan process. TRL's appraisal dated October 2017 identified a preponderance of likely negative effects if the field were developed (ie on seven of the 15 factors assessed, with likely positive effects for only four factors).

d. In the wide-ranging initial public consultation, the Parish Council expressed concerns summarised as follows (see pp449 and 755 of Dacorum BC's report dated September 2019):

"My-h2 is located on a hill on the outskirts of the village makes it impractical without a car. - other issues raised including traffic problems, lack of social infrastructure (Doctors), the provision of sustainable transport and the protection of Green Belt and Chilterns

AONB."

e. The Parish Council's concerns overlapped with those expressed by the Chilterns Society (see pp449 and 755 of the report):

"My-h2 is not acceptable for growth impact on wildlife and AONB, site would not encourage walking or cycling due to topography of the site."

f. The Chilterns Conservation Board similarly objected "due to the negative impacts it would have on Chiltern AONB, wildlife, chalk streams, public walkways etc." (see pp458 and 755 of the report).

9. Any development on the field should be viewed in the context of a strategic plan for Cheverells Green as a whole. There is long-standing and existing pressure to develop open sites around the Green, including recently the land at the junction between Pickford Road and Friendless Lane ref 4/03300/16/MFA. Development on the field is likely to increase that pressure.

10. The proposed access road to the development across the Green is for two-way traffic and would have a direct, obvious and detrimental impact on the landscape and appearance of the Green.

11. The location of the field, away from the centre of the village, combined with the steep gradient of Pickford Road, is likely to discourage walking and cycling and increase motor traffic to and from the village, with resulting noise and emissions and worsening the serious problem of traffic congestion in the village especially at the difficult junction between the High Street/London Road, Pickford Road and Hicks Road.

12. There has already been a very considerable amount of development in Markyate in recent years to meet local housing needs, especially at the Hicks Road and Manor Farm sites.

13. There is already inadequate parking in the centre of the village to accommodate existing residents and visitors, especially following the development at Hicks Road. This is likely to be aggravated by new motor traffic from the proposed development.

14. There are presently vacant commercial units at the Hicks Road development which have been identified for potential housing use.

15. If and so far as there may be any unmet housing need in Markyate, there are likely to be other sites where the benefit of development would be greater and the detriment reduced. One of these is the larger site identified as "My-h1" in the current Local Plan process.

16. The proposal for the provision of 4 houses on the site will contribute very little towards meeting local housing needs, in contrast with the extent of the adverse impacts.

17. No affordable housing is proposed.

18. The present application covers only the front half of the field, leaving access and the possibility of further development of the rear half of the field in due course, accentuating the detrimental impacts.

In conclusion, therefore, the combination of these points provides strong reasons why the planning application should be refused.

**ITEM NUMBER:**

<b>21/00183/FUL</b>	<b>Proposed extension of height of mast by 5m [24.9m to 29.9m]. Removal of 6No. Antenna. Installation of 12No. Antenna and ancillary devices. 6No. Cabinets inside the existing Cabin. All associated ancillary works thereto.</b>	
<b>Site Address:</b>	<b>Mast Icknield Way Industrial Estate Tring Hertfordshire</b>	
<b>Applicant/Agent:</b>	<b>Mr Stephen Herraghty</b>	<b>Mr S Herraghty</b>
<b>Case Officer:</b>	<b>Elsbeth Palmer</b>	
<b>Parish/Ward:</b>	<b>Tring Town Council</b>	<b>Tring West &amp; Rural</b>
<b>Referral to Committee:</b>	<b>Due to contrary Town Council view</b>	

**1. RECOMMENDATION**

That planning permission be granted

**2. SUMMARY**

- 2.1 Policy CS4 states that in General Employment Areas appropriate employment generating development is encouraged. In all areas, ancillary uses will be acceptable and protected, provided they support the primary function of that area. The proposal will assist with supporting the needs of existing employment and the needs of the surrounding residential community so is considered acceptable in principle.
- 2.2 The proposal complies with Policy 126 of the DBLP by nature of the siting within an existing telecommunications site and the proposed materials in terms of colour and design. The trees on both sides of the site provide a screen when approaching along Icknield Way from both directions thus reducing the overall visual impact of the existing and proposed mast.
- 2.3 The proposed scheme is considered appropriate in terms of layout, site coverage, scale, bulk and height on the site itself, in relation to adjoining property and in the context of longer views. It is also considered that the development will respect the general character of the area in which it is set and avoid harm through for example visual intrusion, noise and disturbance. Based on this information it is considered that the proposed scheme complies with CS12 and all the relevant sections of the NPPF mentioned in the report.

**3. SITE DESCRIPTION**

- 3.1 This application relates to an existing multi operator tower located on the southern side of Icknield Way within the General Employment Area: Icknield Way, Tring. This General Employment Area is located in the far western part of Tring. The concrete pad housing the existing mast and a number of cabinets and other supporting infrastructure is located in the northern corner of Tring Business Centre.
- 3.2 The site is opposite the Green Belt.

**4. PROPOSAL**

- 4.1 The proposal involves:
  - Proposed extension of height of mast by 5m [24.9m to 29.9m].
  - Removal of 6No. Antenna.
  - Installation of 12No. Antenna and ancillary devices.
  - 6No. Cabinets inside the existing Cabin.
  - All associated ancillary works thereto relates to the minor works included in the

proposal such as the installation of wiring, support poles, fixings, and safety implements.

- 4.2 The tower extension will be galvanised steel to match the existing tower frame and the proposed antenna will be painted white steel to match the existing antenna.

## **5. PLANNING HISTORY**

Planning Applications (If Any):

20/03640/FUL - Proposed extension of height of mast by 5m [24.9m to 29.9m]

Removal of 6No. Antenna

Installation of 12No. Antenna and ancillary devices

6No. Cabinets inside the existing Cabin

All associated ancillary works thereto

*APPRET -*

4/02201/06/TEL - Replacement of existing telecom antennae and two additional dishes and new ground based cabinet

*WDN - 29th November 2006*

4/00325/05/FUL - Addition of telecommunications equipment to existing lattice tower for Vodafone Ltd (4 no. Vodafone Ltd antennae, 1 no. Vodafone Ltd 600mm transmission dish, 2 no. Ground based equipment cabinets, together with ancillary development thereto)

*GRA - 12th April 2005*

4/02083/01/TEL - Equipment cabin

*PNR - 21st December 2001*

4/01859/00/TEL - Equipment cabin

*PNR - 5th December 2000*

4/01609/00/TEL - Installation of a malcoe units cabin

*PNR - 12th October 2000*

4/01497/00/TEL - Installation of equipment cabin(permitted development prior determination)

*PRQR - 13th September 2000*

4/00600/98/TEL - Installation of 600mm dish

*PNR - 24th April 1998*

4/01194/93/FUL - Erection of radio tower equipment cabin and security fence (modified design to approval 4/1572/92)

*GRA - 17th January 1994*

4/01572/92/FUL - Erection of radio tower, equipment cabin and security fence

*GRA - 30th June 1993*

## **6. CONSTRAINTS**

Article 4 Directions: ICKNIELD WAY INDUSTRIAL ESTATE, TRING

CIL Zone: CIL2

Former Land Use (Risk Zone):

General Employment Area: Icknield Way, Tring

Parish: Tring CP

RAF Halton and Chenies Zone: Red (10.7m)  
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE  
Parking Standards: 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  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS29 - Sustainable Design and Construction

Saved Policy 126 - Electronics Communications Apparatus

Supplementary Planning Guidance/Documents:

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

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

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

### Principle of Development

- 9.2 Policy CS4 states that in General Employment Areas appropriate employment generating development is encouraged. In all areas, ancillary uses will be acceptable and protected, provided that they support the primary function of that area. The proposal is considered acceptable in principle as it will support the primary function of this area which is employment and residential.
- 9.3 Section 10 (paragraphs 112-116) of the National Planning Policy Framework (NPPF) sets out the approach that local planning authorities should take to the upgrade and expansion of electronic communication networks. It states that "*Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections*".
- 9.4 In the interests of limiting the number of radio and electronic communications masts, encouragement is given to re-using existing masts, buildings and other structures, although it is acknowledged that there will at times be a requirement for new sites. Where new sites are required, equipment should be sympathetically designed and, where appropriate, camouflaged.
- 9.5 Paragraph 115 of the NPPF requires applications for electronic communications to be supported by the information necessary to justify the proposed development:
- The outcome of consultations with organisations with in an interest in the proposed development.
  - Evidence that the applicant has explored the possibility of erecting a mast on an existing building, mast or other structure.
  - A statement that self-certifies that, when operational, International Commission guidelines on limiting exposure to electromagnetic fields will be met.
- 9.6 In addition NPPF para 42. states "*Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.*"
- 9.7 In accordance with paragraph 116, applications must be determined on planning grounds only and should not prevent competition between respective operators, question the need for an electronic communication system or set more stringent health safeguards than those set out in the International Commission guidelines for public exposure.
- 9.8 The installation of telecommunications equipment is controlled by central government advice set out in the NPPF and saved Policy 126 of the Dacorum Borough Local Plan.
- 9.9 Policy 126 of the DBLP states that applications for telecommunication apparatus will be assessed primarily on their effect on the visual amenity of the surrounding area. The factors to be considered concerning the appearance of the mast and ancillary apparatus include materials, colour and design. With respect to siting, factors to consider may include the height in relation to surrounding land, the site in relation to existing masts, structures or buildings, the existence of topographical features and natural vegetation.
- 9.10 In conjunction with the above national and development plan policies, CS12 is the policy of the Core Strategy which requires high quality in all development proposals. A wide range of criteria are set out in these policies, and development will not be permitted unless it is appropriate in terms of layout, site coverage, scale, bulk and height on the site itself, in relation to adjoining property and in the context of longer views. It is also expected that the development should respect the general character of the area in which it is set and avoid harm through for example visual intrusion, noise and disturbance.

## Consultation

- 9.11 As per Paragraph 115 of the NPPF the following may need to be addressed:
- 9.12 *Organisations with an interest in the proposed development* - the site is 650 m away from Goldfield's Infant & Nursery School so no consultation was required.
- 9.13 *Evidence that the applicant has explored the possibility of erecting a mast on an existing building, mast or other structure* - this point is not relevant as the proposal is using an existing mast.
- 9.14 *A statement that self-certifies that, when operational, International Commission guidelines on limiting exposure to electromagnetic fields will be met* - this document has been submitted.

## Quality of Design / Impact on Visual Amenity

- 9.15 The approach taken by Saved Policy 126 of the Dacorum Local Plan (2004) is for applications for electronic communications apparatus to be assessed with regard to size, colour and appearance; local topography, relationship with adjoining dwellings, the presence of trees in the vicinity and the extent to which they screen the site; the size, form and prominence of other authorised telecommunications apparatus in the vicinity.
- 9.16 Policies CS11 and CS12 of the Dacorum Core Strategy seek to ensure that, amongst other things, development preserves attractive streetscapes and integrates with the streetscape character.
- 9.17 The mast and cabinets have been an established feature in this location for over 20 years.
- 9.18 The increased height of the mast by 5 metres will raise the height to 29.9 metres but not make it substantially more prominent. As the mast is not a solid feature the sky can be seen through the gaps in the structure – this lessens the impact on the street scene and skyline.
- 9.19 There is no increase in the number of cabinets and the proposed Antenna are being attached to existing or proposed structures.
- The tower extension will be galvanised steel to match the existing tower frame and the proposed antennae will be painted white steel to match the existing antenna.
- 9.20 Approaching from the east the mast is not visible due to the topography and tall trees along this part of Icknield Way until you pass the intersection with Miswell Lane. Also when approaching the mast from the south-west it is shrouded in trees until you are closer to the site.
- 9.21 The small negative impact of the proposals must be balanced with the economic and social benefits of improved telecommunication and internet infrastructure. On balance the impact upon the visual amenity of the street scene is considered to accord with saved DBLP policy 126 and Core Strategy policies CS11 & CS12.

## Impact on Residential Amenity

### Noise

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

- 9.23 The nearest dwelling is approximately 47 metres away and across the road “1 Miswell Cottages” and “Morningside Farm” is approx. 59 metres away from the Mast. The Noise Pollution Officer has stated that they do not have any concerns regarding noise as there are no existing noise issues associated with the existing mast and the additional equipment is unlikely to increase noise emissions. The context is also part of an industrial estate.
- 9.24 The proposal would not give rise to any noise disturbance so would comply with CS12 in this regard.

#### Impact on Highway Safety and Parking

- 9.25 The proposed site is located within the Icknield Way Industrial Estate so none of the proposed replacement and new telecommunications equipment is located on, or considered to interfere with, the surrounding highway network.
- 9.26 The Highways Officer has no objections to the proposal.

#### Other Material Planning Considerations

##### Public Health

- 9.27 Updated guidance on 5G technology (*5G technologies: radio waves and health*) was published by Public Health England (PHE) on 3 October 2019. The guidance states that a “*large amount of scientific evidence has emerged since the year 2000 through dedicated national and international research programs that have addressed concerns about rapidly proliferating wireless technologies.*” Although the focus of the aforementioned studies was current communication technologies – i.e. not 5G technology - PHE highlights that the “*interaction between radio waves and body tissues are well understood at higher frequencies and are the basis of the present ICNIRP restrictions*”. They subsequently conclude that whilst 5G may result in a small increase in exposure to radio waves, the overall exposure would remain low to relative guidelines and, as such, there should be no consequences for public health.
- 9.28 Paragraph 116 of the NPPF is clear that local planning authorities should not set health safeguards different from the International Commission guidelines for public exposure.
- 9.29 The applicant has certified that that the proposed mast would be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP). Therefore, in these circumstances the NPPF advises that health safeguards are not something for a decision maker to determine.

##### Stated Need

- 9.30 The proposed upgrade at this existing multi user telecommunications site is necessary to provide the surrounding area with the latest 5G technology. The growth of digital connectivity over the last few decades has transformed all aspects of life in the UK and provided the opportunity to word differently, to socialise and interact differently, to bring the world closer and to offer new commercial opportunities. The next generation of 5G coverage offers download speeds far in excess of what has been achieved to date, which results in a vast array of advantages and opportunities. Some of the examples that will emerge from 5G coverage includes, connected and autonomous vehicles; smart traffic management; smart manufacturing; autonomous machines; advanced medical devices; automated agriculture; and greater security provision.



- 9.31 5G operates across multiple spectrums and therefore requires additional antennas to the existing site to provide the benefits of 5G coverage to the surrounding area.
- 9.32 Telefonica UK Limited has entered into an agreement with Vodafone UK Limited pursuant to which the two companies plan to jointly operate and manage a single network grid across the UK. These arrangements will be overseen by Cornerstone Telecommunications Infrastructure Ltd (Cornerstone) which is a joint venture company owned by Telefónica UK Limited and Vodafone Limited.
- 9.33 This agreement allows both organisations to:
- pool their basic network infrastructure, while running two, independent, nationwide networks;
  - maximise opportunities to consolidate the number of base stations; and
  - significantly reduce the environmental impact of network development.

#### Impact on Trees and Landscaping

- 9.34 No significant trees will be affected by the proposal.

#### Contaminated Land

- 9.35 The Contaminated Land Officer has no objections to the proposal.

#### Response to Neighbour Comments

- 9.36 No neighbour comments were received.

#### Parish Council comments were received:

- 9.37 The applicant's response to the Parish Council's concerns include:

*"While we respect the proximity of the location to the Areas of Natural Beauty that Tring possess, the issues for determination relate solely to the siting and appearance of the development, which is acceptable having regard to the technical and operational constraints of providing specific coverage for the operator. Importantly this site is not located on the Green Belt, with the land to the East recently being removed from the Green Belt to make way for new residential properties that is likely to increase the demand for service. By choosing to upgrade this existing tower it is seen as preferable, especially as the proposal involves the extension of an existing mast which is already an established feature existing at the site and within the local area."*

#### Community Infrastructure Levy (CIL)

- 9.38 This application is not CIL liable.

### **10. CONCLUSION**

10.1 Policy CS4 states that in General Employment Areas appropriate employment generating development is encouraged. In all areas, ancillary uses will be acceptable and protected, provided that they support the primary function of that area.

10.2 The proposal will assist with generating employment and supporting the needs of the surrounding residential community so is considered acceptable in principle.

- 10.3 The proposal complies with Policy 126 of the DBLP by nature of the siting within an existing telecommunications site and the materials, colour and design. The trees provide a screen when approaching along Icknield Way from both directions thus reducing the overall visual impact of the existing and proposed mast.
- 10.4 The proposed scheme is considered appropriate in terms of layout, site coverage, scale, bulk and height on the site itself, in relation to adjoining property and in the context of longer views. It is also considered that the development will respect the general character of the area in which it is set and avoid harm through for example visual intrusion, noise and disturbance. Based on this information it is considered that the proposed scheme complies with CS12 and all the relevant sections of the NPPF mentioned in the report.

## 11. RECOMMENDATION

11.1 That planning permission be granted.

### Condition(s) and Reason(s):

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

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

2. **The tower extension will be galvanised steel to match the existing tower frame and the proposed antenna will be painted white steel to match the existing antenna.**

Reason: To ensure a satisfactory appearance to the development and to comply with Saved Policy 126 of the Dacorum Borough Local Plan and Core Strategy Policies CS11 and CS12.

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

**Site Location Plan**  
**Proposed Site Elevation 105 B**  
**Proposed Site Plan 103 B**

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

### Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. 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:

AN) 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.

AN) 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.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	<p>(Received 8.2.21)</p> <p>Proposal</p> <p>Proposed extension of height of mast by 5m [24.9m to 29.9m]. Removal of 6No. Antenna. Installation of 12No. Antenna and ancillary devices. 6No. Cabinets inside the existing Cabin. All associated ancillary works thereto.</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 recommends that permission be refused for the following reasons:</p> <p>No documents or plans are available to be viewed via the planning portal on Dacorum Borough Council's website.</p> <p>HCC as Highway Authority is therefore unable to recommend the granting of planning permission until assessing the full submitted details.</p>
Parish/Town Council	<p>This application will be discussed by the Planning Committee on 8th March 2021. The recommendation will be forwarded to you as soon as possible after the meeting.</p> <p>The Council recommended REFUSAL of this application on the grounds that is too high given that it is on the edge of the green belt and can be seen from the AONB. There were errors on the notice including the misspelling of "Icknield", it had the wrong Council detailed and the date for comments predates the notice date.</p>
Environmental And Community Protection (DBC)	<p>Having reviewed the application submission and the ECP records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated</p>

	land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.
Hertfordshire Highways (HCC)	<p>(Received 10.5.21)</p> <p>Decision</p> <p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>None of the proposed replacement and new telecommunications equipment is located on, or considered to interfere with, the surrounding highway network. HCC as Highway Authority therefore has not objections to the granting of planning permission.</p> <p>Highway Informatives</p> <p>HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN) 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.</p> <p>AN) 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 <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx</a> or by telephoning 0300 1234047.</p>
Environmental And Community Protection (DBC)	<p>Noise</p> <p>This application is for the extension of the existing mast and ancillary equipment installation. I do not have any concerns regarding noise as there are no existing noise issues associated with the existing mast and the additional equipment is unlikely to increase noise emissions.</p> <p>The context is also part of an industrial estate.</p>

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
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14	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>
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# Agenda Item 5i

## ITEM NUMBER:

21/00365/FUL	Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen.	
Site Address:	Barn A Birch Lane Flaunden Hertfordshire HP3 0PT	
Applicant/Agent:	. Flaunden Construction Ltd	Mr Abel Bunu
Case Officer:	Elspeth Palmer	
Parish/Ward:	Flaunden Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	Due to contrary view of Flaunden Parish Council	

### 1. RECOMMENDATION

That planning permission be granted.

### 2. SUMMARY

- 2.1 The proposed repositioning of the tree planting screen is considered acceptable in this case as there will be no detrimental impact on the visual amenity of the area or the Flaunden Conservation Area and no loss of residential amenity.
- 2.2 The raising of the roof, change of roof pitch, conversion of barn to residential use and the changes to the fenestration were approved at the Development Management Committee meeting on 21.5.20. These works have already been completed.
- 2.2 The proposal will comply with Core Strategy Policies CS12 and 27.

### 3. SITE DESCRIPTION

- 3.1 The site (outlined in red) is located on the eastern side of Birch Lane, Flaunden and is accessed via an unnamed access lane. The site comprises the access and a partly converted Barn – which for the purposes of this and previous applications is called “Barn A”.
- 3.2 The adjacent land (outlined in blue) on the site location plan includes large open fields located to the north-east and north-west and to the south of the site there are three buildings which include:
  - Barn B – now called “Honeysuckle Cottage” – which is in residential use and the Manager’s cottage;
  - Large U shaped stable building and a menage; and
  - The Coach House – a residential unit which historically was the manager’s cottage for the equestrian use.
- 3.3 The site is located within the Metropolitan Green Belt and partly covered by the Flaunden Conservation Area. The boundary of the Conservation Area runs along the western side of Barn A and includes the access road.

### 4. PROPOSAL

- 4.1 The proposal is for the raising of roof, change of roof pitch, conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen.

### Background

- 4.2 The whole of this site was the subject of a holistic approach considered under planning application 4/03481/15/MFA which aimed to allow some residential use on the site whilst re-establishing the previous equestrian use. Conversion of Barn A to form a 4 bedroom dwelling was approved as part of this application.
- 4.3 A later application 4/01658/16/FUL granted planning permission for conversion of the existing agricultural barn to two semi-detached dwellings on 24.3.17.
- 4.4 4/02327/19/DRC approved a landscaping plan which showed protection of the trees and a footpath along the western side of Barn A.
- 4.5 The raising of roof, change of roof pitch, conversion of barn to residential use and changes to fenestration part of the current scheme has already been granted by the Development Management Committee at its meeting on 21.5.20 under planning application number 20/00089/FUL. For assessment of these aspects please see the Development Management Committee report for this application.
- 4.6 Due to the other works having been already approved and built it is considered necessary to only discuss the repositioning of tree planting screen. Please refer to the previous report for details on the acceptability of the these other works.

## 5. PLANNING HISTORY

Planning Applications (If Any):

19/03114/ROC - 3114 Removal of condition 11 of planning permission 4/01658/16/FUL (conversion of existing agricultural barn to 2 semi detached dwellings)

*WDN - 4th February 2020*

20/01452/DRC - Details as required by condition 4 (Tree protection plan) and condition 9 (garage details) attached to planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration).

*GRA - 3rd August 2020*

20/03219/DRC - Details as required by condition 2 (Materials) and 8 (Hard \_ Soft Landscaping) of planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration)

*REF - 15th December 2020*

20/03345/FUL - Construction of 2 new dwellings.

*REF - 23rd December 2020*

21/00614/FUL - Raising of Roof, front extension within the courtyard. Conversion of stable building to residential use and changes to fenestration.

*REF - 9th April 2021*

4/02327/19/DRC - Details as required by condition 2 (materials) condition 3 (landscaping) condition 4 (contamination), condition 7 (layout of use) condition 8 (fire hydrants) condition 10 (business plan) attached to planning permission 4/01658/16/FUL (Conversion of existing agricultural barn to 2 semi-detached dwellings.)

*GRA - 12th February 2020*

4/01674/19/NMA - Non material amendment to planning permission 4/03481/15/mfa - conversion of existing agricultural barn to form a 4 bed detached dwelling; conversion of existing agricultural barn to form a 2 bed detached dwelling with manager's office; single storey rear

*GRA - 10th September 2019*

4/01300/17/DRC - Details required by condition 3(landscaping), 4(contaminated land), 5(contaminated land), 7(approved plans), 8(fire hydrants), 11 (materials) and 12 (business plan) attached to planning permission 4/02937/16/ful - conversion of agricultural barn to form a  
*GRA - 13th July 2017*

4/01239/17/RET - Material change of use from workshop and office to bedroom, interior reconfiguration and external minor amendment (retrospective).  
*WDN - 20th May 2019*

4/01192/17/DRC - Details of materials, landscaping, contamination, horse and pedestrian safety, sustainability, fire hydrants and business plan as required by conditions 2, 3, 4, 7, 8 and 10 of planning permission 4/01658/16/FUL (conversion of existing agricultural barn t  
*REF - 3rd January 2019*

4/01069/17/ROC - Variation of conditions 2 (materials) & 11 (approved plans) attached to planning permission 4/01658/16/FUL (conversion of existing agricultural barn to 2 semi detached Dwellings.  
*WDN - 20th May 2019*

4/02937/16/FUL - Conversion of agricultural barn to form a pair of semi detached dwellings comprising a two-bedroom unit for a stable manager with associated tack storage, lockable office and a one-bedroom dwelling for open market Housing.  
*GRA - 24th March 2017*

4/02298/16/DRC - Details required by conditions 3 (hard and soft landscaping), 4 (phase 1 report), 6 (layout of equestrian use), 7 (fire hydrants), 10 (external materials), 11 (external materials) and 12 (business plan) attached to planning permission 4/03481/15/mfa - con  
*GRA - 13th February 2017*

4/01658/16/FUL - Conversion of existing agricultural barn to 2 semi detached Dwellings.  
*GRA - 24th March 2017*

4/03688/15/FUL - Part demolition of existing agricultural barn and change of use to a daytime community centre and warden's office. change of use of existing parking area to 7 traveller and gypsy pitches including 7 day units  
*INSFEE -*

4/03481/15/MFA - Conversion of existing agricultural barn to form a 4 bed detached dwelling; conversion of existing agricultural barn to form a 2 bed detached dwelling with manager's office; single storey rear extension to coach house; and refurbishment and improvement of  
*GRA - 5th July 2016*

4/01123/15/FUL - Conversion of an existing stables to form a single four bedroom house with garage and workshop (revised Scheme).  
*REF - 21st August 2015*

4/01569/05/FUL - Stationing of caravan for safety and welfare of horses  
*REF - 19th September 2005*

4/02292/03/FUL - Extension to cottage and conversion of adjoining stables. demolition of tack/feed room  
*GRA - 18th December 2003*



4/00567/03/FUL - Demolition of existing tack and feed room, conversion of stables and extension to accommodation  
*REF - 8th May 2003*

4/02089/01/CAC - Removal of barn  
*REF - 21st February 2002*

4/02088/01/FUL - Replacement of existing barn with new dwelling house  
*REF - 21st February 2002*

4/00848/01/CAC - Demolition of barn  
*REF - 28th August 2001*

4/00821/01/FUL - One dwelling  
*REF - 28th August 2001*

20/01889/FUL - New Dwelling  
*PDE -*

21/00196/DRC - Details as required by condition 2 (Materials) attached to planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration.)  
*GRA - 16th March 2021*

4/02200/19/FUL - Conversion of two rooms in existing building to make residential accommodation. Internal re-configuration and minor external Alterations.(retrospective).  
*GRA - 11th November 2019*

4/01674/19/NMA - Non material amendment to planning permission 4/03481/15/mfa - conversion of existing agricultural barn to form a 4 bed detached dwelling; conversion of existing agricultural barn to form a 2 bed detached dwelling with manager's office; single storey rear  
*GRA - 10th September 2019*

4/01300/17/DRC - Details required by condition 3(landscaping), 4(contaminated land), 5(contaminated land), 7(approved plans), 8(fire hydrants), 11 (materials) and 12 (business plan) attached to planning permission 4/02937/16/ful - conversion of agricultural barn to form a  
*GRA - 13th July 2017*

20/00089/FUL - Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration.  
*GRA - 28th May 2020*

20/01452/DRC - Details as required by condition 4 (Tree protection plan) and condition 9 (garage details) attached to planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration).  
*GRA - 3rd August 2020*

20/03219/DRC - Details as required by condition 2 (Materials) and 8 (Hard \_ Soft Landscaping) of planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration)  
*REF - 15th December 2020*

21/00196/DRC - Details as required by condition 2 (Materials) attached to planning permission 20/00089/FUL (Raising of Roof, Change of Roof Pitch, Conversion of Barn to Residential Use and Changes to Fenestration.)

GRA - 16th March 2021

21/00614/FUL - Raising of Roof, front extension within the courtyard. Conversion of stable building to residential use and changes to fenestration.

REF - 9th April 2021

Appeals (If Any):

21/00005/REFU - Construction of 2 new dwellings.

INPROG -

4/02986/15/FUL - Development Appeal

- 17th August 2016

4/01123/15/FUL - Development Appeal

- 17th August 2016

4/02089/01/CAC - Development Appeal

- 4th September 2002

4/02088/01/FUL - Development Appeal

- 4th September 2002

4/02987/15/FHA - Development Appeal

- 17th August 2016

## **6. CONSTRAINTS**

Special Control for Advertisements: Advert Spec Control

CIL Zone: CIL2

Flaunden Conservation Area

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Flaunden CP

RAF Halton and Chenies Zone: Green (15.2m)

Parking Standards: New Zone 3

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:

NP1 - Supporting Development

CS5 – Green Belt

CS12 - Quality of Site Design

CS27 – Quality of the Historic Environment

Supplementary Planning Guidance/Documents:

Parking Standards (Nov 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;

Impact on Green Belt;

The impact on visual amenity and the Flaunden Conservation Area; and

The impact on residential amenity.

### Principle of Development

9.2 To fell one group of trees and provide a new tree planting screen outside a Conservation Area would not normally require planning permission but these trees are protected by a condition set on the previous approval 20/00089/FUL.

9.3 The reason for the condition was:

“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).”

9.4 Retention of this row of trees was an important part of the previous approvals to ensure that there was a visual buffer between the barn conversion and the dwellings to the west. These trees are still important but have significant decay and defects.

9.5 The current scheme will replace the existing tree screen with a row of Hornbeam trees set on the other side of the existing unmade access road beside the dwelling so would be acceptable in principle as long as the details accord with other relevant policies.

### Impact on Green Belt

9.6 The red line for this application is larger than in the previous application to include the track to the west of Barn A and some of the adjacent equestrian paddock. The row of trees are proposed to be planted along the side of this equestrian paddock.

- 9.7 It is not intended that this area of land be within the curtilage of Barn A – a condition has been placed to ensure that this land remains open land and not be part of the residential curtilage.

#### The impact on visual amenity and the Flaunden Conservation Area

- 9.8 The Conservation and Design Officer has stated that he does not have an issue with the re-positioning of the tree planting. The existing trees are in poor condition, and the proposed replacement hornbeam trees, 5-6 metres in height, and under hedging should provide a sufficient new screen.
- 9.9 The Trees and Woodland Officer has advised that the existing vegetation has severe decay and significant defects. He considers the replacement of this vegetation with the proposed screen of Hornbeam trees (to be planted at a height of 5-6 metres across the lane) would create a thicker and healthier screen of vegetation between the converted barn and the neighbours to the west.
- 9.10 The proposal will comply with CS12 and CS27.

#### Impact on Residential Amenity

- 9.11 The nearest dwelling to Barn A is in excess of 50 metres away to the west. The relocation of the screen will still provide a visual buffer between the barn conversion and the two dwellings to the west so there will be no loss of amenity as a result of the proposed scheme.
- 9.12 The proposal will comply with CS12 with regard to amenity.

#### Other Material Planning Considerations

##### Conditions

- 9.13 Some of the conditions placed on the previous approval have been discharged so can be modified for this application. The agent has prepared an Addendum with a schedule of the previous conditions already discharged together with the associated details. The conditions have been amended accordingly.

##### Ecology

- 9.14 As the tree line is mature and well established vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the Wildlife & Countryside Act 1981 (as amended) and applicants and sub-contractors may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
- 9.15 The above will be set as an informative for any approval.

#### The impact on highway safety and car parking

- 9.16 As the report is only assessing the repositioning of the tree planting screen there are no highway safety or car parking issues to address.

## Response to Neighbour Comments

9.17 These points have been addressed above.

## Community Infrastructure Levy (CIL)

9.18 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 due to resulting in more than 100m<sup>2</sup> of additional floor space.

## **10. CONCLUSION**

10.1 The proposed repositioning of the tree planting screen is considered acceptable in this case as there will be no detrimental impact on the visual amenity of the area or the Flaunden Conservation Area and no loss of residential amenity.

10.2 The proposal will not result in an expansion of the residential curtilage of Barn A so there will be no impact on the openness of the Green Belt.

10.3 The proposal will comply with Core Strategy Policies CS5, CS12 and 27.

## **11. RECOMMENDATION**

11.1 That planning permission be granted.

### **Condition(s) and Reason(s):**

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

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

- 2. The materials to be used between the windows must comply with those materials submitted to discharge condition 2 of 20/00089/FUL under 21/00196/DRC.**

**(A covering letter was submitted with the DRC showing the details of the materials to be used between the windows as Vertical Timber Cladding painted Black - a photo showing part of the building constructed with these materials was submitted.)**

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

- 3. The development hereby permitted shall be constructed in accordance with the materials specified on the application form submitted with application 20/00089/FUL with the exception of those which describe boundary treatment and the materials between the windows - these are to be addressed via other conditions which require details of boundary treatment and materials.**

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 CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

4. **As shown on the approved plans the full size windows at ground floor on the eastern elevation must be non – opening to ensure that no permanent access is allowed to this side of the dwelling and thus further enlargement of the curtilage of the dwelling.**

Reason: To avoid any encroachment into the Green Belt by the construction of a footpath along this side boundary and therefore to comply with the NPPF and CS 5 Green Belt.

5. **All remediation or protection measures identified in the Remediation Statement referred to in Condition (4) of planning application 4/01658/16/FUL shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development and to comply with CS32.

6. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

**Schedule 2 Part 1 Classes [A, AA, B, C, D, E, F and G]**

**Part 2 Classes [A, B and C].**

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

Reason: In the interests of safeguarding the openness of the Green Belt; the rural character of the building and the site; and the visual amenity of the surrounding countryside. The proposed development comprises of the conversion of an agricultural building in a rural area and it is important for the local planning authority to retain control over certain future development which would normally represent permitted development, in order to safeguard the rural character of the surrounding countryside.

7. **Prior to occupation full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:**
- **hard surfacing materials;**
  - **means of enclosure: no fencing will be permitted along the western side of the Barn;**

- An elevation plan showing the siting, height (to be between 5-6 metres high) and coverage of replacement vegetation - a screen of Hornbeam trees and under hedging; and
- A floor plan showing the replacement vegetation and the distance between each tree.

The planting of the mature trees must be carried out prior to the removal of the row of vegetation (tree planning screen) shown immediately adjacent to Barn A on the proposed site plan.

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

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

Reason: To improve the appearance of the development and its contribution to biodiversity, the local environment and the Conservation Area, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) and CS27 of the Dacorum Borough Council Core Strategy (2013).

8. **The design and materials to be used for the garage doors must comply with those details (a drawing and text) submitted to discharge condition 9 of 20/00089/FUL under 20/01452/DRC.**

Reason: In the interests of protection of the rural character of the countryside and the Flaunden Conservation Area. To comply with CS5 and CS27.

9. **The curtilage will be restricted to the approved site plan as per the previous application 20/00089/FUL.**

Reason: To avoid any encroachment into the Green Belt by the extension of the curtilage of Barn A and therefore to comply with the NPPF and CS 5 Green Belt.

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

**Site Location Plan**

**A. 47499. 04J Proposed Floor Plans and Elevations**

**Existing and Proposed Site Plan 02E**

**Addendum containing information relating to discharged conditions**

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

**Informatives:**

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

2. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.
  
3. It is noted that the horse exercise area is not shown on the proposed or existing site plan - this was part of the MFA approval for continuing equestrian use and should not be removed without permission.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Hertfordshire Highways (HCC)	<p>I have read the email below and understand their points. I was not aware that the application was for the relocation of the planter as within our system it is named ;</p> <p>"Raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen"</p> <p>The proposal website page includes additional documents for the barn conversion and therefore, I thought it was a new proposal. Consequently, I accessed the site in terms of a conversion of the barn to residential use. My concerns regarding fire appliance access to that specific barn still stand, however, the applicant has stated that they have been in contact with the fire department regarding the wider site. I cannot confirm this but if HCC Highways have already granted this application and this application is just for the repositioning of planters, then this would not be a highway issue. I may have got confused because I am unsure why HCC Highway would be asked to comment on the tree planting screen as this is not within the Highway nor anywhere near.</p> <p>Therefore, in regards to the reposition of the planter, this does not impact the highway network and is deemed acceptable.</p> <p>I would like to take specific note of comment 3 by the applicant below</p> <p>"In my view, this comment is as relevant as it was then. Exploring the history of the site beyond the recent approval appears to me to serve no useful planning purpose. "</p> <p>This statement is misled, the wider site in terms of the highway is served by one access and therefore the barn must be judged in relation to the wider site through the intensification of the existing single access.</p>



	<p>Consequently, viewing the site as a whole gives HCC Highways a clearer view of how the cumulative impacts of development affect the highway.</p>
Conservation & Design (DBC)	<p>I do not have an issue with the re-positioning of the tree planting. The existing trees are in poor condition, and the proposed replacement hornbeam trees, 5-6 metres in height, and under hedging should provide a sufficient new screen.</p>
Conservation & Design (DBC)	<p>I'm slightly confused why this application needs to refer to raising the barn roof etc, when it is addressing solely the boundary treatment.</p> <p>Also should there not have been an application to regularise the cladding, as per my e-mail of 30/11/20?</p> <p>'Not sure why horizontal boarding is being proposed here, when the original application clearly stated vertical timber cladding, and was the basis on which the application was approved. This is important given that this is not a 'traditional' barn but a large, more modern agricultural building - these were never treated with horizontal timber cladding.</p> <p>There was doubt as to what was being proposed between the windows - hence the condition to ensure consistency with the vertical cladding. '</p>
Environmental And Community Protection (DBC)	<p>Noise and Qir Quality</p> <p>No objection in principle to the application or further comment.</p> <p>Contaminated Land (19.2.21)</p> <p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the proposal will result in a more sensitive end use, and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed residential 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</p>

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

	<p>with Core Strategy (2013) Policy CS32.  Informative:  The above conditions are considered to be in line with paragraphs 170 (e) &amp; (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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Parish/Town Council	<p>Flauden Parish Council recommend refusal of this latest application. When the original application 20/0089/FUL was granted it was a condition that the existing tree screen would remain.</p> <p>It appears from the submitted plans that the outline in red is the proposed boundary of Barn A. This boundary is different from that agreed in the previous granted permission and is a further encroachment into the Green Belt. The result is an extension of the area allocated to the west of Barn A which covers the track and some of the adjacent equestrian paddock. This track is used as access from the stables to the lower fields and horses are led along this path on a regular basis.</p> <p>It is important to note that the roof has been raised by 1.6m and it has significantly more fenestration, a front door and domestic lighting particularly on the western elevation --these were not shown on the original plan. This makes it a much more imposing structure in the Green Belt and the Conservation Area.</p> <p>The trees that are currently there are clearly, based on the earlier refusal, deemed to be safe and healthy. They are mature trees with proportional spans and provide an effective, vegetative screen to the converted barn. The property was converted with the full knowledge of the vegetation in place and the screen was deemed necessary at that time and it remains so. It is important for the landscape in the Green Belt and the Flauden Conservation Area.</p>
Thames Water	<p>Waste Comments</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-a">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-a</a></p>

	<p>nd-pay-for-services/Wastewater-services</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p> <p>The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <a href="https://www.gov.uk/government/publications/groundwater-protection-position-statements">https://www.gov.uk/government/publications/groundwater-protection-position-statements</a>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p>
Hertfordshire Highways (HCC)	<p>The proposals is for the raising of roof, Change of roof pitch, Conversion of barn to residential use and changes to fenestration. Repositioning of tree planting screen at Barn A, Birch Lane, Flaunden. I would note that the general area of this application and the private route that serves properties around this site has had extensive planning</p>

	<p>permission in the past 5 years. This is an interim response for this application as I have concerns that a fire appliance cannot manoeuvre on site to enter and exit the site in forward gear in case of an emergency. Within drawing A 47499 02E it illustrates that on the proposed site plan the hardstanding will be reduced which concerns me regarding the turning of large vehicles such as a fire appliance. I would also note that I have concerns regarding the narrowest point leading to the site on the private route. This must be in excess of 3.1 metres to enable a fire appliance to move through freely, this is not clear from the drawings.</p> <p>Therefore, HCC would like to see the following before a recommendation can be made ;</p> <ol style="list-style-type: none"> <li>1) Swept path analysis to ensure large emergency vehicles (fire appliance) can reach the dwelling and manoeuvre on site to exit and enter the highway in forward gear.</li> <li>2) To illustrate the width of the private route at its narrowest to the dwelling to ensure it is above the 3.1 metres required.</li> </ol> <p>This is to ensure that the dwelling is safe in case of an emergency</p>
Trees & Woodlands	<p>notes from meeting with Luke Johnson on 7.5.21</p> <p>The existing vegetation suffers from severe decay and has significant defects.</p> <p>Provision of a screen of Hornbeam vegetation of a similar height to the existing would be an improvement to the existing situation.</p>
Environmental And Community Protection (DBC)	<p>Yes happy with this Condition.</p> <p>All remediation or protection measures identified in the Remediation Statement referred to in Condition (4) of planning application 4/01658/16/FUL shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.</p> <p>For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.</p>

**APPENDIX B: NEIGHBOUR RESPONSES**

## Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
33	6	1	5	0

## Neighbour Responses

Address	Comments
Copse Cottage 96-97 Flaunden Flaunden Hemel Hempstead Hertfordshire HP3 0PP	<p>We would like to object to this application on the grounds that this has become a much larger and more imposing building on the sky line than the original planning application granted. The present row of trees has been there for many years and were already there when the original building application was made and so the impact of the trees on the building should have been taken into consideration then, and it not to be assumed if they became inconvenient that they could be cut down.</p> <p>The present row of trees provides screening of Barn A and maintain the natural character of this part of the Conservation Area. Any new replacement trees would not provide anywhere near the same level of screening to what is now a very imposing residential building.</p>
The Old Chapel Birch Lane Flaunden Hemel Hempstead Hertfordshire HP3 0PT	<p>As much as I understand that the owner of Flaunden Stables files new applications as the project moves forward - it would be nice to fully understand what the final development of the whole property is supposed to look like.</p> <p>Are we going to deal with further applications for the next few years, until the whole hill looks different?</p> <p>I object to this specific application: I don't feel like old, high and beautiful trees should be taken down. Particularly as they hide the new building, which is almost 2m higher than the previous barn.</p> <p>New trees would be low and would have to grow for many years to provide privacy. I guess that is one of the reasons, a similar request was rejected already.</p>
Birch Lane House Birch Lane Flaunden Hemel Hempstead Hertfordshire HP3 0PT	<p>With regard to the latest planning application Ref: 21/00365/FUL to remove the trees next to Barn A.</p> <p>Attached below are my previous comments submitted for the earlier application to remove this tree line Ref: 20/03219/DRC which remain valid.</p> <p>In addition I would also like to make the following comments specifically relating to this latest application.</p> <p>The previous application was refused for the following reason: 'The soft landscaping details submitted (loss of mixed species</p>

hedgerow along the western side of the barn conversion with no suitable replacement) will result in the loss of the vegetative screen along this side of the converted barn and cause harm to the character of the Conservation area and the local countryside.'

This remains the case for this latest proposal, which differs from the earlier one simply in the fact that is now proposing 12-14cm stem hornbeam trees rather than 6m Leylandii. The trees that are currently there are clearly, based on the earlier refusal, deemed to be safe and healthy. They are also around 30 to 50 years old and stand to a height of 15-20 metres with proportional spans (see attached picture), providing an effective vegetative screen to the converted barn as well as forming an integral part of the natural landscape in this Conservation and Greenbelt area of the countryside. This is why they have always been seen as an important part of all of the earlier planning approvals and have been specifically protected as a condition of the planning permission granted (Ref 20/00089/FUL - Condition 8). The replacement of these very mature trees with immature hornbeams will provide virtually no effective screening, the trees when planted will be thin and wispy at around 3m tall and typically even after 20 years Hornbeam would be expected reach 7m x 4m, less than half the size of the existing trees.

It is also important to restate a point made earlier, namely that the barn has also been raised 1.6m taller than the original simple barn that was there previously. It also has significantly more fenestration, particularly on the western elevation which also has a front door and associated domestic lighting which was not in the original plans approved. All of this has been done knowing the existing protected trees would conflict with these design changes. It is now a much more imposing structure on the landscape than was there historically the case, which, if coupled with removing the existing trees, will conflict greatly with the intent of the original planning granted which stressed the need for a sympathetic conversion in keeping with the existing building and with limited impact on the surrounding countryside. The importance of this was further endorsed by the other reason given for the recent refusal (Ref: 20/03219/DRC) which deemed horizontal timber cladding to be unacceptable as it would 'cause harm to the character of the Flaunden Conservation area and local countryside'. Taking out these mature trees, which will effectively amplify the impact of this now substantially larger residential dwelling, clearly visible from the road, surrounding countryside and neighbouring properties, with virtually no effective screening, will do far greater harm to the character of the Flaunden Conservation area and local countryside.

I would finally also like to again stress that these trees were there long before the domestic dwelling and that conversion of the building commenced knowing they were a condition of the planning granted and protected as such. The fact that they are now deemed inconvenient to the new dwelling is not in itself a reason for them to be removed.

I would therefore strongly ask that you again refuse this application.

Previous objection:

I have seen a formal application has now been registered to cut down the trees on the west boundary of Barn A.

When I was first notified of the developer's plans to do this in July, I contacted both you and Philip Stanley highlighting my concerns and action was taken to stop this process.

Having read this latest application and the attached report from Paul Empson, a local tree contractor, I would like to make the following comments.

The report and application place great emphasis on the fact that this tree line is a hedge that has been maintained as a hedge in the past. The report specifically states;

'The hedge has in the past been maintained at a height of approx. 1.2m this is evident by the growth patterns of the stems. The majority of the stems are all suffering from signs of decay at around 1.2m due to past pruning cuts.'

This is not an accurate statement, these are clearly trees and not a hedge as evidenced by the pictures attached. Additionally, we have lived in the adjoining property that overlooks this boundary for 30 years and never in that time has this treelike been maintained as a 1.2 metre hedge.

Given this, the statement within the report that 'As is normal with rural hedges this damage was more than likely inflicted by mechanical hedge maintenance prior to the hedge being allowed to become overgrown.' is also misleading.

This tree line was specifically formed part of the original planning application granted that specified that it was to be maintained as part of the landscaping to minimise the impact on the Green Belt and the natural surroundings of this development and the impact on surrounding properties.

This tree line is very much in keeping with the local environment in and around Flaunden, where indigenous trees and hedgerows are an important part of the natural Green Belt. Pictures of the immediate local around the Flaunden House Stables development are attached demonstrating this. The suggestion that 6m Leylandii could be used for screening as an alternative also demonstrates little empathy in maintaining the natural character of the development and minimising the impact on the Green Belt, both of which were important requirements when the planning application for this rural barn conversion development was granted.

From a personal viewpoint, this tree line is very important in maintaining the natural screening of the new property, as it did with the original barn, and ensuring that this development is in keeping with the rural Green Belt aspect of the surrounding landscape.

The claim that these trees form a risk due to the proximity to the



	<p>property is also questionable. They have never been perceived as a risk prior to now, and have traditionally been sited next to the original, well used commercial stable. They have also for 30 years plus, had a walkway frequently used each day, to lead horses to the adjoining fields immediately next to them. In this time no safety issues have resulted from these trees. This pathway and the entire construction of the new properties has also taken place with the safety of the trees not having been brought into question until July 2020, at the end of the construction. I understood, when we last spoke that you would be contacting an Arboriculturist within Dacorum to provide an independent professional assessment.</p> <p>In conclusion, the trees have formed part of the natural landscape long before these houses were built. Whilst their close proximity is an inconvenience to the developer, this does not provide a valid reason to fell them. Their presence was rightly deemed an important part of the initial planning application granted and should remain so. As such I object to this latest application which should be rejected and the protection currently afforded to these trees maintained.</p>
<p>103 Flaunden Flaunden Hemel Hempstead Hertfordshire HP3 0PW</p>	<p>Within the following document: <a href="https://planning.dacorum.gov.uk/publicaccess/files/D6CEEA334F2C04638DCAC7C2F87BB073/pdf/21_00365_FUL-TREE_REPORT-1154231.pdf">https://planning.dacorum.gov.uk/publicaccess/files/D6CEEA334F2C04638DCAC7C2F87BB073/pdf/21_00365_FUL-TREE_REPORT-1154231.pdf</a></p> <p>Paul Empson Tree Care makes the following recommendation: "To provide an instant screen I would recommend the use of mature Leylandii up to a height of 6m. These should be planted using a trench system and provided with adequate irrigation and support."</p> <p>If the proposed planting is going to affect other residents it will directly contravene the Anti-Social Behaviour Act 2003 that is detailed on the council website here: <a href="http://www.dacorum.gov.uk/home/environment-street-care/environmental-health/high-hedges">http://www.dacorum.gov.uk/home/environment-street-care/environmental-health/high-hedges</a></p> <p>There is an example of such a contravention on the southern perimeter of the applicants plot. Please do not let this be precedent for another breach.</p>
<p>Flaunden House Flaunden Flaunden Hemel Hempstead Hertfordshire HP3 0PW</p>	<p>I wish to object to planning application Ref: 21/00365/FUL relating to Barn A.</p> <p>With particular reference to the proposed removal/replacement of trees to the west of Barn A, these are currently mature trees (not 'hedgerow' as per the tree report) that have been there for well over 30 years and definitely pre-date the barn.</p> <p>They provide a vital screen and are an important part of earlier planning approvals, namely condition 8 of 20/00089/FUL. It is totally inappropriate to consider replacing these trees - which are at least 15 m high, and need to be so - with 3 m hornbeam trees, which would only grow to about 7 m after some years.</p> <p>This is particularly important as the barn roof is 1.6 m higher than originally planned and there is more fenestration than on the original</p>

	<p>plans, especially on the western elevation where there is now a front door and lighting. The original planning approval stressed the need for the conversion to be in keeping with the existing building with minimal impact on the surrounding area. I sincerely hope that this will be adhered to.</p> <p>I therefore urge you to refuse this application.</p>
<p>Lavender Cottage 101-102 Flaunden Flaunden Hemel Hempstead Hertfordshire HP3 0PW</p>	<p>21/00365/FUL BARN A, FLAUNDEN STABLES</p> <p>I wish to comment on the above application, with particular respect to the proposed removal and replanting of the line of trees to the west of the property.</p> <p>The plan outlines in red the proposed boundary of Barn 1 - this boundary is a change from that agreed in previous planning approvals and results in an extension of the area allocated to the west of Barn 1, which covers the track and some of the adjacent equestrian paddock.</p> <p>At present the track through this area is used as access from the stables to the lower fields and horses are led along this path on a regular basis. The plans do not show any re-routing of this track, but it would follow that a re-routing of the track would be necessary if the proposed plan was approved. I assume the area created in this proposal would be used as a garden to Barn A, therefore constituting a change of use for this land.</p> <p>The present row of trees (which appear to be mature trees of more than 30 years growth and not 'hedging' as described in the application), provide screening of Barn A and maintain the natural character of this part of the Conservation Area. Any new replacement trees would not provide anywhere near the same level of screening to what is now a very imposing residential building.</p>

**ITEM NUMBER: 5**

<b>20/03778/FHA</b>	<b>Two storey side extension and associated landscaping works</b>	
<b>Site Address:</b>	<b>3-4 Una Way High Street Kings Langley Hertfordshire WD4 8BH</b>	
<b>Applicant/Agent:</b>	<b>Anna Mildner</b>	<b>Nayan Dhamdachia</b>
<b>Case Officer:</b>	<b>Heather Edey</b>	
<b>Parish/Ward:</b>	<b>Kings Langley Parish Council</b>	<b>Kings Langley</b>
<b>Referral to Committee:</b>	<b>Contrary view of Parish Council</b>	

**1. RECOMMENDATION**

That planning permission be GRANTED.

**2. SUMMARY**

2.1 The proposed development is considered to be acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013). The proposed two storey side extension is considered to have been sympathetically designed to harmonise with the character and appearance of the existing Grade II Listed Building, neighbouring properties and Kings Langley Conservation Area, and is therefore considered to be acceptable in design/visual amenity terms as well as in terms of its impact on designated heritage assets. It is not considered that the proposal would have any adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy. Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create the significant parking stress required to render the scheme unacceptable. Given all of the above, the proposal complies with the National Planning Policy Framework (2019), Policies CS1, CS4, CS8, CS11, CS12, CS27 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3, 5 and 7 of the Local Plan (2004), the Parking Standards Supplementary Planning Document (2020) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

**3. SITE DESCRIPTION**

3.1 The application site comprises property 3-4 Una Way, a two storey Grade II Listed building that forms part of the listing for 6, 8 and 10 High Street, situated within the Large Village of Kings Langley. Forming the gabled rear wing of property 6 High Street, the dwelling is accessed via a small alley just off the High Street. The dwelling is constructed in masonry, with a timber framed pitched roof, and is externally finished in pebble dash walls and a clay tiled roof.

3.2 The site is within an Area of Archaeological Significance and falls within the Kings Langley Conservation Area.

**4. PROPOSAL**

4.1 Planning permission is sought for the construction of a contemporary two storey side extension. Measuring approximately 4.1m wide, the new extension would project 4.5m from the side elevation of the building at ground floor level, to provide a larger kitchen/dining area. The proposed extension would be set in at first floor level, projecting 3m deep to provide an additional bedroom. The proposed extension would comprise a lower brick plinth, grey zinc metal cladding walls, a double glazed metal window, rooflight and bi-fold doors.

4.2 The application also proposes minor landscaping works, including the creation of a new patio area and the partial demolition of a 6.5m length of the listed brick boundary wall, extending between the application site and no. 8 High Street. Following the construction of the new extension, the

partially demolished section of the listed boundary wall would be rebuilt, predominantly using existing bricks.

## **5. PLANNING HISTORY**

Planning Applications:

19/02617/FHA - Two Storey Rear Extension  
*WDN - 3rd December 2019*

19/02800/LBC - Replacement of existing timber windows to the north elevation with hardwood double glazed casement windows.  
*WDN - 10th February 2020*

19/02805/LBC - Two Storey Rear Extension  
*WDN - 3rd December 2019*

20/00955/LBC - Replacement of existing timber windows, to North elevation, with double glazed hardwood casement windows.  
*GRA - 11th June 2020*

20/03779/LBC - Two storey side extension and associated landscaping works  
*PDE -*

4/01018/05/LBC - Replace existing windows  
*GRA - 27th June 2005*

4/02624/04/LBC - Replacement windows  
*WDN - 30th December 2004*

## **6. CONSTRAINTS**

Area of Archaeological Significance: 42  
CIL Zone: CIL2  
Kings Langley Conservation Area  
Former Land Use (Risk Zone):  
Heathrow Safeguarding Zone: LHR Wind Turbine  
Large Village: Kings Langley  
Parish: Kings Langley CP  
RAF Halton and Chenies Zone: Yellow (45.7m)  
Parking Standards: New Zone 3  
EA Source Protection Zone: 3  
EA Source Protection Zone: 2

## **7. REPRESENTATIONS**

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

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

Relevant Policies:

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  
CS27 – Conservation Areas  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

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

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

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

### Principle of Development

9.2 The site is situated just off the High Street, in the Large Village of Kings Langley, wherein Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013) are relevant. Policy CS1 guides new development to towns and large villages, encouraging new development within these areas. Furthermore, Policy CS4 encourages a mix of uses in town and local centres, encouraging residential uses.

9.3 Taking the above policies into account, the proposal for a two storey side extension and associated landscaping works in the Large Village of Kings Langley is acceptable in principle.

### Quality of Design/ Impact on Visual Amenity and Designated Heritage Assets

9.4 The NPPF (2019) states that planning policies and decisions should ensure that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policies CS11 and CS12 of the Dacorum Borough

Core Strategy (2013) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.

9.5 With regards to designated heritage assets, the NPPF (2019), Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy CS27 of the Core Strategy (2013) all seek to ensure that new development will protect, conserve and where possible enhance the integrity, setting and distinctiveness of designated and undesignated heritage assets.

#### *Proposed Extension*

9.6 Planning permission is sought for the construction of a contemporary two storey side extension. Measuring approximately 4.1m wide, the new extension would project 4.5m from the side elevation of the building at ground floor level, to provide a larger kitchen/dining area. The proposed extension would be set in at first floor level, projecting 3m deep to provide an additional bedroom. The proposed extension would comprise a lower brick plinth, grey zinc metal cladding walls, a double glazed metal window, rooflight and bi-fold doors.

9.7 The current application has been called in to be determined at Development Management Committee in light of concerns that the proposed extension would detract from the character of the existing Grade II Listed Building and Kings Langley Conservation Area by virtue of its contemporary design.

9.8 The proposed two storey side extension has undergone a number of design alterations in response to concerns raised by the Conservation and Design Officer during pre-application and formal application stage. In particular, the new extension has been significantly reduced in scale, and the proposed material finishes have been altered to soften the proposals appearance and provide less of a contrast to the 20<sup>th</sup> century painted pebbledash render on the rear wing of the existing dwelling.

9.9 Whilst contemporary style extensions are not usually considered acceptable to Listed Buildings/within Conservation Areas, the current proposal has been sympathetically designed to complement the existing Grade II Listed Building, providing a clear differentiation between the historic building and new extension. Taking this into account, and noting that the new two storey side extension would be sited in a discreet location, (to the rear of listed buildings along the High Street), not visible from any public vantage points, the proposal is considered to be acceptable in design/visual terms and in terms of its impact on designated heritage assets.

9.10 The Conservation and Design Officer has reviewed the current proposal and raised no objection, noting that the extension would preserve the significance of the existing Grade II Listed Building and the character and appearance of the Kings Langley Conservation Area.

9.11 Whilst no objections are raised in principle to the proposed material finishes, it is recommended that additional details in this regard be secured by condition, prior to the construction of the development.

#### *Landscaping Works*

9.12 In order to facilitate the construction of the proposed two storey side extension, a 6.5m length of listed brick boundary wall extending between the application site and no. 8 High Street would need to be demolished. The agent has however confirmed that this wall would be rebuilt, predominantly utilising existing bricks.

9.13 Information submitted in support of the application has indicated that the listed brick boundary wall is in poor structural condition. In light of this, the agent has confirmed that the existing wall would be stabilised during the completion of construction works.

9.14 The Conservation and Design Officer has raised no objection to these works, and has considered the stabilising of the boundary wall to be a positive outcome of the scheme, enhancing the integrity, setting and distinctiveness of designated heritage assets. They have however recommended that a condition be attached to the formal planning consent to ensure that proposed demolition works are undertaken by hand, and that the demolished bricks are carefully handled so that they can be reused.

9.15 Where additional materials are required to rebuild the demolished section of the wall, it has been agreed that material finishes, (i.e. bricks, brick bond and mortar finishes), be selected to match the existing wall. It is recommended that these arrangements be secured by condition.

9.16 Given the above assessment, the proposal is considered to be acceptable in design /visual amenity and in terms of its impact on designated heritage assets. The proposal therefore accords with Saved Appendix 7 of the Dacorum Borough Local Plan (2004), Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013), the Planning (Listed Buildings and Conservation Areas) Act 1990 and the relevant sections of the NPPF (2019).

#### Impact on Residential Amenity

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

#### *Visual Intrusion*

9.18 Given the scale, height and positioning of the proposed extension, nature of surrounding development and the enclosed nature of the site, it is not considered that the proposal would appear visually intrusive to neighbouring buildings.

9.19 Whilst the new two storey side extension would extend along the shared boundary with no. 8 High Street, it is not considered that it would appear visually overbearing in this context, given that it would comprise a lower ridge height than this structure, (by virtue of the differing ground levels between the two sites), and would be largely screened from view by the tall boundary wall extending between the two buildings.

#### *Loss of Light/ Privacy*

9.20 The proposal has been sympathetically designed to ensure that it would not have any adverse impacts on the residential amenity of neighbouring properties in terms of loss of light/privacy. Whilst the proposal would comprise a first floor patio door with juliet balcony, facing the side elevation of 2 Vicarage Lane, it is not considered that this could be used to facilitate any harmful overlooking of this property, given the separation distance that would be retained between the two buildings. In addition to this, it is noted that the side elevation of neighbouring property 2 Vicarage Lane comprises a single first floor window, which is obscure glazed and serves a non-habitable room, (i.e. bathroom).

9.21 In light of everything considered above, the proposal would not be considered to have any adverse impacts on the residential amenity of neighbouring properties according with Policy CS12 of the Dacorum Borough Core Strategy (2013), Saved Appendix 3 of the Dacorum Borough Local Plan (2004) and the relevant sections of the NPPF (2019).

#### Impact on Highway Safety and Parking

9.22 The NPPF (2019), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), Saved Policy 58 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.23 No changes have been proposed to the existing site access.

9.24 The proposal would result in the creation of an additional bedroom, altering the property from a 1 to 2 bed dwelling, for which no off-street parking provision has been provided. Whilst the Parking Standards Supplementary Planning Document (2020) notes that a 2 bed dwelling in this area should provide 1.5 off-street parking spaces, this policy allows for some flexibility, stating that changes to the standards may be appropriate where the nature, type and location of the development is likely to make a change to the parking standards acceptable.

9.25 Given the nature of the proposed development, and taking into account that property 3-4 Una Way is situated off the Kings Langley High Street, (a highly accessible area served by local facilities and associated public transport links), it is not considered that the scheme would have an adverse impact on the road network or create the significant parking stress required to render the scheme unacceptable. As such, no concerns are raised in this regard.

#### Other Material Planning Considerations

##### *Archaeology*

9.26 The site is situated within an Area of Archaeological Significance. The County Archaeologist was consulted in relation to the scheme and has raised no objections, considering the development to be unlikely to have a significant impact on heritage assets of archaeological interest.

##### *Contamination*

9.27 The DBC Scientific Officer has reviewed the proposal and raised no objection to the proposal on the grounds of land contamination.

#### Response to Neighbour Comments

9.28 One neighbour has commented in support of the application, considering the contemporary design of the new extension to complement the character of the existing listed building.

#### Community Infrastructure Levy (CIL)

9.29 Policy CS35 of the Core Strategy (2013) requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1st July 2015. The application is not CIL liable.

## **10. CONCLUSION**

10.1 It is recommended that the application be granted planning permission.

10.2 The proposed development is considered to be acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013). The proposed two storey side extension is considered to have been sympathetically designed to harmonise with the character and appearance of the existing Grade II Listed Building, neighbouring properties and Kings Langley Conservation Area, and is therefore considered to be acceptable in design/visual amenity terms as



well as in terms of its impact on designated heritage assets. It is not considered that the proposal would have any adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy. Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create the significant parking stress required to render the scheme unacceptable. Given all of the above, the proposal complies with the National Planning Policy Framework (2019), Policies CS1, CS4, CS8, CS11, CS12, CS27 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3, 5 and 7 of the Local Plan (2004), the Parking Standards Supplementary Planning Document (2020) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **11. RECOMMENDATION:**

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

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

- 3. The listed brick boundary wall shall be stabilised for the duration of construction works.**

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

- 4. The demolition of the listed brick boundary wall shall be carried out by hand [or by tools held in the hand other than power-driven tools] and the materials stored for re-use.**

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

- 5. The 6.5m length of the demolished brick boundary wall shall be rebuilt using existing bricks and shall be constructed to match the existing wall in terms of height, brick bond and mortar finish. The rebuilt wall shall be tied to existing walls. Where new**

**bricks are required to complete these works, these bricks shall be selected to match existing bricks.**

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

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

- 20002-00-100**
- 20002-00-101**
- 20002-00-102**
- 20002-00-103**
- 20002-00-104**
- 20002-00-105**
- 20002-00-201 Rev A**
- 20002-00-202 Rev A**
- 20002-00-203 Rev A**
- 20002-00-204 Rev A**
- 20002-00-205 Rev A**
- 20002-00-206 Rev A**
- Design and Access Statement (Rev A)**
- Heritage Statement (dated 8th Sept 2020)**
- Structural Engineering Advice Letter (dated 20th Nov 2020)**

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

**Informatives:**

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

**APPENDIX A: CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
Archaeology Unit (HCC)	The applicant has provided sufficient information regarding the potential impact of the proposed extension on heritage assets. In this instance, therefore, I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I therefore have no comment to make upon the proposal.
Parish/Town Council	The Council objects on the grounds that the design proposed would be wholly out of keeping and materially harm both the existing building and

	the surrounding conservation area.
Environmental And Community Protection (DBC)	Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.
Conservation & Design (DBC)	<p>3 - 4 Una Way is the gabled rear wing of 6 High Street and is part of the grade II listed building which incorporates nos. 6, 8 and 10. The application site also lies within the Kings Langley Conservation Area. The listed building is early 17th century with 19th century alterations, constructed of timber frame with brick infill with a clay tile roof.</p> <p>The application is accompanied by a Heritage Statement in accordance with NPPF policy 189.</p> <p>The application property is pebbledash rendered externally with modern weatherboard to the gable end and has a clay tile roof. Internally timber frame is in evidence, particularly within the first floor bedroom and staircase area and this is thought to be 17th century. The current kitchen / bedroom 2 is an early 19th century extension on to the 17th century rear wing.</p> <p>This application follows a previous withdrawal of an application for a 2-storey rear extension, including removal of the entire gable end wall. Subsequent pre-app proposals for a more modest scale rear extension entailing less structural alteration to the gable end were supported in principle.</p> <p>The NPPF, para 193 advises 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'</p> <p>The scale of the extensions (both 2-storey and single storey) is now supported.</p> <p>The proposed alterations to the existing gable end wall of the property are supported although it is queried whether the section of wall adjacent to the new staircase to the new first floor bedroom in the extension needs to be fully removed if a staircase could be built against it?</p> <p>In terms of design, whilst a contemporary approach can be supported in this position on the listed building and within the Conservation Area it is felt the design needs some refinement. I am not convinced the use of both metal cladding and brickwork as currently proposed works all that well against the pebbledash rendered property. The use of the metal</p>

	<p>cladding to roof and walls is OK in principle but it may work better if the cladding continues down to plinth level and is used upon the whole extension, simplifying the scheme.</p> <p>It is suggested the window on the front elevation is either reduced in size or split into 2 separate windows (to relate better to existing fenestration and the two-storey and single storey addition).</p> <p>The demolition of part of the existing late 18th or early 19th century boundary wall now forms part of the application as it is deemed to be unsafe (according to the structural report). The wall is listed by virtue of being attached to the property. The proposed partial demolition does raise a few areas of concern / queries.</p> <p>The upper part of the wall doesn't look as secure as the lower part. Is the whole wall structurally unsound and needs rebuilding? If so this will need consent. Will the partial demolition of the wall (to allow rebuild for extension) destabilise the rest of the wall?</p> <p>If the wall is part rebuilt in bricks and bond to match existing will it be tied in to existing brick wall in brickwork or will the extension need to be separate / therefore leaving the remaining section of wall unsupported at its eastern end?</p> <p>If it is not feasible to build the extension off the existing (repaired) boundary wall then further details will be required prior to a decision being reached on this application.</p> <p>I would be happy to discuss these issues with the architect.</p>
Parish/Town Council	Noted.
Environmental And Community Protection (DBC)	Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.
Conservation & Design (DBC)	<p>3 - 4 Una Way is the gabled rear wing of 6 High Street and is part of the grade II listed building which incorporates nos. 6, 8 and 10. The application site also lies within the Kings Langley Conservation Area. The listed building is early 17th century with 19th century alterations, constructed of timber frame with brick infill with a clay tile roof.</p> <p>The application is accompanied by a Heritage Statement in accordance with NPPF policy 189.</p>

The application property is pebbledash rendered externally with modern weatherboard to the gable end and has a clay tile roof. Internally timber frame is in evidence, particularly within the first floor bedroom and staircase area and this is thought to be 17th century. The current kitchen / bedroom 2 is an early 19th century extension on to the 17th century rear wing. The brick wall which adjoins the rear wing shows evidence for former structures having been built up against it but these have been long demolished.

This application follows a previous withdrawal of an application for a 2-storey rear extension, including removal of the entire gable end wall. Subsequent pre-app proposals for a more modest scale rear extension entailing less structural alteration to the gable end were supported in principle. The 17th century fabric of the rear wing will remain unaltered under the current proposals.

The NPPF, para 193 advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation'

The scale of the extensions (both 2-storey and single storey) is now supported.

The plans have been amended as part of the current application process to reduce the amount of 19th century wall removed at ground floor level. At first floor level a doorway opening will be created within the 19th century gable end wall.

The design of the extension has been amended and is now simpler, being clad with grey aluminium cladding to plinth level. Following consultation a grey aluminium cladding is now proposed instead of the black aluminium cladding initially proposed as the grey provides less of a contrast with the existing white render of the rear wing. Whilst the contemporary approach does not always work with listed buildings / within Conservation Area locations, in this case the proposed contemporary design as desired by the applicant is considered acceptable as the extension is discretely sited to the rear of the historic High Street properties and provides an honest approach to extending the rear wing of the listed building. As previously advised the window within the front wall of the side extension has been moved so it sits more comfortably upon this elevation.

Further information has been submitted in relation to the use of and rebuilding of part of the existing listed brick wall which adjoins the rear wing. The wall is in poor structural condition so will need to be partially rebuilt as part of the works. The proposed repair of the rest of the length of wall (to be stabilised prior to works starting) will be a welcome

	<p>outcome of the scheme.</p> <p>The proposals are considered to preserve the significance of the grade II listed property and to preserve the character and appearance of the Kings Langley Conservation Area in accordance with the relevant conservation based policies within the NPPF and policy CS27. Recommend approval.</p> <p>The following conditions are recommended:</p> <p>The 6.5 metre length of existing garden / boundary wall to be rebuilt as part of the extension shall be taken down by hand, the bricks retained, cleaned and reused within the rebuilt extension rear wall.</p> <p>The wall to be rebuilt to match existing in terms of height, brick bond and mortar finish and to be tied into existing walls. Any new bricks required should match existing.</p> <p>The rest of the garden / boundary wall to be stabilised / propped during the construction works and repaired on a like-for-like basis.</p> <p>Details of the grey aluminium cladding to be used for the extension to be submitted for approval</p> <p>Details of new windows / doors (colour / material) to be submitted for approval</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
11	1	0	0	1

### Neighbour Responses

Address	Comments
105-107 High Street Hemel Hempstead Hertfordshire HP1 3AH	As a former long term resident of Kings Langley it is refreshing to see an old building restored and modernised for modern living. Completely hidden, this little gem of Kings Langley's history was near derelict. The changes made in the 80s are truly hideous and well out of keeping with a property of this age. The new extension looks to invite light into a very dark little cottage to ensure it's timbers and old brickwork can breathe and live on. A clever design, it's a real shame that it can't be seen by any neighbours as it will be an interesting addition to the local community, ensuring another family can enjoy the area for years to

	come.
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# Agenda Item 5k

ITEM NUMBER: 5

<b>20/03779/LBC</b>	<b>Two storey side extension and associated landscaping works</b>	
<b>Site Address:</b>	<b>3-4 Una Way High Street Kings Langley Hertfordshire WD4 8BH</b>	
<b>Applicant/Agent:</b>	<b>Nayan Dhamdachia</b>	
<b>Case Officer:</b>	<b>Heather Edey</b>	
<b>Parish/Ward:</b>	<b>Kings Langley Parish Council</b>	<b>Kings Langley</b>
<b>Referral to Committee:</b>	<b>Contrary view of Parish Council</b>	

## 1. RECOMMENDATION

That Listed Building Consent be GRANTED.

## 2. SUMMARY

2.1 The proposed works are considered to be sympathetic to the original design and character of the Grade II Listed Building 3-4 Una Way and the associated listed brick boundary wall, protecting and conserving the integrity, setting and distinctiveness of these designated heritage assets. Furthermore, it is also considered that sufficient information has been provided in support of the application to verify that the proposed works would be appropriate to the scale, proportion and internal/external appearance of the Listed Building. As such, the proposed works are acceptable in accordance with the aims of the National Planning Policy Framework (2019); Saved Policy 119 of the Dacorum Borough Local Plan (2004), Planning (Listed Building and Conservation Areas) Act 1990 and Policy CS27 of the Core Strategy (2013).

## 3. SITE DESCRIPTION

3.1 The application site comprises property 3-4 Una Way, a two storey Grade II Listed building that forms part of the listing for 6, 8 and 10 High Street, situated within the Large Village of Kings Langley. Forming the gabled rear wing of property 6 High Street, the dwelling is accessed via a small alley just off the High Street. The dwelling is constructed in masonry, with a timber framed pitched roof, and is externally finished in pebble dash walls and a clay tiled roof.

3.2 The site is within an Area of Archaeological Significance and falls within the Kings Langley Conservation Area.

## 4. PROPOSAL

4.1 Listed building consent is sought for the construction of a contemporary two storey side extension. Measuring approximately 4.1m wide, the new extension would project 4.5m from the side elevation of the building at ground floor level, to provide a larger kitchen/dining area. The proposed extension would be set in at first floor level, projecting 3m deep to provide an additional bedroom. The proposed extension would comprise a lower brick plinth, grey zinc metal cladding walls, a double glazed metal window, rooflight and bi-fold doors.

4.2 The application also proposes minor landscaping works, including the creation of a new patio area and the partial demolition of a 6.5m length of the listed brick boundary wall, extending between the application site and no. 8 High Street. Following the construction of the new extension, the



partially demolished section of the listed boundary wall would be rebuilt, predominantly using existing bricks.

## **PLANNING HISTORY**

Planning Applications:

19/02617/FHA - Two Storey Rear Extension  
*WDN - 3rd December 2019*

19/02800/LBC - Replacement of existing timber windows to the north elevation with hardwood double glazed casement windows.  
*WDN - 10th February 2020*

19/02805/LBC - Two Storey Rear Extension  
*WDN - 3rd December 2019*

20/00955/LBC - Replacement of existing timber windows, to North elevation, with double glazed hardwood casement windows.  
*GRA - 11th June 2020*

20/03778/FHA - Two storey side extension and associated landscaping works  
*PDE -*

4/01018/05/LBC - Replace existing windows  
*GRA - 27th June 2005*

4/02624/04/LBC - Replacement windows  
*WDN - 30th December 2004*

## **CONSTRAINTS**

Area of Archaeological Significance: 42  
CIL Zone: CIL2  
Kings Langley Conservation Area  
Former Land Use (Risk Zone):  
Heathrow Safeguarding Zone: LHR Wind Turbine  
Large Village: Kings Langley  
Listed Building, Grade: II,  
Parish: Kings Langley CP  
RAF Halton and Chenies Zone: Yellow (45.7m)  
Parking Standards: New Zone 3  
EA Source Protection Zone: 2  
EA Source Protection Zone: 3

## **REPRESENTATIONS**

### Consultation responses

These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

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:

Planning (Listed Building and Conservation Areas) Act 1990 – Section 16(2) and 66(1)  
National Planning Policy Framework 2019 – Section 16  
Dacorum Borough Core Strategy 2013 – Policy CS27  
Dacorum Borough Local Plan 2004 – Saved Policy 119

## 9. CONSIDERATIONS

9.1 The main issues of relevance to the consideration of this application relate to the impact of the proposed works on the character and appearance of the Grade II Listed Building and associated listed brick boundary wall.

### Policy

9.2 The NPPF (2019), Planning (Listed Building and Conservation Areas) Act 1990, and Policy CS27 of the Core Strategy (2013) all seek to ensure that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and enhanced.

9.3 Furthermore, 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.

### Assessment

9.4 The current application seeks listed building consent to alter Grade II Listed Building 3-4 Una Way from a one to two bed dwelling, with works involving alterations to the existing 19<sup>th</sup> century gable end wall and the construction of a contemporary two storey side extension.

#### *Alterations to Gable End Wall*

9.5 In order to connect the new extension to the existing Listed Building and alter the internal layout of the dwelling, the application proposes alterations to the existing 19<sup>th</sup> century gable end wall. Whilst this wall would be completely demolished at ground floor level, this wall would be largely retained at first floor level, with the application proposing the insertion of a new doorway opening.

9.6 Whilst no concerns have been raised to the demolition of the gable end wall at ground floor level, the Society for the Protection of Ancient Buildings (SPAB) have raised objection to the proposed first floor level works. In particular, they have raised concerns that no evidence has been submitted to evidence that preliminary investigations have been undertaken to confirm that the new doorway would be positioned in the least sensitive section of this wall.

9.7 Following two site visits to the property, the Conservation and Design Officer has confirmed that preliminary investigations of the 19<sup>th</sup> century gable end wall have been undertaken. In light of these

findings, they have raised no objection to the positioning of the new opening at first floor level, considering these works to be acceptable.

9.8 In light of the above, no concerns are raised in relation to the proposed works to the 19<sup>th</sup> century gable end wall.

#### *Proposed Extension*

9.9 The application proposes the construction of a contemporary two storey side extension. Measuring approximately 4.1m wide, the new extension would project 4.5m from the side elevation of the building at ground floor level, to provide a larger kitchen/dining area. The proposed extension would be set in at first floor level, projecting 3m deep to provide an additional bedroom. The proposed extension would comprise a lower brick plinth, grey zinc metal cladding walls, a double glazed metal window, rooflight and bi-fold doors.

9.10 SPAB were consulted in relation to these works and raised objection to these works. Whilst no objections were raised in principle to the construction of an extension of contemporary design, they have recommended that additional alterations be made to the current extension, in particular, further reducing its height and altering the material finish of external walls from zinc cladding to weatherboarding.

9.11 The proposed two storey side extension has undergone a number of design alterations in response to concerns raised by SPAB and the Conservation and Design Officer during pre-application and formal application stage.

9.12 Whilst the Conservation and Design Officer has considered the comments put forward by SPAB, they have challenged their assessment of the proposal and their recommendations.

9.13 With regards to the proposals' height, the Conservation and Design Officer has noted that the proposed extension has already been significantly altered in order to reduce its visual bulk/mass, (i.e. with the new extension being set in at first floor level). Given that further reductions to the proposals height would cause issues with head height at first floor level, they have challenged the requirement for further alterations to be made in this regard.

9.14 With regards to material finishes, the Conservation and Design Officer has also raised no concerns. Whilst they have noted the use of timber cladding to be preferable, the use of zinc cladding is not considered to be harmful to the existing Listed Building, given that the silver/grey finish of the zinc would sufficiently soften the appearance of the extension and provide less of a contrast with the 20<sup>th</sup> century painted pebbledash render of the existing rear wing.

9.15 In light of the assessment made by the Conservation and Design Officer, the proposed two storey side extension is considered to be acceptable, conserving the integrity, setting and distinctiveness of the existing Grade II Listed Building

#### *Works to Listed Boundary Wall*

9.16 In order to facilitate the construction of the proposed extension, a 6.5m length of the listed brick boundary wall extending between the existing dwelling and no. 8 High Street would need to be demolished.

9.17 Information submitted in support of the application has confirmed that the existing listed brick wall is in poor structural condition. In light of this, the agent has confirmed that repairs would be made to the existing wall, (with the existing wall being stabilised as part of the proposed construction works), and the demolished section of the wall being rebuilt using existing bricks.

9.18 In accordance with the comments provided by the Conservation and Design Officer, no concerns are raised in relation to these works. This is however subject to a condition being attached to the formal listed building consent ensuring that these demolition works are undertaken by hand, and that the demolished bricks are carefully handled so that they can be reused.

9.19 Where additional materials are required, it has been agreed that the materials used would be selected to match the existing wall, (i.e. matching bricks, brick bond and mortar finish). It is recommended that these arrangements be secured by condition.

## 10. CONCLUSION

10.1 It is recommended that the application be granted.

10.2 The proposed works are considered to be sympathetic to the original design and character of the Grade II Listed Building 3-4 Una Way and the associated listed brick boundary wall, protecting and conserving the integrity, setting and distinctiveness of these designated heritage assets. Furthermore, it is also considered that sufficient information has been provided in support of the application to verify that the proposed works would be appropriate to the scale, proportion and internal/external appearance of the Listed Building. As such, the proposed works are acceptable in accordance with the aims of the National Planning Policy Framework (2019); Saved Policy 119 of the Dacorum Borough Local Plan (2004), Planning (Listed Building and Conservation Areas) Act 1990 and Policy CS27 of the Core Strategy (2013).

## 11. RECOMMENDATION

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

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

3. **The listed brick boundary wall shall be stabilised for the duration of construction works.**

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

4. **The demolition of the listed brick boundary wall shall be carried out by hand [or by tools held in the hand other than power-driven tools] and the materials stored for re-use.**

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

5. **The 6.5m length of the demolished brick boundary wall shall be rebuilt using existing bricks and shall be constructed to match the existing wall in terms of height, brick bond and mortar finish. The rebuilt wall shall be tied to existing walls. Where new bricks are required to complete these works, these bricks shall be selected to match existing bricks.**

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

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

20002-00-100  
 20002-00-101  
 20002-00-102  
 20002-00-103  
 20002-00-104  
 20002-00-105  
 20002-00-201 Rev A  
 20002-00-202 Rev A  
 20002-00-203 Rev A  
 20002-00-204 Rev A  
 20002-00-205 Rev A  
 20002-00-206 Rev A  
 Design and Access Statement (Rev A)  
 Heritage Statement (dated 8th Sept 2020)  
 Structural Engineering Advice Letter (dated 20th Nov 2020)

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

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Parish/Town Council	The Council objects on the grounds that the design proposed would be wholly out of keeping and materially harm both the existing building and the surrounding conservation area.

<p>National Amenity Societies</p>	<p>SPAB:</p> <p>Thank you for consulting the SPAB regarding the proposed two storey extension to the rear of the Grade II listed 3-4 Una Way, and our apologies for the slightly late reply. This property was created from the rear section of the Grade II listed 6 Una Way. The dating and construction of this part of the building is somewhat confusing, but we generally agree that it is likely to be partly early 17th century, extended in the 19th century. The Heritage Statement is useful for assessing the building, but does not provide much in the way of justification for the proposed works, or an explanation of how the scheme came to be (we understand there was a pre-application previously but we do not know what that was for).</p> <p>The majority of the earlier part of the building appears to be a timber frame with brick infill, externally rendered in some areas. However, it is not entirely clear whether there are any historic timbers (reused or otherwise) in the existing west elevation, and this will not be known until the pebbledash and weather boarding are removed. Therefore, it might be sensible to agree to some preliminary investigations by either carefully removing all of the internal plaster on this wall, or removing the pebbledash and weatherboarding externally to ascertain its construction. This will be necessary so that the doorway into the new room at first floor level can be opened through the least sensitive section of wall.</p> <p>The principle of a small extension to this property is generally acceptable, but we question the proposed design. Given the close proximity of neighbouring properties here, are patio doors and a Juliet balcony coming off a bedroom considered to be acceptable in terms of privacy / overlooking? Is the roof light necessary given that the proposed new kitchen will also have folding doors and a side window? We would suggest that it probably isn't, which might allow the scale of the ground floor to be slightly reduced. Although the design is contemporary which is the right approach, it does not complement the historic building to which it will be attached. The materials proposed should reference the historic building whilst reflecting that it is clearly a new addition, so we would suggest that roof tiles are considered instead of the zinc, and the height of the roof should be slightly lower than the existing ridge. Externally, rather than just plain red brick walls, we suggest a low red brick plinth and then covering the walls externally in weatherboard to soften its appearance and as a nod to the weatherboarding that will be removed from the gable end.</p> <p>Internally on the ground floor, we would like to see more of the existing kitchen wall retained, so the area where the existing window is can be slightly widened, but not removed entirely as shown on the proposed</p>
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	<p>drawings. The existing kitchen wall should be retained by the side of the new staircase. Has consideration been given to changing the internal layout slightly - it might work better if the position of the new stairs and the utility room (and bathroom on the first floor) were swapped over. This would make the bathroom more of an en-suite to the new bedroom, and would incorporate the utility room with the kitchen without them being divided by the new stairs.</p> <p>As an aside, given that parts of this building dates from the 17th century and contain a timber frame, we are somewhat concerned by what appears to be (from the photographs) a lack of breathable materials being used. We apologise if this is not the case, but the photos appear to show a lot of modern hard plasters, modern paints and cement pebbledash renders. It is vital that historic buildings breathe, especially those containing timber frames as moisture can become trapped in the walls and if it cannot evaporate away it often starts to rot the frame. Would therefore encourage the use of lime plasters, renders and mortars, breathable insulation and breathable paints to be used wherever possible.</p> <p>Overall, we support the principle of a small new extension here, but would ask that more thought be given to its design and materials to allow it to sit more comfortably and remain subservient to the listed building. It may therefore be advisable to ask for this application to be withdrawn to give time to make adjustments to the design, layout and materials. We would advise further thought be given to the roof treatment and the style of the doors and windows, as the proposed large expanses of glass are at odds with the smaller windows in the listed building. Details of the doors, windows and new staircase should be provided.</p>
<p>Conservation &amp; Design (DBC)</p>	<p>3 - 4 Una Way is the gabled rear wing of 6 High Street and is part of the grade II listed building which incorporates nos. 6, 8 and 10. The application site also lies within the Kings Langley Conservation Area. The listed building is early 17th century with 19th century alterations, constructed of timber frame with brick infill with a clay tile roof.</p> <p>The application is accompanied by a Heritage Statement in accordance with NPPF policy 189.</p> <p>The application property is pebbledash rendered externally with modern weatherboard to the gable end and has a clay tile roof. Internally timber frame is in evidence, particularly within the first floor bedroom and staircase area and this is thought to be 17th century. The current kitchen / bedroom 2 is an early 19th century extension on to the 17th century rear wing.</p>

This application follows a previous withdrawal of an application for a 2-storey rear extension, including removal of the entire gable end wall. Subsequent pre-app proposals for a more modest scale rear extension entailing less structural alteration to the gable end were supported in principle.

The NPPF, para 193 advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation'

The scale of the extensions (both 2-storey and single storey) is now supported.

The proposed alterations to the existing gable end wall of the property are supported although it is queried whether the section of wall adjacent to the new staircase to the new first floor bedroom in the extension needs to be fully removed if a staircase could be built against it?

In terms of design, whilst a contemporary approach can be supported in this position on the listed building and within the Conservation Area it is felt the design needs some refinement. I am not convinced the use of both metal cladding and brickwork as currently proposed works all that well against the pebbledash rendered property. The use of the metal cladding to roof and walls is OK in principle but it may work better if the cladding continues down to plinth level and is used upon the whole extension, simplifying the scheme.

It is suggested the window on the front elevation is either reduced in size or split into 2 separate windows (to relate better to existing fenestration and the two-storey and single storey addition).

The demolition of part of the existing late 18th or early 19th century boundary wall now forms part of the application as it is deemed to be unsafe (according to the structural report). The wall is listed by virtue of being attached to the property. The proposed partial demolition does raise a few areas of concern / queries.

The upper part of the wall doesn't look as secure as the lower part. Is the whole wall structurally unsound and needs rebuilding? If so this will need consent. Will the partial demolition of the wall (to allow rebuild for extension) destabilise the rest of the wall?

If the wall is part rebuilt in bricks and bond to match existing will it be tied in to existing brick wall in brickwork or will the extension need to be separate / therefore leaving the remaining section of wall unsupported at its eastern end?



	<p>If it is not feasible to build the extension off the existing (repaired) boundary wall then further details will be required prior to a decision being reached on this application.</p> <p>I would be happy to discuss these issues with the architect.</p>
Parish/Town Council	Noted.
National Amenity Societies	<p>Thank you for re-consulting the SPAB regarding the proposed extension to the Grade II listed property 3-4 Una Way, Kings Langley and we apologise for the delay in responding to you. We initially commented on these proposals on the 19th January 2021 and we note that although some changes have been made, others have not. These comments should therefore be read in conjunction with our previous email.</p> <p>There is no mention of investigative works being undertaken to establish the least sensitive position for the new bedroom doorway through the west gable end. We would strongly recommend that this is done and conditioned as the position of this doorway may need to be altered to avoid hidden historic timbers.</p> <p>We note that a slightly larger section of the original rear wall (now 900mm long) is now being retained adjacent to the stairs. However, we would like to see the kitchen wall (which is part of the historic building) retained the full length of the stairs as there is no justification for almost all of it to be removed.</p> <p>Externally we note that the balcony and roof light remain, which we questioned previously, and that design of the kitchen window is now slightly different. The big change is the external zinc cladding which is now to cover the whole extension apart from a very narrow brick plinth on the ground floor. The suggestion of using weatherboarding was to slightly soften the appearance of the extension and as a nod to the weatherboarding that will be lost. We are not entirely convinced that covering it completely in zinc is the right approach here, and the examples shown in the Design &amp; Access Statement appear to relate to modern properties and not listed buildings. We would also strongly recommend that the ridge height of the new extension is slightly dropped.</p> <p>We are pleased to see that the garden wall is to rebuilt though and we would advise that the lime mortar mix should be conditioned to match the mix in the remaining section of wall. Details of the new doors, windows, stairs, balcony and roof light should be conditioned, and we would strongly urge you to request details of the paints and plasters to be used within the historic part of the building to avoid any damp</p>

	<p>problems affecting the timber frame.</p> <p>We will leave this application to you to determine so we do not need to be consulted again. However, we hope that more of the kitchen wall by the stairs can be retained, and that the existing gable end will be properly investigated prior to determining the position of the bedroom door.</p> <p>We hope these comments are helpful to you.</p>
<p>Conservation &amp; Design (DBC)</p>	<p>3 - 4 Una Way is the gabled rear wing of 6 High Street and is part of the grade II listed building which incorporates nos. 6, 8 and 10. The application site also lies within the Kings Langley Conservation Area. The listed building is early 17th century with 19th century alterations, constructed of timber frame with brick infill with a clay tile roof.</p> <p>The application is accompanied by a Heritage Statement in accordance with NPPF policy 189.</p> <p>The application property is pebbledash rendered externally with modern weatherboard to the gable end and has a clay tile roof. Internally timber frame is in evidence, particularly within the first floor bedroom and staircase area and this is thought to be 17th century. The current kitchen / bedroom 2 is an early 19th century extension on to the 17th century rear wing. The brick wall which adjoins the rear wing shows evidence for former structures having been built up against it but these have been long demolished.</p> <p>This application follows a previous withdrawal of an application for a 2-storey rear extension, including removal of the entire gable end wall. Subsequent pre-app proposals for a more modest scale rear extension entailing less structural alteration to the gable end were supported in principle. The 17th century fabric of the rear wing will remain unaltered under the current proposals.</p> <p>The NPPF, para 193 advises 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'</p> <p>The scale of the extensions (both 2-storey and single storey) is now supported.</p> <p>The plans have been amended as part of the current application process to reduce the amount of 19th century wall removed at ground floor level. At first floor level a doorway opening will be created within the 19th century gable end wall.</p>

The design of the extension has been amended and is now simpler, being clad with grey aluminium cladding to plinth level. Following consultation a grey aluminium cladding is now proposed instead of the black aluminium cladding initially proposed as the grey provides less of a contrast with the existing white render of the rear wing. Whilst the contemporary approach does not always work with listed buildings / within Conservation Area locations, in this case the proposed contemporary design as desired by the applicant is considered acceptable as the extension is discretely sited to the rear of the historic High Street properties and provides an honest approach to extending the rear wing of the listed building. As previously advised the window within the front wall of the side extension has been moved so it sits more comfortably upon this elevation.

Further information has been submitted in relation to the use of and rebuilding of part of the existing listed brick wall which adjoins the rear wing. The wall is in poor structural condition so will need to be partially rebuilt as part of the works. The proposed repair of the rest of the length of wall (to be stabilised prior to works starting) will be a welcome outcome of the scheme.

The proposals are considered to preserve the significance of the grade II listed property and to preserve the character and appearance of the Kings Langley Conservation Area in accordance with the relevant conservation based policies within the NPPF and policy CS27. Recommend approval.

The following conditions are recommended:

The 6.5 metre length of existing garden / boundary wall to be rebuilt as part of the extension shall be taken down by hand, the bricks retained, cleaned and reused within the rebuilt extension rear wall.

The wall to be rebuilt to match existing in terms of height, brick bond and mortar finish and to be tied into existing walls. Any new bricks required should match existing.

The rest of the garden / boundary wall to be stabilised / propped during the construction works and repaired on a like-for-like basis.

Details of the grey aluminium cladding to be used for the extension to be submitted for approval

Details of new windows / doors (colour / material) to be submitted for approval

ADDITIONAL COMMENTS - RESPONSE TO SPAB COMMENTS:

The west gable end of 3-4 Una Way is 19th century and of red brick construction (pebbledashed externally with modern timber weatherboard to the upper part of the gable), this has been ascertained on 2 separate site visits and only a 19th timber tie beam is visible below the first floor window. The construction of the 19th century gable end wall has been sufficiently assessed and as such I do not think it harmful to remove the section of brickwork at ground floor (the opening has been reduced from the initial proposal) or the creation of a doorway at first floor into new extension. The eastern end of the property (17th century, timber frame and of higher architectural significance) will remain unaltered as part of the extension to the property.

In relation to the extension, the property is small and a 2-storey extension is considered reasonable (again, it has been reduced in scale at first floor). The lowering of the ridge height was advised at the pre-app stage but as the first floor ceiling height is already very low upstairs to lower the ridge height of the extension will cause issues with head height.

SPAB concerns regarding the use of zinc cladding are understood and the use of timber cladding was discussed at the pre-app stage. However, the applicant is keen to create an extension of contemporary design and the use of zinc cladding, in this case, is not considered harmful. During the course of the application the zinc cladding was changed from a black finish to a silver / grey finish to soften its appearance and provide less of a contrast with the 20th century painted pebbledash render on the existing rear wing (to continue the extension in render was not considered appropriate).

The site is accessed through a narrow gap between 4 and 6 High Street. It is very secluded and the extension will not be visible within the street scene. Of course, it will be visible from surrounding properties and whether it is publicly visible or not does not have any bearing on whether it will be acceptable within the Conservation Area however it is considered that there is scope here for a modest extension of contemporary design.

The proposals will result in the repair of the existing red brick boundary wall (in poor condition) which will represent a benefit to the setting of the listed building and the retention of a historic boundary wall within the Conservation Area.

## **APPENDIX B: NEIGHBOUR RESPONSES**

### **Number of Neighbour Comments**

<b>Neighbour Consultations</b>	<b>Contributors</b>	<b>Neutral</b>	<b>Objections</b>	<b>Support</b>
0	0	0	0	0

**Neighbour Responses**

<b>Address</b>	<b>Comments</b>